

# **Erie County Sheriff's Office**



## **"" Policies and Procedures**

# **ERIE COUNTY SHERIFF'S OFFICE**

## **POLICIES AND PROCEDURES**

Revised 11/01/2017

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## **INTRODUCTION**

As a contemporary law enforcement agency, the Erie County Sheriff's Office has departmental objectives and goals that will lead to the prevention of crime and disorder, along with the protection of life, property, and personal liberty for all. To help meet the objectives and goals for the office, the following policy manual has been developed as a guide for all employees.

Because of the infinite variety of complex situations requiring actions by members of the Erie County Sheriff's Office, the policies, rules, and directives in the manual have been developed with a broad scope to encompass most situations. By following procedural guidelines and maintaining a high level of personal integrity and ethical conduct, members of the Erie County Sheriff's Office should be able to discharge their duties of a peacekeeping function within Erie County.

## **PREFACE**

If any Article or Section of this Policy Manual, or any amendments thereto, shall be held invalid by operation of law, or by a tribunal of competent jurisdiction, or compliance with or enforcement of any Article or Section of this Policy Manual shall be restrained by such tribunal, the remainder of the resolution and amendments thereto shall not be affected and shall remain in full force and effect.

## PERSONNEL POLICY AND PROCEDURES GENERAL

The Sheriff of Erie County appoints, employs, fixes compensation, and discharges employees for cause. The Sheriff's Office is a public agency subject to the laws of the State of Ohio, requiring that employees recognize and agree to abide by these laws as a condition of employment. Additionally, the Sheriff requires employees to conform to personal policies adopted by the Office and to perform assigned duties in a responsible and creditable manner during working hours designated by the Office.

The Erie County Sheriff's Office will comply with the Ohio Revised Code and Administrative Rules of the Director of Administrative Services concerning civil laws and personnel procedures.



## **1.01 ETHICS OF PUBLIC EMPLOYMENT**

The proper operation of democratic government requires that actions of public officials and employees be impartial, that government decisions and policies be made in the proper channels of governmental structure, that public office not be used for personal gain and that the public have confidence in the integrity of its government. Recognition of these goals establishes a Code of Ethics as follows for all officials and employees appointed and employed by the Sheriff's Office.

No employee shall use his/her official position for personal gain, or shall engage in any business or transaction, or shall have a financial or other interest, direct or indirect, which is in conflict with the proper discharge of his/her official duties.

No employee shall, without proper legal authorization, disclose confidential information concerning the property of governmental affairs of the Sheriff's Office. Nor shall he/she use such information to advance the financial or other private interest of him/herself or others.

No employee shall accept any valuable gifts, whether in the form of service, loan, item, or promise from any person, firm, or corporation which is interested, directly or indirectly, in any manner whatsoever, in business dealings with the Sheriff's Office; nor shall employees accept any gift, favor or item of value that may tend to influence an employee in the discharge of his/her official duties. Nor shall any employee grant in the discharge of his/her duties, any improper favor, service or item of value.

Any employee offered a gift or favor, which is not sure if its acceptance is a violation of the Code of Ethics should inform his/her supervisor of the gift offer. No employee will accept from any contractor or supplier doing business with the Sheriff's Office any material or service for the private use of the employee.

No employee shall represent private interest in any action or proceeding against the interest of the Sheriff's Office in any manner in which the Sheriff's Office is a part.

State law prohibits employees and officials from having a financial interest in companies that do business with public agencies, with only minor exceptions. Employees who have any doubt concerning possible violation of these statutes are advised to consult their own attorney.

No employee shall engage in, or accept, private employment, or render services for private interest, when such employment or service is incompatible with the proper discharge of his/her official duties, or it would tend to impair his/her independent judgment or action in the performance of his/her official duties.

Any employee having doubt as to the applicability of a provision of this code to a particular situation shall consult his/her supervisor. If the supervisor is in doubt, he/she will refer the employee to the Sheriff. Violations of this code may constitute a cause for suspension, removal from office, or other disciplinary action.

## **1.02 IDENTIFICATION**

An employee shall carry his/her identification card on his/her person. An employee shall furnish his/her name and identification card to any person requesting that information, except when authorized not to do so by proper authority. Employees may be required to properly display ID badges as directed.

### **1.03 ABUSE OF POSITION – USER OF OFFICIAL POSITION OR IDENTIFICATION**

An employee is prohibited from using his/her official position, official identification card, or badge for personal or financial gain, or for obtaining privileges not otherwise available to him/her. An officer may not lend his identification card or badge to another person, or permit it to be photographed or reproduced without the approval of the Sheriff.

### **1.04 USE OF NAME, PHOTOGRAPH OR TITLE**

An employee shall not permit or authorize the use of his/her name, photograph or official title which identifies him/her an officer or employee of the Erie County Sheriff's Office in connection with testimonials or advertisements or any commodity of commercial enterprise for any personal reason without the approval of the Sheriff.

### **1.05 RELEASE OF ADDRESS, PHONE NUMBER**

The home address and/or telephone number of any employee of the Erie County Sheriff's Office will not be released to any person at any time.

### **1.06 EMPLOYMENT OF FAMILY OR HOUSEHOLD MEMBERS OF EMPLOYEES (Revised September, 2012)**

The Erie County Sheriff is obligated by the public trust and applicable statutes to maintain an employment environment that is, to every extent possible, free of conflicts of interest. To achieve this goal, the Erie County Sheriff has determined that qualified immediate family members of current employees may be employed by the Erie County Sheriff's Office, provided that this policy is followed to avoid potential conflicts of interest between the employees, or the appearance of such conflicts of interest.

*"Agency"* means the Erie County Sheriff's Office.

*"Employee"* means any person who receives financial compensation while performing his or her duties for the Erie County Sheriff. This includes any sworn or non-sworn member of the agency to include deputy sheriffs, corrections officers, communications officers, cooks, and secretaries.

*"Employer"* is the Erie County Sheriff.

*"Immediate family member"* includes an employee's mother, father, brother, sister, child, spouse, grandparent, grandchild, mother-in-law, father-in-law, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, legal guardian, a person who stands (or stood) in place of a parent, or any other family or household member of the employee.

*"Family or household member"* means any person listed in Section 2919.25(E) of the Ohio Revised Code

An immediate family member, or other family or household member, ("family member"), of an Erie County Sheriff's Office employee may be considered for employment by the agency, provided that the applicant possesses all of the necessary qualifications for employment. A family member of an Erie County Sheriff's Office employee will not be hired, however, if the employment of the applicant would:

1. Immediately create either a direct or indirect relationship that would involve the supervision of the applicant by the currently employed family member, or vice-versa; and/or
2. Create a situation where the family members would work in the same division of the agency, or would routinely work together on job assignments; and/or,
3. Create a conflict of interest and/or the appearance of impropriety.

These criteria will also be considered when assigning, transferring, or promoting an employee.

Employees who marry or otherwise become members of the same household may continue their employment with the agency, provided that there is not created:

1. A direct or indirect relationship that would involve the supervision of one family or household member by the other; and/or
2. A situation wherein one family or household member works in the same division as the other, and both must routinely work together on the same job assignment(s); and/or
3. A conflict of interest and/or the appearance of impropriety.

The involved employees are forbidden by this policy to voluntarily seek to work with the other family member, either on a routine basis or to work voluntary overtime assignments.

Should one of the above situations occur, the employer will attempt to resolve the issue through voluntary modification(s) to the schedule by the affected employees. If voluntary modifications cannot be made, the employer will seek other remedies—including involuntary schedule changes. If the conflict cannot be otherwise resolved, the affected employees will be permitted to determine which will resign, within a time period of thirty days after the date that the unresolved conflict has been identified.

## **1.07 NON-FRATERNIZATION**

The Erie County Sheriff must ensure the safety and security of the Erie County Jail and must also ensure that the confidentiality of any information pertaining to allegations of criminal misconduct is protected to the maximum extent possible. It would be contrary to these goals for employees to fraternize with criminal offenders. The ethics of any employee who engages in such a relationship may be easily compromised. The purpose of this policy is to set appropriate guidelines on personal relationships between employees of this agency and criminal offenders, to prevent jail security breaches and/or release of confidential information.

**“Employee”** means any individual employed by the Erie County Sheriff’s Office.

**“Offender”** means any person in custody as a prisoner in any local, state, or federal jail, prison, or any other type of correctional facility; or any person who has been charged with any violation of a local, state, or federal felony criminal statute and who has been released from custody on bond or is otherwise under the supervision of a court pending the resolution of that case; and/or any person incarcerated in the Erie County Jail.

**“Ex-offender”** means any person who has been convicted of a felony offense pursuant to any criminal statute and is currently on probation or parole, or any person who has been convicted of a local, state, or federal felony criminal statute and has been discharged from the custody of any local, state, or federal jail, prison, or any other type of correctional facility within the last 365 days.

**“Personal contact”** means non-employment related direct correspondence between the employee and an offender or an ex-offender, including; private conversations or telephone calls; the sending and/or receipt of any correspondence and/or object through the United States Postal Service or any private package delivery service; personal correspondence through the use of any form of electronic communications medium; the formation of a personal friendship; any type of personal visitation; any type of social relationship; any type of dating relationship; any type of relationship involving sexual contact or conduct as defined in the Ohio Revised Code.

**“Social relationship”** means an on-going friendship, or any type of personal contact, outside of the scope of an employee’s agency assigned duties and responsibilities.

Pursuant to this policy, employees are prohibited from engaging in the following activities:

1. Personal contact with an offender or ex-offender; and/or
2. Personal contact with any person when that contact is for the purpose of furthering any type of relationship between the employee and an offender or ex-offender; and/or
3. Involvement in the posting of any type of bond (including acting as a co-signer or surety, or providing any personal funds or item[s] of value, that – as a direct or indirect result – are used for a bond) to facilitate the release of anyone incarcerated in any local, state, or federal jail, prison, or other correctional facility.

#### NOTIFICATION OF RELATIONSHIP TO ERIE COUNTY JAIL PRISONER

An employee must immediately notify the Sheriff, Operations Officer, and/or Jail Administrator – upon the employee becoming aware of such information – if any family or household member as defined in Section 2919.25(F)(1) is incarcerated in the Erie County Jail, whether or not that individual is released prior to said notification being made.

With the approval of the Sheriff, an employee may be granted an exception to this policy if a personal relationship with an offender or ex-offender existed between the employee and the offender or ex-offender prior to the offender or ex-offender’s arrest and/or incarceration. A request for such an exception will be made in writing directly to the Sheriff.

### 1.08 USE OF SOCIAL MEDIA

This policy provides a framework for the use of social media for both professional and personal use for employees of this agency. The policy provides employees with guidance to ensure that their use of social media preserves and promotes the professional appearance and integrity of the Erie County Sheriff’s Office.

#### DEFINITIONS

*Social Media*—a category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, Instagram, and LinkedIn), microblogging sites (Twitter), photo and video sharing sites (YouTube), blogs and media sites.

*Digital Technology*—all photographs, audio, and video recordings.

*Social Networks*—online platforms where users can create profiles, share information and socialize with others using a range of technologies.

*Blog*—a self-published diary or commentary on a particular that may allow others to post responses, reactions or comments.

*Post*—content an individual shares on any social media site or the act of publishing content on a social media site.

*Profile*—information that a user provides about his/herself on social networking site.

*Page*—the specific portion of a social media website where content is displayed and managed by an individual or individuals with administrative rights.

*News Media Comment posting*—a section in media posts where readers can provide their reactions or comments to the content.

*Speech*—expression or communication of thought or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related form of communication.

*Employee* – any person employed by the Erie County Sheriff’s Office, including volunteers.

All employees of the Erie County Sheriff’s Office will follow the below listed guidelines.

Employees are prohibited from posting, placing, or having posted or placed any information relating to their duties, or any information they have learned or obtained as a result of their duties as an employee of the Erie County Sheriff’s Office on any social networking site. This shall include:

1. The posting of any pictures, video, audio, comments, discussion, or other digital technology media of any incident, inquiry, investigation, or all other information relating to the Erie County Sheriff’s Office.
2. The posting of any pictures, audio, or any video of any property or equipment owned by this agency that was issued to the employee; including, but not limited to: uniform apparel, badges, patches, cruisers, etc. This shall include any pictures of any employees, whether on or off duty, in any part of his/her uniform or agency owned equipment. This also includes any pictures, images, or artwork of any uniform patch worn by employees of this agency or any other material that refers to the Erie County Sheriff’s Office unless the posting of such picture or image is approved in writing by the Sheriff or the Chief Deputy.
3. It is understood that employees may desire to post or place pictures of him/herself or pictures of his/her specific unit to a social networking site for the purpose of promoting the image of the Erie County Sheriff’s Office. When an employee desires to post a picture of him/herself, of other employees, or any equipment or property owned by the Erie County Sheriff’s he/she will request approval in writing from the Sheriff or the Chief Deputy. When such picture, video, or audio recording has other agency employees or other persons in the item to be posted, the employee making the request shall submit with his/her written or email request, a written memo or email addressed to the Sheriff or the Chief Deputy from each person pictured or recorded, authorizing their picture, or recording, to be posted on a social networking site. No such posting will occur unless written permission has been given by the Sheriff or the Chief Deputy.
4. Employees are prohibited from updating, posting any comments, pictures, video, audio, or responding in any way to any comments or inquiries to any social networking site, including their own, while on duty unless such activity is related to an investigation in which a supervisor has knowledge of and has approved this use of social media.
5. Employees are prohibited from posting anything via social media that contains obscene or explicit language, or any sexually explicit language, images or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
6. Employees are prohibited from posting anything via social media that involves themselves or employees of this agency that reflects behavior that would be reasonably considered reckless or irresponsible.
7. The posting of any pictures, information, alerts or other information to the Erie County Sheriff’s Office website or other internet based programs utilized by the Erie County Sheriff’s Office to alert the public of important information are only permitted to post information authorized by the Sheriff or the Chief Deputy.

Employees of the Erie County Sheriff's Office while on duty shall never utilize social media or any social networking sites to harass, belittle, ridicule, or criticize an employee or another individual in any manner. The posting of any pictures, video, audio, comments, discussion, or digital media to a social networking site or forwarding or sending an email(s) that criticizes, ridicules, or otherwise may potentially embarrass or disgrace another employee or person is strictly prohibited. This also includes the altering or editing of digital technology that harasses, belittles, or criticizes an employee in any manner. This policy does not prohibit a supervisor(s) from sending an employee a corrective email.

#### **OFF-DUTY USE OF SOCIAL MEDIA**

Employees of the Erie County Sheriff's Office must maintain high standards of professional and personal conduct at all times including during the use of social media. Employees utilizing, posting pictures, video, audio, commenting or creating a social media networking site(s), blog(s) and comment oriented websites must conduct themselves at all times in a manner so as not to bring embarrassment, disgrace or doubt as to their credibility as an employee with the Erie County Sheriff's Office.

Any employee who becomes aware of, or has knowledge of a posting, or any website or web page in violation of this policy shall notify his/her supervisor of the violation.

### **2.01 NOTIFICATION OF MARITAL STATUS**

The employee shall notify the Sheriff, in writing, of any marital status change, any change of name and additions to family. Such notification is necessary in order to make the appropriate changes in the beneficiaries for insurance and retirement benefits.

### **2.02 BIRTHDATE**

The employee shall furnish his/her correct and legal birth date. If a birth date is to be corrected, such corrections, other than typographical errors, must be submitted by notarized affidavits. Any deliberate falsification of name and/or birth date shall be subject to disciplinary action. Submission of an incorrect birth date may also jeopardize certain retirement benefits.

### **2.03 TELEPHONE/ADDRESS**

All employees shall have a telephone in their residence and shall report any change of telephone number or address to the Sheriff, in writing, immediately.

### **3.01 FAIR EMPLOYMENT PRACTICE**

In the appointment, promotion or grading of employees, and in recommendations for increases or reductions in compensation, there shall be no discrimination for or against any person because of race, color, creed, sex, national origin, age, or handicap.

### **3.02 AGENCY EMPLOYEE RECRUITMENT AND HIRING**

The goal of every Ohio law enforcement agency should be to recruit and hire qualified individuals while providing equal employment opportunity and consisting of a diverse workforce. The Erie County Sheriff's Office strives to reach this goal. Communities with diverse populations should strive to have a diverse law enforcement workforce that reflects the citizens served.

Non-discrimination and equal employment opportunity are the policies of the Erie County Sheriff's Office. The Sheriff's Office provides equal terms and conditions of employment regardless of race, color, religion, sex, sexual orientation, gender identity, age, national origin, veteran status, military status, or disability. This applies to all terms or conditions associated with the employment process, including hiring, promotions, terminations, discipline, performance evaluations, and interviews.

The Sheriff's Office utilizes due diligence in ensuring that its prospective employees have the proper temperament, knowledge and attitude to handle this very difficult job. The Sheriff's Office has appropriate

mechanisms in place in order to achieve this mission. Further, the Sheriff's Office ensures that its employment requirements are related to the skills that are necessary for an individual to be a successful employee of the Sheriff's Office.

#### **DISTRIBUTION, REVIEW, AND TESTING**

All agency personnel will receive a copy of this policy, either on paper or electronically.

All agency personnel involved in the recruitment and hiring activities for all agency personnel shall review this agency's directive, recruitment plan, application process and selection process and EEO plan at least annually and revise it when necessary. Employees conducting recruitment and hiring activities shall complete annual proficiency testing over the content of this entire policy.

#### **RECRUITMENT PLAN**

The agency maintains a general recruitment plan to attract qualified applicants for selection as agency employees. This plan includes objectives and strategies for recruiting minorities and females.

Generally, since the agency only accepts Ohio Peace Officer Training Commission (OPOTC) certified applicants for Deputy Sheriff positions who have successfully passed a written examination, recruitment efforts are focused on publicizing our employment process on our agency's website and regularly speaking with the commanders of local OPOTC recognized basic police training academies.

#### **EQUAL EMPLOYMENT OPPORTUNITY PLAN**

##### **Equal Employment Opportunity**

The Erie County Sheriff's Office is an Equal Opportunity Employer that supports the Americans with Disabilities Act (ADA) and will respond to reasonable requests for job accommodations and take reasonable action to employ qualified individuals with disabilities. This agency is committed to making reasonable, sustained, and diligent efforts to identify and consider such individuals for employment and for possible advancement opportunities arising during employment.

It is the sworn duty of all law enforcement officers to uphold the constitutional rights of all individuals. The Erie County Sheriff's Office strictly prohibits any retaliatory action against an employee for opposing a practice which he or she believes to be discriminatory. This includes the filing of an internal complaint or the filing of a complaint with a state or federal civil rights enforcement agency.

Non-discrimination and equal employment opportunity is the policy of this agency. All applicants for employment and employees will be provided equal terms and conditions of employment regardless of race, religion, sex, sexual orientation, gender identity, age, national origin, veteran status, military status, or disability. This applies to all terms or conditions associated with the employment process, including hiring, promotions, terminations, discipline, performance evaluations, and interviews.

All employees will abide by this entire policy. Violation of this policy will subject an employee to disciplinary action, up to and including dismissal.

##### **Employment Requirements**

All persons seeking employment with the agency as a Deputy Sheriff must:

1. Be a United States citizen.
2. Be a resident of Erie County, Ohio or become a resident within ninety [90] days of employment.
3. Possess a valid Ohio Driver's License.
4. Have a high school diploma or GED.
5. Never have been convicted of a felony or misdemeanor involving moral turpitude and must not be currently under indictment for any criminal offense;
6. Have never been convicted of any family violence offense.

7. Not be prohibited by state or federal law from operating a motor vehicle.
8. Not be prohibited by state or federal law from possessing firearms or ammunition.
9. Agree to be subject to a thorough background investigation and personal interviews by Erie County Sheriff's Office personnel.
10. Have never had a peace officer commission or peace officer license denied or revoked.
11. Not be currently on suspension, or have a voluntary surrender of any job related license currently in effect.
12. Demonstrate honesty and integrity by successfully completing pre-employment polygraph and drug testing.
13. Demonstrate good general medical health as determined by a medical doctor.
14. Be declared in satisfactory psychological and emotional health by a psychologist or Erie psychiatrist.
15. Be fingerprinted and be subjected to a search of local, state, and national criminal records databases and fingerprint files.
16. Be able to successfully pass any applicable written and/or physical agility testing that grades applicants on their ability to perform tasks that an Erie County Sheriff's Office employee could be called upon to routinely perform.
17. Be able to successfully pass a Computerized Voice Stress Analyzer (CVSA) examination.

#### **Acceptance of Applications:**

Employment applications are accepted by the Erie County Human Resources Department in accordance with published job postings. The completion of a regular application form and any necessary prescribed written test will ensure that each candidate will be considered for all positions within the agency for which he/she has made application. Applications are kept on file for pursuant to the policies of the Erie County Human Resources Department. Applications of hired individuals are maintained in their employee personnel file.

#### **Disqualification of Applicants:**

Applicants may be disqualified for a number of reasons, including, but not limited to:

1. Not possessing the minimum qualifications for the position;
2. Failing to be punctual in taking prescribed tests or undergoing evaluation;
3. Making fraudulent statements during interview or on any application; or
4. Failing to properly complete the application in the manner prescribed.

#### **Annual Review and Analysis**

The Sheriff or his designee shall conduct a documented annual review / analysis of its sworn personnel recruitment and hiring process.

### **3.03 FILLING OF POSTIONS PROCEDURE**

When the Sheriff has determined that a vacancy exists in a full-time permanent position, the following will be adhered to:

1. A vacancy announcement shall be posted for five full consecutive working days. The vacancy announcement shall contain;
  - a. The job classification title
  - b. The desired qualifications for the job
  - c. The rate of pay for the classification
  - d. The division work unit
  - e. A brief description of the duties to be performed



It is the policy of the Sheriff's Office to fill all vacancies above the entry level positions from within the organization, in so far as practicable, if qualified applicants exist. Whenever a vacancy occurs, consideration will be given to those employees who have completed their probationary period and have continued to demonstrate satisfactory performance.

Every qualified applicant for the vacant position will be considered based upon the following criteria;

1. Work experience
2. Agency
3. Outside
4. Education
5. Related course work
6. Related training
7. Other course work
8. Additional skills and abilities
9. Interview of applicants
10. Job performance
11. Within the Sheriff's Department
12. References of other employers
13. Recommendations and personal references

All these criteria will be considered equally important. Each applicant will be considered using the criteria to determine which applicant is best qualified to perform the job duties of the position set forth in the Position Classification Specification. If two or more applicants are considered substantially equal, the position shall be awarded to the most qualified in-house applicant. If two or more in-house applicants are considered substantially equal, the position shall be awarded to the applicant with the greatest seniority.

All applicants who have completed the application form will be evaluated provided they meet the minimum qualifications. The qualified applicants will be interviewed by the Sheriff and/or his designee within fourteen days after the posting is completed.

The Sheriff will not consider any applications filed after the fifth full working day of the posting, including the day of the posting. Employees interested in applying for the posted position may do so by filling out an Employee's Application for Vacant Position form, which is obtainable from the Personnel Office.

All newly hired or promoted employees will be required to satisfactorily complete the required probationary period. If an employee is promoted to a higher job classification and fails to perform properly, he or she may be returned to their former classification.

The final decision will be announced by the Sheriff, only after all qualified applicants who have been interviewed have been informed of their status.

Bargaining unit members should refer to the current contract regarding filling of positions.

### **3.04 NOTARIZED APPLICATION**

It is required by law that applications be notarized in order to be accepted by the Ohio Department of Administrative Services.

### **3.05 PROVISIONAL APPOINTMENTS**

Provisional appointments, if approved by the Department of Administrative Services, in most cases will be made effective on the requested date.

### **3.06 JOB CLASSIFICATION**

Positions in the service of the Sheriff's Office are classified in titles established by the Department of Administrative Services. Such classifications shall be the result of reviewing position descriptions written by the Sheriff's Office.

#### **4.01 SALARIES**

The Sheriff establishes all employees' salaries. In exceptional cases, the Sheriff may employ persons at rates higher than the minimum rate if, in his judgment, it is impossible to obtain properly qualified persons at the minimum rate.

Bargaining unit employees please refer to the current contract regarding wages.

#### **4.02 PAY PERIODS**

All employees of the Sheriff's Office are paid bi-weekly.

#### **4.03 TAXES – FEDERAL, STATE, AND MUNICIPAL**

The county will withhold dues from employees and transmit same to the employee organizations provided the stipulation is contained in a legal and binding contract approved by the appointing authority and the legislative body and the employee has signed an authorization for dues deduction.

#### **4.04 EMPLOYEE ORGANIZATION DUES**

The county will withhold dues from employees and transmit same to the employee organizations provided the stipulation is contained in a legal and binding contract approved by the appointing authority and the legislative body and the employee has signed an authorization for dues deduction.

For further information bargaining unit members should refer to the current contract.

#### **4.05 WORKER'S COMPENSATION**

An employee of the Sheriff's Office who suffers a job-related injury or occupational disease is entitled to medical expenses. If he/she is off work beyond even (7) days, he/she is entitled to further financial assistance through the Bureau of Worker's Compensation (the amount established by law). No ceiling has been placed on the amount of medical assistance or disability compensation that can be paid to the individual employee. Benefits are also paid to the dependent(s) of employees who suffer death from a job-related injury or occupational disease.

In the event of an accident, the Officer in Charge or the dispatcher should be notified immediately. A written report should be filed with the Operations Officer as soon as possible after the occurrence of the accident. The date, time, place, and nature of the accident should be included in the report. All Bureau of Worker's Compensation claims will be administered according to the rules and regulations of the State's Bureau of Worker's Compensation.

#### **4.06 LONGEVITY PAY**

Continuous Erie County employment entitles employees to longevity pay, and employment under the County Classification Pay Plan is considered. The following schedule applies and will be paid in one check the first pay period of December:

YEARS OF SERVICE	TOTAL LONGEVITY ADDED
More than 6 years	\$.10 per hour
More than 15 years	\$.20 per hour
More than 25 years	\$.30 per hour

#### **4.07 LAYOFF**

Layoffs normally occur due to the lack of work or lack of funds. The established order in which layoffs occur is covered in Chapter 123:1-41 of the Ohio Civil Service Laws and Rules.

Bargaining unit employees please refer to current contract regarding reduction in force.

#### **4.08 REINSTATEMENT**

An employee who voluntarily resigns from a position in the Sheriff's Office, may at the sole discretion of the Sheriff, be reinstated within one year of his/her separation, to the same or similar position in the Department.

#### **4.09 RETIREMENT**

Employees of the Sheriff's Office participate in the Public Employees Retirement System (PERS). The employee, as well as the Sheriff's Office, contributes to the employee's retirement fund. All retirements must follow PERS Rules and the Ohio Revised Code.

It is the purpose of this policy to adopt the Board of Erie County Commissioners Resolution #09-203 – Post-Retirement Employment into the Erie County Sheriff's Office Policies and Procedures.

At the discretion of the Sheriff, and in order to promote a cost-effective delivery of services, retirees of the Sheriff's Office / Ohio Public Employees Retirement System (OPERS) may be considered for re-employment where operational efficiency, recruitment and retention issues necessitate such action.

The rehire of a retired employee may be permitted in which the employee is rehired to a same or similar positions based on the following:

1. All re-hire decisions will be made on a case-by-case basis.
2. The individual's prior performance has been exceptional.
3. The individual is re-hired at a rate NOT to exceed 70% of their pay rate prior to retirement.
4. The post retirement employment must be part time, with a maximum of 24 hours per week.
5. Post-retirement employees may be initially re-hired for a period not to Exceed 18 months. Post-retirement employees may be re-hired for additional months of employment at the discretion of the Sheriff on a case-by-case basis.
6. All retirements must follow OPERS Rules and the Ohio revised Code.

#### **4.10 DISTRIBUTION OF PAYROLL CHECKS**

The following policy will be adhered to:

1. Checks will be distributed by the departmental secretaries between the hours of 4:00 PM on the days designated by the Auditor as payroll days for the Erie County Sheriff's Office.
2. Departmental employees must pick up their checks in person and sign for same.
3. Any checks not picked up by 4:00 PM on the day authorized by the Auditor as payroll day, will be placed in the same day's mail.
4. No employee will make any arrangements for an early check without the Sheriff's approval.
5. Any deviation from this policy will be at the sole discretion of the Sheriff.

#### **4.11 HOURS OF WORK DAY**

Patrol Division	0600 to 1400;	1400 to 2200;	2200 to 0600
Jail Supervisors	0600 to 1400;	1400 to 2200;	2200 to 0600
Corrections Officers	0600 to 1400;	1400 to 2200;	2200 to 0600
Cooks	0600 to 1400;	0800 to 1600;	1000 to 1600
Office Personnel	0800 to 1600		

The hours of the day may vary in order to meet the needs of the community and to assure the effective operation of the department. A change in hours may be so ordered by the Sheriff or acting supervisor.

Work performed within the normally scheduled work period shall be compensated at the regular hourly rate. Every employee must be prepared to work overtime without prior notice.

Bargaining unit employees should refer to current contract language regarding overtime.

#### **4.12 QUESTIONS REGARDING PAYROLL, ETC**

Any questions regarding payroll, overtime, work hours, vacation, sick leave, workers compensation claims, longevity, seniority, or insurance should be submitted to the Sheriff, in writing, for clarification.

#### **4.13 RESIGNATION**

Resignations must be submitted to the Sheriff in writing. Employees will receive all compensation due after all issued county equipment is returned and checked.

#### **5.01 HOLIDAYS**

Full time employees of the Sheriff's Office are entitled to a full day of pay for each holiday. These holidays are to be determined by the County Commissioners for non-bargaining unit employees. If a holiday falls on Saturday, it will be observed on Friday; if it falls on Sunday, it will be observed on Monday. Holiday pay will not be awarded while an employee is on a leave of absence; however, it will be given while an employee is on approved sick leave or vacation.

All employees eligible will receive payment for holidays in one check, the first pay period in December. Bargaining unit employees should refer to current contract language regarding holidays.

#### **5.02 HOLIDAY SCHEDULE**

The Erie County Sheriff's Office holiday schedule will follow the schedule approved by the Board of Erie County Commissioners. Bargaining unit members should consult the current contract regarding the holiday schedule.

#### **6.01 VACATION**

Vacation shall not be granted in increments of time that are less than one hour in duration and will require a thirty day notice. Under certain circumstances, vacation leave may be approved with less than a thirty day notice at the discretion of the Sheriff.

Full time employees of the Sheriff's Office, after completion of one full year of public service, earn vacation leave according to their number of years of public service in Ohio as follows:

- A. Less than one year of service: No vacation.
- B. One year of service, but less than seven years completed: 80 hours.
- C. Seven years of service, but less than fourteen years completed: 120 hours.
- D. Fourteen years of service, but less than twenty-one years completed: 160 hours.
- E. Twenty-one years or more of service completed: 200 hours.

Any service with the state or any of its political subdivisions counts toward the years of service and will determine the amount of vacation to which the employee is entitled. Vacation credit accrues while on vacation, paid military leave, and sick leave; however, no vacation is earned while an employee is on leave without pay.

Part-time employees accrue vacation at a rate based on the number of hours worked. Intermittent employees are not entitled to vacation. Bargaining unit employees should refer to current contract language regarding vacations.

#### **6.02 RESIGNATION – VACATION PAYMENT**

When any employee resigns from the Sheriff's Office, he/she is entitled to payment for any earned but unused vacation. Vacation payment is not made when an employee is granted a leave of absence.

### **6.03 VACATION – SENIORITY DETERMINATION**

Seniority with the Sheriff's Office within a job classification in a division prioritizes the employee's vacation schedules, subject to the approval of the division supervisor. In the case of a question, final determination will be made by the Sheriff.

### **6.04 VACATION – CARRY OVER**

Employees are requested to take vacation each year in amounts equal to the total amounts accrued. However, this is not mandated by law, since employees may carry over earned vacation time for a period not to exceed three years. Vacation credit in excess of three years will be forfeited.

Employees who encounter sickness while on vacation must furnish a doctor's certificate for any time, which is to be converted from vacation to sick leave. Bargaining unit employees should refer to the current contract regarding vacation carry over.

### **7.01 HEALTH INSURANCE**

All Permanent full-time employees are eligible for participation in the group health insurance programs beginning the first day of the month following the first day of full-time employment.

### **7.02 LIFE INSURANCE**

The employer shall purchase for each member of the department, a life insurance policy in the face amount of ten thousand dollars, including accidental death and dismemberment coverage and double indemnity. Bargaining unit members should refer to the current contract regarding life insurance.

### **8.01 CREDITING OF SICK LEAVE**

Sick leave credit shall be earned at the rate of 4.6 hours for each eighty (80) hours of service in active pay status, including paid vacation, and sick leave, but not during a leave of absence or layoff. Unused sick leave shall accumulate without limit.

### **8.02 EXPIRATION OF SICK LEAVE**

If illness or disability continues beyond the time covered by earned sick leave, the employee may be granted a disability leave or a personal leave, at the discretion of the Employer.

### **8.03 CHARGING OF SICK LEAVE**

Sick leave shall be charged in minimum units of one (1) hour. An employee shall be charged for sick leave only for days upon which he would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.

### **8.04 USES OF SICK LEAVE**

Sick leave shall be granted to an employee upon approval of the Employer and for the following reasons;

1. Illness or injury of the employee.
  2. Death of a member of the immediate family.
  3. Medical, dental, optical examination, or treatment for the employee, which cannot be scheduled during non-working hours.
  4. If a member of the immediate family is afflicted with a contagious disease or requires the care and attention of the employee or when, through exposure to a contagious disease, the presence of the employee at his/her job would jeopardize the health of others.
  5. Pregnancy and/or childbirth and other conditions related thereto.
- Bargaining unit members should refer to the current contract regarding uses of sick leave.

#### **8.05 EVIDENCE REQUIRED FOR SICK LEAVE USAGE**

The Employer may require an employee to furnish a standard, written signed statement explaining the nature of the illness, to justify the use of sick leave. Falsification of either a signed statement or a physician's certificate shall be grounds for disciplinary action including dismissal.

Bargaining unit members should refer to the current contract regarding evidence required for sick leave.

#### **8.06 NOTIFICATION BY EMPLOYEE**

When an employee is unable to work, he/she shall notify his/her immediate supervisor or other designated person, one (1) hour before the time he/she is scheduled to work on each day of absence, unless emergency conditions make it impossible or unless the employee has made other reporting arrangements with his/her immediate supervisor.

Bargaining unit members should refer to the current contract regarding abuse of sick leave.

#### **8.07 ABUSE OF SICK LEAVE**

Employees failing to comply with sick leave rules and regulations shall not be paid and may be subject to disciplinary action. If the Employer has reason to suspect that a pattern of sick leave abuse exists, the Employer shall inform the employee in question. If the employee continues to exhibit the same pattern of sick leave use and does not furnish a physician's statement concerning the illness, then the employee may be subject to discipline.

Bargaining unit members should refer to the current contract regarding abuse of sick leave.

#### **8.08 PHYSICIAN STATEMENT**

If medical attention is required, the employee shall be required to furnish a statement from a licensed physician notifying the Employer that the employee was unable to perform his duties. When the employee is absent for three (3) or more consecutive days due to illness, the employee shall be required to furnish a statement from a licensed physician notifying the employer that the employee was unable to perform his duties.

Bargaining unit members should refer to the current contract regarding abuse of sick leave.

#### **8.09 PHYSICIAN EXAMINATION**

When reasonable under the circumstances, the Employer may require an employee to take an examination conducted by a licensed physician or psychologist selected by the Employer, to determine the employee's physical or mental capability to perform the duties of the employee's position. If found not qualified, the employee may be placed on sick leave or disability leave. The cost of the examination shall be paid for by the Employer.

When presented with a request signed by the employee, the Employer shall disclose in writing the circumstances leading up to the Employer's decision to require an examination.

It is understood by all parties that the results of the examination shall be held in strict confidence.

If the employee disagrees with the decision of the professional to whom he/she has been sent, he/she may seek a second opinion from a professional of substantially equal credentials and licensure, the cost of which will be borne equally between the employee and the Employer.

If the two opinions are in substantial disagreement, the two professionals so rendering those evaluations must mutually agree upon a third professional of substantially equal credentials and licensure whose opinion shall be final and binding. The cost of the third opinion will be borne equally between the employee and the Employer.

Bargaining unit members should refer to the current contract regarding physical examinations.

#### **8.10 FUNERAL LEAVE**

Sick leave shall be granted, upon the approval of the Sheriff, at the request of an employee for a maximum of five (5) days on the death of his spouse, child, parent, or person who stood in loco parentis. On

the written request of the employee, the Employer may grant additional sick leave to a maximum of ten (10) days and then, on the employee's request, may grant additional days, as the Employer may deem necessary. Such leave shall be granted upon the approval of the Sheriff at the request of an employee for a maximum of five (5) days on the death of a brother, sister, grandparent, grandchild, father-in-law, mother-in-law, wife's legal guardian or person who had stood in loco parentis, brother-in-law, sister-in-law, daughter-in-law, and son-in-law. The Employer shall grant a reasonable number of additional days of sick leave at the request of an employee who shows good cause for an extension. Such sick leave/funeral leave must be on consecutive workdays, and include the day of the funeral. Where the day of the funeral is on a day the employee is not scheduled to work, the consecutive workdays will be scheduled with the Employer's representative. The employee may be required to submit a death or obituary notice or form from a funeral director with the standard written, signed statement justifying sick leave. The Employer's record of an employee's use of sick leave shall distinguish funeral leave from regular funeral leave.

Bargaining unit members should refer to the current contract regarding funeral leave.

#### **9.01 PERSONAL LEAVE FOR MATERNITY PURPOSES**

An employee who becomes pregnant shall, upon written request made to the Sheriff, be granted leave to absent herself from work for maternity purposes. Pregnancy, childbirth, and related medical conditions are subject to the provisions contained in Chapter 123:1-22 of the State of Ohio Administrative Code. Upon written request to the Sheriff, a pregnant employee shall be granted a leave of absence without pay, subject to the following provisions.

1. *Length of Leave.* Leaves of absence shall be limited to the period of time that the pregnant employee is unable to perform the substantial and material duties of the employee's position. This period may include reasonable pre-delivery, delivery and recovery time, as certified by a physician, not to exceed six months. If the employee is unable to return to active work status within six months, the employee shall be given a disability separation in accordance with Chapter 123:1-33 of the Administrative Code. Such leave shall not include time, following recovery of the employee, being requested for purpose of child care.
2. *Physician's Certificate.* A pregnant employee requesting a leave of absence without pay, must present at the time of the request, a physician's certificate stating the probable period for which the employee will be unable to perform the substantial and material duties of the employee's position due to pregnancy, childbirth, or related medical conditions.
3. *Sick Leave Usage.* Upon requesting, and in accordance with the rules of the director of Administrative Services of the State of Ohio on sick leave and disability leave benefits, a pregnant employee not eligible to receive disability leave benefits under a program offered by an appointing authority shall be permitted to use any and all of the employee's accumulated sick leave credit only for the period of time, as certified by the physician's certificate, that the employee is unable to work as a result of pregnancy, childbirth, or related medical conditions. An employee using sick leave credit shall not be prevented from receiving a leave of absence without pay for the remainder of the period as defined in paragraph (1).
4. *Vacation Leave Usage.* Subject to the provisions contained in Chapter 123:1-33 of the Administrative Code, a pregnant employee not eligible to receive disability leave benefits under a program offered by an appointing authority shall upon requesting, be permitted to use any or all of the employee's accumulated vacation leave at any reasonable time prior to or following childbirth. Such vacation leave may precede, be part of, or follow the period as defined in paragraph (1).
5. *Request for Leave.* Requests for leave of absence, sick leave, or vacation leave made pursuant to this rule are subject to the internal management procedures of the employee's appointing authority. Bargaining unit members should refer to the current contract regarding maternity leave.

## **9.02 MILITARY LEAVE**

All employees of the Sheriff's Office who are members of a reserve component of the Armed Forces or the National Guard are entitled to leave with pay for such time as they are on military duty for periods not to exceed 31 days in any calendar year.

An employee who has had at least ninety (90) days of county service shall be granted a leave of absence without pay to enter active military service to fulfill a military commitment. This employee, if he/she does not re-enlist, is entitled to reinstatement to his/her position within ninety days after termination of active duty.

Bargaining unit members should refer to the current contract regarding military leave.

## **9.03 COURT LEAVE**

The Sheriff's Office shall compensate an employee who is subpoenaed for any court or jury duty by the United States, State of Ohio, or political subdivision.

Fees paid for the above, to an employee of the Sheriff's Office, during regular working hours, shall be made payable to the Treasurer of Erie County by the employee.

The above does not apply when an employee's involvement is of a personal nature.

Bargaining unit members should refer to the current contract regarding court time compensation, jury leave, and civil leave.

## **9.04 LEAVE WITHOUT PAY**

Personal leave may be granted for a maximum of six months for any personal reason of the employee. The Sheriff's Office is not required to grant a personal leave of absence. This decision is left solely to the discretion of the Sheriff.

Educational leave may be granted for a maximum of two years for purposes of education, training, or the specialized experience of the employee that would be of benefit to the Sheriff's Office. This decision is left solely to the discretion of the Sheriff.

An employee, while on leave without pay, does not earn sick leave or vacation leave.

Bargaining unit members should refer to the current contract regarding leave without pay.

## **9.05 APPROVED LEAVE OF ABSENCE WITHOUT PAY**

1. Leave of absence without pay is subject to the approval of the Sheriff.
2. All leaves of absence without pay must be requested on the form designated by the Sheriff's Office.
3. An employee who requests a leave of absence without pay because of illness shall submit a physician's statement stating the specific nature of the illness with the request for leave.
4. It will be the responsibility of the Sheriff to weigh each request for leave without pay and determine each one on its own merit, before granting such leave.
5. In cases where an employee is unable to predetermine the exact length of leave, an indefinite leave not to exceed six months, may be approved. Before returning to work, the employee shall be required to give the Sheriff at least two weeks' notice of his/her desire to return to work; and upon such notice, the employee shall be permitted to return. If this leave was for medical reasons, the employee must supply a physician's statement that he/she is capable of returning to work.
6. When a leave of absence is granted for a definite period, the employee may be reinstated, prior to the expiration of that period, if so requested by the employee and approved by the Sheriff.
7. Failure to return to work at the expiration of the approved leave period shall be considered as absence without leave and shall be considered as a cause for discharge.
8. If a leave of absence is granted for a specific purpose, and it is found that the leave is not actually being used for such purpose, the Sheriff will cancel the leave and direct the employee to report to work by giving written notice to the employee. Failure to return to work shall be cause for discharge of the employee from the Sheriff's Office.



#### **9.06 FAILURE TO RETURN FROM LEAVE OF ABSENCE**

An employee who fails to return to duty at the completion of a leave of absence, without reporting to the employer or his representative, may be terminated from employment.

#### **9.07 ABSENCE WITHOUT LEAVE**

An employee of the Sheriff's Office who is absent from duty habitually, or for three or more successive duty days, without leave or without notice of the reason for such absence, may be dismissed for neglect of duty. An order of removal will be filed with the Ohio Director of Administrative Services and State Personnel Board of Review.

#### **10.01 DISABILITY SEPARATION**

When an employee becomes physically incapacitated and unable to perform the duties of his/her position, and he/she does not request a transfer to another position for which he/she is capable, even if of a lower grade, or he/she is physically incapacitated for the performance of the duties of another position, he/she shall receive a "disability separation". The leave shall be provided if his/her disability continues beyond his/her accumulated sick leave rights, and the procedures established in this rule are followed.

#### **10.02 DISABILITY EXAMINATION**

When the Sheriff desires to grant a disability separation, he will require an examination to be conducted by a licensed physician.

#### **10.03 DISABILITY REINSTATEMENT**

An employee who has been given a disability separation shall have the right to be reinstated to his/her same or similar position as he/she held at the time of his/her leave. The reinstatement shall occur within thirty (30) days after written application for reinstatement, after passing an examination made by a licensed physician showing that he/she has recovered from such disability. Such application for reinstatement must be filed within three years from the date of leave to be valid. The cost of such examination shall be paid by the employee.

#### **10.04 DISABILITY INELIGIBLE FOR REINSTATEMENT**

Any act of an employee who has been given a disability separation which is determined by the Sheriff to be inconsistent with the employee's disability, shall render him/her ineligible for reinstatement.

#### **11.01 PERSONAL APPEARANCE**

Employees of the Erie County Sheriff's Office shall be neat and clean at all times while on duty. They shall bathe regularly, shave cleanly, and keep their hair properly trimmed in accordance with this policy.

**HAIR** - Hair will not touch the ears or collar, except for the closely cut hair on the back of the neck. Hair in front will be groomed so that it does not fall below the band of properly worn headgear. Hair shall be cut so as to have a neat, clean, and business like appearance – numerals, designs, and radical vertical or side blocking is not permitted. Hair color shall not be different from that occurring in nature. Non-functional hair ornaments shall not be worn. When functional hair ornaments are worn, they shall be gold, silver, or blend with the color of the hair.

**FACIAL HAIR.** A short and neatly trimmed moustache may be worn, but it shall not extend over the top of the upper lip or beyond the corners of the mouth. Beards and goatees are not allowed, under any circumstances, except for medical or other reasons (i.e.; employees performing "undercover" activities)

approved by the Sheriff or the Chief Deputy. Sideburns may be worn provided that they shall not extend below the middle of the external ear opening.

**FINGERNAILS.** Fingernails shall be neatly trimmed and shall not extend more than one-quarter (1/4) inch beyond the quick of the nail. Fingernail polish, if worn, shall be either clear or a shade, which is near flesh tone.

**JEWELRY.** No visible jewelry may be worn by the Sheriff, Deputy Sheriff's, or Corrections Officers, other than a maximum of one finger ring per hand. A wedding and engagement ring set, when worn together, will count as one finger ring for purposes of this policy. No rings will be worn on either thumb or, for sworn personnel, on either index finger. Earrings of any type are prohibited for wear by the Sheriff, Deputy Sheriffs, or Corrections Officers, unless prior approval of the Sheriff or Chief Deputy is obtained under limited circumstances (i.e.: employees performing "undercover" law enforcement activities).

Dispatchers and Administrative Assistants are authorized to wear no more than two earrings in each ear, provided that the wearing of said earrings does not interfere with the employee's job duties. Dispatchers and Administrative Assistants may also wear no more than one visible neck chain.

Nose rings or studs, eyebrow rings, tongue studs, and any other similar jewelry items that could be visible to the public are prohibited for all employees.

**TATTOOS.** Any tattoos visible on the outside of the clothing are prohibited. Uniformed personnel are prohibited from having any tattoos that are visible outside of the prescribed uniform of the day, except that permission may be granted to employees with numerous tattoos on their arms to wear the long-sleeved shirt (or a tattoo "sleeve") at all times. Prior approval for the wearing of visible tattoos may be granted by the Sheriff or Chief Deputy for certain personnel under limited circumstances, i.e.: personnel assigned to "undercover" law enforcement activities.

**NON-UNIFORM DRESS.** Employees shall be conservatively dressed in business-like attire. Male employees shall wear ties and jackets when appearing in court; female employees shall wear appropriate dress attire when appearing in court.

**WEARING OF THE UNIFORM.** All uniformed personnel will wear their uniforms in accordance with the standards promulgated by the County Sheriff's Standard Car Marking and Uniform Commission, unless otherwise approved or directed by the Sheriff. Uniformed personnel will report for duty in full regulation or approved uniform unless otherwise ordered by a supervisor, and will remain in that full uniform until reporting off duty. All components of the uniform will be worn at all times when the employee is subject to being viewed by the public – including while in transit to report for assigned duty – or no part of the uniform will be worn. No unissued, unauthorized, or unsightly items may be worn on the uniform duty belt or anywhere else on the employee's body if the item would be visible to the general public while the employee is in uniform. Any uniform item issued to an employee by this agency will only be worn for employment related activities—i.e.: traveling to and from the workplace, working a shift, and traveling to and from, and attending, agency approved training or events during which the employee is representing the agency.

**BODY ARMOR.** Concealable ballistic body armor is issued to the Sheriff and all Deputy Sheriffs. Those sworn personnel, while wearing the uniform, will wear that concealable body armor under their uniform shirt at all times. Certain personnel may be issued additional heavy ballistic body armor—rated to stop high-powered rifle bullets—in a carrier designed to be worn on the exterior of the uniform shirt, and Kevlar helmets. That armor and the helmets are not required to be worn at all times; however, personnel

issued that heavier body armor and helmets are encouraged to wear them if circumstances are such that the additional protection provided by those items could be needed. Corrections Officers have the option to obtain concealable stab-resistant body armor, either through grant funding or with their own funds. While Corrections Officers are not required to wear that body armor at all times while on duty, they are encouraged to do so. If stab-resistant body armor is worn, it will be worn concealed under the uniform

**ALTERNATIVE ITEMS** Corrections Officers, Dispatchers, and Administrative Assistants may purchase black sweaters to be worn over the uniform shirt while on duty to meet their individual comfort needs, provided that those sweaters are free of defects (rips, holes, etc.) and have the proper shoulder patches displayed. Patches will be obtained and attached at the expense of the employee. Other than these black sweaters, no other alternative uniform item is authorized to be worn while the employee is in uniform.

**VALUE OF CERTAIN UNIFORM ITEMS CONSIDERED TAXABLE INCOME.** Certain employees (Dispatchers and Administrative Assistants) may be issued an alternative uniform consisting of polo-style shirts, khaki pants, black belt, and black shoes or boots. The Internal Revenue Service has ruled that said alternative uniform items are taxable fringe benefits and it is required that those employees issued such alternative uniform items pay income tax on the actual cost of those items to the agency. The cost of any of those alternative uniform items issued to an effected employee will be reported to the Erie County Auditor for taxation purposes.

**APPEARANCE AND BEARING.** While on duty, employees shall maintain a military bearing and appearance. Employees will avoid such habits as keeping hands in pockets, slouching, leaning, or any other mannerisms that project a slovenly attitude. Employees will not smoke or use any other form of tobacco while in direct contact with the public.

**POLICY EXECUTION.** The officer in charge of any shift is responsible for the appearance of the employees on that shift and shall check the appearance of all employees, when possible, at the beginning of each shift. Officers-in-charge shall take appropriate action to correct any infractions of this policy.

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## **11.02 UNBECOMING CONDUCT**

All employees shall conduct themselves at all times, both on and off duty, in such a manner so as to reflect most favorably on the Office. Conduct unbecoming an employee shall include that which tends to bring the Office into disrepute or reflects discredit upon the employee as an employee of the Office or that which tends to impair the operation of the Office or the employee.

## **11.03 INCOMPETENCE**

An employee shall maintain sufficient competency to properly perform his/her duties and to assume the responsibility of his/her position. He/she shall perform his/her duties in a manner which will tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Erie County Sheriff's Office. Incompetence may be demonstrated by a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established by the Erie County Sheriff's Office; the failure to take appropriate action on the occasion of a crime, disorder or other condition deserving action; and, the absence without leave or unnecessary absence from a work assignment. In addition to other indicators of incompetence, the following will be considered prima facie evidence of incompetence:

Repeated poor evaluations, or written record of repeated infractions of the rules, regulations and directives.

## **11.04 DEPARTMENT REPORTS – TRUTHFULNESS**

All employees shall submit all necessary reports on time and in accordance with established department procedures. 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.

## **11.05 INTERFERENCE WITH CASES**

An employee shall not interfere with cases assigned to other employees for investigation without consent, except by order of the Sheriff, nor shall he/she interfere with the operation of any bureau or division or section of the Erie County Sheriff's Office. An employee shall not interfere with any arrest or prosecution brought by other officers of the Office or by any other agency or person. An employee shall not undertake any investigation nor other police action, not part of his/her duty without obtaining permission of his/her superior officer or the Sheriff.

## **11.06 MEDIA RELATIONS POLICY**

The Erie County Sheriff's Office is a contemporary public law enforcement agency that strives to inform the residents of and visitors to Erie County of its activities. Informing the public of this agency's activities is beneficial both to the agency and to those it serves. The most economical and efficient method of informing the public of this agency's activities is through the news media.

It is the policy of this agency to maintain an open atmosphere of communication with all media outlets because, as mentioned above, such a policy is mutually beneficial to both this agency and the media organizations with which it interacts. Information will be released to the news media in an impartial, accurate, and timely fashion. All employees of this agency, within the limits set by this policy, are directed to abide by this philosophy of cooperation.

No employee of this agency shall release any information that would jeopardize an active investigation, prejudice an accused person's right to a fair trial, or violate any state or federal statute regarding the release of such information. The release of such information tends to create prejudices without serving a significant law enforcement public interest function.

## RESPONSIBILITY TO RELEASE INFORMATION

It is the ultimate responsibility of the Erie County Sheriff to release information to the public regarding this agency's activities. The Sheriff may delegate this responsibility to the following individuals:

1. Public Information Officer (PIO) – this employee would be the primary contact for the news media.
2. Supervisors – Patrol Division shift supervisors, Detective Bureau supervisors, or Corrections Division shift supervisors may be authorized to release information to the news media in the absence of the Sheriff or the PIO.
3. Communications Officers and Records Clerks have constant daily contact with the media. Due to the nature of this contact, communications officers should be prepared to disseminate information as instructed by supervisory personnel.

## FUNCTION OF PUBLIC INFORMATION OFFICER

The Public Information Officer will act to support all members of this agency in matters involving the news media. To accomplish this task, the PIO will be available during normal business hours and will be on-call for emergencies and critical incidents at all other times. The shift supervisor, whether in the Patrol, Corrections, or Communications Divisions, will ensure that the PIO is informed of major incidents and all other events that may generate media interest. "Major events" are defined as those incidents that generate intense media interest and/or inquiry shortly after their occurrence, such as death investigations in which foul play is suspected and natural or other disasters involving extensive property damage or loss of life.

## GENERAL PROCEDURES

General information will be released daily to the various media outlets within the greater Erie County area. Such information includes the daily activity log of the Patrol Division, copies of certain reports filed by members of the Patrol Division, and inmate admission information as kept on file by the Corrections Division.

This information will be made available to the members of the media in a timely and cordially fashion, by members of this agency.

It is the responsibility of the shift supervisors to ensure that copies of reports that may be released to the media pursuant to this policy are approved and placed in the designated area for retrieval by media representatives.

If media representatives desire additional information or clarification other than that routinely provided, the media representative will be referred to the PIO, if the request is made during normal business hours or if the PIO is at the station. If the request is made while the PIO is on duty but not on station, the request will be forwarded to him/her for action. In the event that the PIO is off duty or not available, the shift supervisor will address the media representative's request. If the shift supervisor is concerned that the media representative's request may be contraindicated by this policy, the PIO or Sheriff will be contacted before the information is released.

## INFORMATION RELEASE GUIDELINES

The release of information to the media by members of the Erie county Sheriff's Office is subject to the Ohio open records statues and/or applicable federal statutes. The following information may be released to the media on a routine basis:

1. Basic information concerning a crime or incident being investigated by this agency.
2. Basic information about victims who have reported a crime to this agency.
3. Descriptions of suspects involved in criminal activity being investigated by this agency.
4. Basic descriptions of weapons and vehicles used by a suspect.
5. Basic descriptions of stolen items.
6. Basic descriptions of injuries and conditions of victims.
7. Name, age, address, and other basic information about those arrested, and the charges against them.

8. Information contained in arrest affidavits and other applicable crime/incident reports.
9. Jail inmate information, to include; inmate's name, date of birth, address as provided by the inmate, charge or charges filed against the inmate, the court in which the inmate will be arraigned, the agency arresting and incarcerating the inmate, the date and time that the inmate was received into the jail, and the required bond amount to be posted for the inmate's release.

The following information prohibited from release to the media:

1. Names, addresses, or any information that would identify the victim of a sex offense, child abuse, or any other crime where the privacy of the individual is protected by law.
2. Names, addresses, and basic information about juvenile arrestees as governed by state law.
3. Active criminal investigative information, active criminal intelligence information, and surveillance techniques.
4. Supplemental and investigative reports shall not be released until such time as the case is closed or the lead investigator deems it permissible.
5. Names of informants and information provided by them.
6. Grand jury testimony and proceedings
7. Active internal affairs investigations as governed by state law.
8. Names of witnesses, unless required by law.
9. The identity of critically injured or deceased persons prior to notification of the next of kin.
10. Home address, telephone numbers, and familial information of law enforcement personnel.

## MEDIA INTERVIEWS

The PIO is responsible for assisting the news media by personally conducting interviews or by coordinating interviews between the media representative(s) and other qualified agency personnel. Employees without prior general approval to provide interviews to the media who are contacted directly for an interview will forward the request to the PIO prior to engaging in any interview. If the subject matter for the interview is deemed appropriate, and the employee is voluntarily willing to participate in the interview, the PIO will generally grant approval for the interview. Employees should **always** consider every interview conducted with members of the media to be **'on the record'** and the employee should expect to be directly quoted during any conversations with media representative.

## NEW RELEASES

News releases may be utilized to disseminate information to the community, through the media, regarding major items of general community interest or concern involving the agency. News releases will be authored by the PIO or the Sheriff unless permission is granted to other employee(s) to prepare a news release.

News releases, upon being approved for release by the Sheriff or PIO, will be disseminated as efficiently as possible to the various media outlets, either by facsimile or any other means. Copies of news releases will be placed in the Communications Office. Once approved for release, Communications Officers may disseminate news releases via facsimile or in person to any media outlet.

## NEWS CONFERENCES

News conferences will only be held in connection with major events of concern to the community as a whole. News conferences will only be held with the prior consent of the Sheriff. Media representatives will be addressed at a news conference only the Sheriff and his/her designee. At the request of the Sheriff, the PIO will organize the news conference and ensure that all appropriate media outlets are notified of the news conference.

## **MEDIA OBSERVATIONS**

By previous approval of the Sheriff or the PIO, members of the media may be authorized to accompany members of this agency while performing their duties. Members of the media may be given access to any area of the agency, providing that the presence of the media would not jeopardize an investigation or the personal safety of the media representative.

## **ETHICS STATEMENT**

It is the policy of this agency to treat members of the media with professionalism and ethical behavior. It is expected that the media will respond in a like manner and follow ethical guidelines established by their industry. Members of this agency who feel that they have been treated unethically by the media should direct their complaints to the PIO. Members of the media who feel that they have been treated unethically or unfairly by any employee of the Erie County Sheriff's Office should direct their complaints to the PIO.

## **MEDIA CREDENTIALS**

This agency acknowledges representatives from recognized media organizations who carry and/or display photographic identification issued by their employer. Any other individual, who claims to be a press representative but who does not display photographic identification issued by his or her employer, will be considered a member of the general public.

## **ALTERNATE METHODS TO DISSEMINATE INFORMATION**

While the majority of information dissemination to the public by this agency occurs through various media outlets, nothing in this policy is meant to prohibit dissemination of information to the public through any other alternate methods. Such other methods of dissemination would include community newsletters, government access cable television shows, the agency's web site, public appearances by agency members, and any other appropriate method for information dissemination

## **DISSEMINATION OF LAW ENFORCEMENT AUTOMATED DATA SYSTEMS (LEADS)/NATIONAL CRIME INFORMATION CENTER (NCIC) INFORMATION**

The dissemination of information obtained from the LEADS and/or NCIC networks to the media is strictly prohibited, unless such information has been incorporated into a report that is approved for media release. No employee will release specific information obtained from the LEADS/NCIC system at any time upon the specific request of a media representative without the prior approval of the Sheriff or PIO.

## **11.07 CITIZEN COMPLAINTS**

Any employee shall courteously communicate with any individual who wishes to file a complaint alleging that an employee of this agency has violated any criminal or traffic law (federal, state or local ordinance) and/or any agency policy or procedure. Upon learning of the allegation, the employee receiving the information will immediately refer the complainant to the most senior supervisor on duty within the respective division in the agency (Patrol or Corrections). That supervisor will then receive the information in writing from the complainant, may investigate the complaint as necessary, and may initiate any counseling or other necessary disciplinary action against the employee in question. The investigating supervisor may also, once the written complaint has been received, refer the investigation to the Patrol Division Operations Officer and/or the Jail Administrator for investigation and initiation of disciplinary action.

At no time will an agency employee institute disciplinary action against an employee of the same or higher rank based upon a citizen complaint. Disciplinary action in such cases will follow the chain of command.

A supervisor receiving a written statement from a citizen alleging a violation of law and/or agency policies or procedures is not required to notify the employee of the allegation. The employee may be notified at a later date as the investigation proceeds.



Disciplinary action will not be pursued against an employee based solely upon an anonymous, unsubstantiated complaint.

#### **11.08 SUGGESTIONS PERTAINING TO SERVICES**

An agency employee, while in the performance of his/her duties, shall not recommend in any fashion to any individual the employment or procurement of a particular product, professional service, or commercial service, including but not limited to legal counsel, a surety bond provider, or a funeral director or funeral home. The use of towing services is address in Policy 24.04.

#### **11.09 COURTESY**

An agency employee shall be courteous to the public. An employee shall be tactful in the performance of his/her duties and shall, at all times, control his/her temper. An employee shall exercise the utmost patience and discretion, and shall not engage in arguments at any time regardless of the alleged provocation. Additionally, an employee shall not use coarse, violent, profane, insolent, or degrading language or gestures and at no time will an employee express any personal prejudice that the employee may have concerning race, ethnicity, national origin, political beliefs, or any other personal characteristics that another person may exhibit.

#### **11.10 CITIZEN REQUESTS FOR ASSISTANCE.**

When any citizen requests assistance or makes a complaint—regardless of the reporting method—all information necessary will be obtained by the employee interacting with that individual in a courteous, professional manner. The information received shall be acted upon pursuant to this agency's legal obligations and responsibilities as a public safety and public law enforcement service provider.

#### **11.11 IMMORAL CONDUCT**

An agency employee shall maintain a level of moral conduct in his/her personal affairs in keeping with the highest standards of the law enforcement profession. No employee shall be a participant in any incident involving immoral action which tends to, or does, impair his/her ability to perform his/her duty as a member of this agency, or that causes the agency to be brought into disrepute.

#### **11.12 TREATMENT OF PERSONS IN CUSTODY**

It is the purpose of this policy to provide direction to employees of this agency interacting with individuals who are in the custody of this agency, either as a result of an arrest made by an employee or as a result of the individual being incarcerated in or committed to the county jail by another authority.

#### **DEFINITIONS**

**Custodial interrogation**—any interrogation involving a law enforcement officer's question that is reasonably likely to elicit incriminating responses and in which a reasonable person in the subject's position would consider themselves to be in custody, beginning when a person should have been advised of the person's right to counsel and right to remain silent and of the fact that anything the person says could be used against the person, as specified by the United States Supreme Court in *Miranda v. Arizona* (1966), 384 US 436, and subsequent decisions, and ending when the questioning has been completed. [Ohio Revised Code Section 2933.81(A)(1)].

**Detention facility**—has the same meaning as in Section 2921.01 of the Ohio Revised Code [Ohio Revised Code Section 2933.81(A)(2)].

**Electronic recording or electronically recorded**—an audio and visual recording that is an authentic, accurate, unaltered record of a custodial interrogation [Ohio Revised Code Section 2933.81(A)(3)].

**Foreign national**—any person who is not an United States citizen.

**Law enforcement agency**—has the same meaning as in Section 109.573 of the Ohio Revised Code. [Ohio Revised Code Section 2933.81(A)(4)].

**Law enforcement vehicle**—means a vehicle primarily used by a law enforcement agency or by an employee of a law enforcement agency for official law enforcement purposes. [Ohio Revised Code Section 2933.81(A)(5)].

**Local correctional facility**—has the same meaning as in Section 2903.13 of the Ohio Revised Code. [Ohio Revised Code Section 2933.81(A)(6)].

**Place of detention**—means a jail, police or sheriff's station, holding cell, state correctional institution, local correctional facility, detention facility, or department of youth services facility. Place of detention does not include a law enforcement vehicle. [Ohio Revised Code Section 2933.81(A)(7)].

**State correctional institution**—has the same meaning as in Section 2967.01 of the Ohio Revised Code. [Ohio Revised Code Section 2933.81(A)(8)].

**Statement**—means an oral, written, sign language, or non-verbal communication. [Ohio Revised Code Section 2933.81(A)(9)].

## **POLICY**

All employees shall treat those persons in the custody of this agency with professional courtesy and respect. Employees shall never physically or mentally abuse any person in custody. Any employee who abuses any person in custody in any fashion shall be subject to this agency's disciplinary process, and the employee shall also be subject to criminal (federal, state, and/or local) and/or civil liability.

Any employee of this law enforcement agency conducting a custodial interrogation—in a place of detention—of an individual suspected of having committed a violation of Ohio Revised Code statutes relating to aggravated murder, murder, voluntary manslaughter, Involuntary manslaughter, rape, attempted rape, sexual battery, aggravated vehicular homicide, vehicular homicide, and/or vehicular manslaughter shall electronically record that custodial interrogation.

To comply with federal statutes, any employee conducting a custodial interrogation of a juvenile within the Sheriff's Office, or any facility such as a substation utilized by the Sheriff's Office, is required to note the location of the interrogation and the exact times that the interrogation occurred between in the incident report completed by that employee.

If a foreign national is arrested or detained, the individual must be advised of his/her right to contact his/her consulate. The Erie County Jail maintains contact information for foreign consulates. In the event of the arrest of a foreign national, the employee who first becomes aware of the foreign national's status will ensure that the jail staff is notified. Jail staff members will be responsible to notify the appropriate foreign consulate as soon as possible upon the foreign national's incarceration.

In the event that a foreign national is detained but released at the scene of detainment to a United States immigration enforcement officer, the employee is not responsible to contact the foreign national's consulate. That responsibility is transferred to the federal officer taking custody of the foreign national.

## **11.13 POSSESSION OF ALCOHOLIC BEVERAGES, CONTROLLED SUBSTANCES, AND/OR DANGEROUS DRUGS IN SHERIFF'S OFFICE FACILITIES AND/OR VEHICLES.**

No employee of this agency shall bring into or store alcoholic beverages, controlled substances, and/or dangerous drugs in any Sheriff's Office facility—including substations—and/or any agency vehicles, except for alcoholic beverages, controlled substances, and/or dangerous drugs which are being held as

evidence in a pending or filed criminal case. It is not a violation of this policy for an employee to be in possession of medication classified as a controlled substance and/or dangerous drug for his/her use only if the employee has a current prescription for the substance and if the possession and/or use of the medication is in compliance with any other agency policies or procedures.

#### **11.14 USE OF INTOXICANTS ON DUTY**

No employee shall consume alcoholic and/or intoxicating beverages or controlled substances and/or dangerous drugs that cause impairment while on duty. No employee shall report for duty or be on duty while under the influence of any of the above substances. At no time will an employee report for or be on duty with an odor of alcoholic beverages on his/her breath. The only exception to this policy would be an employee who is granted written permission by the Sheriff or Operations Office to consume alcoholic beverages during the course of his/her duties while operating in a covert capacity.

#### **11.15 USE OF DRUGS**

An employee shall not use controlled substances and/or dangerous drugs—as defined in the Ohio Revised Code—except when prescribed for that employee by a physician, physician’s assistant, dentist, or other person authorized to prescribe such substances by the Ohio Board of Pharmacy. No employee shall report for duty if that employee is adversely impaired and unable to perform his/her duties due to the use of any drug—prescribed or over-the counter.

#### **11.16 GAMBLING**

An employee shall not participate or engage in any form of illegal gambling, unless while engaged in covert activity and with the written permission of the Sheriff or Operations Officer. An employee shall not engage in any form of gambling while on duty if that conduct would bring disrepute to the agency.

#### **11.17 DRUG FREE WORKPLACE**

Illicit drug and alcohol use and abuse in the workplace is a danger to everyone. It impairs the safety, health, and welfare of all employees, promotes crime, and lowers efficiency and effectiveness. This policy addresses and attempts to prevent such issues within the ranks of the Erie County sheriff’s Office.

The Erie County Sheriff hereinafter referred to as the Employer, will not condone and will not tolerate any of the following workplace related behaviors by an Employee of the Erie County Sheriff’s Office:

1. The use of illegal drugs;
2. The use of alcohol;
3. The sale, purchase, manufacture, transfer, use or possession of any dangerous drugs obtained without a prescription (excluding the proper use of prescription medication);
4. The employee’s presence at work under the influence of any drug (legal (unless taken as prescribed) or illegal) or alcohol.

The purpose of this policy is to promote safety through the guidelines contained herein and set forth this agency’s mandatory random drug testing program. Any employee who violates this “Drug Free Workplace Policy” (hereinafter referred to as the policy) may be subject to discipline, up to and including termination of employment, even for the first offense.

The employer appoints the Erie County Director of Human Resources and the Erie County Loss Control Coordinator as Designated Employer Representatives (DER) for this policy. These individuals will have responsibilities limited to: receiving notifications from the contracted drug testing agency regarding employees who are required to submit to random drug testing pursuant to the procedure as specified elsewhere in this policy; transmitting the name(s) to the Employer or Employer’s designee; and receiving and reporting the results of such tests to the Employer. All communications regarding any portion of this policy and any test results will be directed by a DER only to the Employer and/or the Employer’s designee. Confidentiality of all information received pursuant to this policy will be strictly guarded and maintained by

the Employer and/or the Employer's designee, with no information being made available to any other person without a legitimate need to know.

The term "employees," as used in this policy, includes all full-time, part-time, intermittent, and temporary employees, and also includes agency volunteers.

An employee's violation of this policy will not ordinarily be reported to any law enforcement agency unless such policy violation has also resulted in a violation of the Ohio Revised Code or applicable local ordinance, or because such a measure must be taken to assure the safety and security of other employees and/or the general public.

**Prescription and Over the Counter Drugs:** The employer does not prohibit an employee from using prescription and over the counter drugs, when used as prescribed and/or recommended by the manufacturer, provided:

1. Any prescription drug is dispensed to the employee for medical reasons by a suitable medical practitioner, with dosage and frequency of use prescribed on the label or accompanying documentation, and
2. The employee's use of the prescription or over-the-counter drug does not affect the employee's job performance or conduct, or threaten the safety, productivity, public image or property of the employer or other employees.

No employee is to perform any function or duty on behalf of the employer if any drug being taken under this provision knowingly and adversely affects the employee's ability to perform any such function or duty in a safe manner.

**Random Drug Testing Procedures, Frequencies and Pattern:** General requirements of all drug and alcohol testing situations on part of the employee include:

1. Reporting at Firelands Corporate Health Center (Firelands), or specimen collection site as designated by the Employer; and
2. Providing the required specimens(s) as soon as possible after arrival at the specimen collection site; and
3. Immediately returning to assigned duties at the conclusion of the specimen collection process as advised by specimen collection site personnel; and
4. Full compliance with this policy, all procedures contained herein, and compliance with all reasonable instructions of individuals who are collecting the biological sample and/or employed by the specimen collection site. In all cases in which the Employer has cause to believe that the employee's or the public's safety may be endangered by allowing the employees to drive to the specimen collection site, the Employer will provide transportation to the collection site.
5. An employee's refusal to comply with any random testing requirements and/or failing to provide the requested specimens when selected for random testing, or adulteration or substitution of the employee's specimen(s) will be considered a refusal to test and will be interpreted the same as a positive test and/or insubordination. Any such refusal subjects the employee to the full range of discipline, up to and including termination of employment or cancellation of an offer of employment.
6. A specific percentage of employees, as determined by the Employer, will be subject to annual random drug and alcohol testing in a pattern determined by the Employer. All employees will always be subject to random testing, regardless of their prior test history.

**Reasonable Suspicion Testing** Reasonable suspicion testing will be performed when the employer and/or an employee's supervisor determine(s) determines that an employee may be under the influence of alcohol and/or an illicit drug, or under the influence of a prescription drug to the point the employee's use of the prescription or over-the-counter drug affects the employee's job performance or conduct, or threatens the safety, productivity, public image or property of the Employer or other employees.

Any suspicion must be documented in writing within twenty-four (24) hours of the development of such suspicion, but need not be placed in writing prior to ordering the employee to undergo a reasonable suspicion test. Reasonable suspicion testing may be based upon, among other things:

1. Observable phenomena, including but not limited to: direct observation of drug or alcohol use or possession; physical symptoms or appearance of being under the influence of a drug or alcohol; and/or the odor of alcohol or other prohibited substances; and/or
2. An abnormal pattern of conduct or erratic behavior which may include repeated examples of deteriorating job performance, unexplained patterns of absenteeism, tardiness, recurrent accidents, repeated violations of established safety or work rules, etc., which are not attributable to other known factors; and/or
3. Convictions of or plea (including no contest or *nolo contendere*) to a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, manufacture, use or trafficking. The employee must immediately report to the employer or his designee any arrest and/or plea to and/or conviction for any drug-related offense; and/or
4. Self-admission, information provided either by a reliable or credible source, or independently corroborated information, pertaining to an employee's alleged alcohol or drug abuse; and/or
5. Newly discovered evidence that the employee has impeded with a previous drug or alcohol test.

The first priority of the employer is the removal of the employee suspected of abusing alcohol or illicit drugs from the work environment. This shall be done to prevent the employee from causing harm to himself, herself, other individuals in the workplace, or anyone else.

The employer and/or the employer's supervisor shall instruct the employee under suspicion to accompany him/her to a private area that is removed from the individual employee's co-workers to advise the employee of such suspicion and to arrange for any testing and/or transportation for such testing. If the Employer and/or supervisor determine that the employee cannot finish his/her scheduled shift and the Employer and/or the supervisor determine that the employee cannot be entrusted to operate a motor vehicle, the Employer and/or supervisor will allow the employee to make arrangements for alternate transportation or the Employer will make such arrangements.

The employee will be compensated for any leave taken in conjunction with the employer's ordering of reasonable suspicion test result is negative. The employee will not be paid if the test is positive, with the exception that any applicable CBA language shall take precedence.

**Drug Testing Techniques and Methods.** Drug testing practices are to include testing for the five to eleven drug(s) identified below through submission of a saliva sample at the Department of Health and Human Services certified laboratory at Firelands adhering to the following:

- D.H.H.S. – approved protocol (may exclude split-specimen)
- D.H.H.S. – approved chain-of-custody
- D.H.H.S. – approved collection Site
- Immunoassay drug screen – (preliminary test)
- GC/MS (confirmatory test)
- MRO review, interview and ruling on any positive test
- Split Specimen

The initial drug testing protocol for employees and applicants shall use an immunoassay technique, which meets Federal Food and Drug Administration requirements. The initial cutoff levels and the drug panel for testing shall meet the Department of Health and Human Services/National Institute on Drug Abuse criteria to determine whether specimens are negative for the drugs listed below.

All specimens identified as positives on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques or any other procedures required by federal law.

The cutoff levels for the initial test as well as the confirmatory test shall be those established by the Federal Department of Health and Human Services as listed below:

	<u>Initial Test Level (Ng/ml)</u>	<u>Confirmatory</u>
Marijuana metabolites	50	15
Cocaine metabolites	150	100
Opiate metabolites	2,000	2000
Phencyclidine	25	25
Amphetamines	500	250
Barbiturates	300	300
Benzodiazepines	300	300
Methadone	300	300
Propoxyphene	300	300
Heroin	10	10
Ecstasy (MDMA/MDA/MDEA)	500	25

These test levels and initial and confirmatory test methods may be subject to change by the employer if advances in technology or other consideration warrant identification of these substances at other concentrations. Initial and confirmatory test methods and test levels for other drugs meeting certification criteria of the department of Health and Human Services/National Institute on Drug Abuse may be added to the testing protocol as deemed necessary by the Employer.

**Alcohol testing techniques and methods** Alcohol testing practices will include an initial breath screen using a National Highway Traffic Safety Administration (NHTSA) approved device. The Employer reserves the right to conduct this initial breath screen using a breath alcohol screening device owned and maintained by the agency.

Confirmatory test shall be conducted using a federally approved and qualifying evidentiary breath test (EBT) conducted by a qualified breath alcohol technician. If the confirmatory EBT testing machine is not available or reasonably accessible, a blood test will be an option that can be ordered by the employer. The employer is required to document and maintain on file the reason the EBT was not administered.

#### **Collection and Handling of Test Specimens**

1. The employee to be tested shall be instructed to report to the collection site as soon as possible after the testing order is given during the employee's scheduled work hours. In some instances, it may be necessary for the employer or employer's designee to transport the individual to the collection site.
2. The collection site technician shall request the employee to present photo identification or other confirming identification, or the employee will be otherwise identified by the employer.
3. The employee shall be required to follow all procedures as required by the collection site technician.
4. The saliva specimen shall be sealed and labeled by the collection site technician in the presence of both the employee submitting the specimen and the collection site technician. The label shall contain the date, the employee's uniquely assigned specimen number and any other information provided or required to be submitted by the employer and/or the collection site technician.
5. The employee tested shall initial the identification label on the specimen certifying that it is the specimen collected from him/her.
6. The collection site technician shall complete any applicable chain of custody form and shall ship the specimen to the appropriate testing laboratory in a sealed, secure container.
7. The laboratory shall use appropriate chain of custody procedures to maintain control and accountability of all specimens from receipt through completion of testing. The date and purpose

shall be documented on an appropriate chain of custody form each time a specimen is handled and transferred.

8. Laboratory personnel shall inspect each specimen package for any evidence of specimen tampering, and such information shall be immediately reported to the employer.

**Reporting of Test Results** The testing laboratory shall report test results to Firelands, who will then report the results to a DER, who will report the results to the Employer or the Employer's designee for the receipt of such test results. Testing laboratory personnel shall certify all test results as accurate. Laboratory test results may not be transmitted by telephone, but transmission by other electronic means (email or facsimile) shall be permissible. All specimens which test negative on the initial test or negative on the confirmatory test shall be reported as negative. Only specimens confirmed positive shall be reported positive for a specific drug or drugs.

Firelands shall provide to a DER an annual statistical summary of drug testing information or any other documentation pertaining to the employer's testing process as requested by a DER. The summary shall not include any personal identifying information. Initial and confirmation data shall be included from test results reported within that month.

**Appeal of Drug Test Results** Employees who have a positive drug test result may review the initial test results and request a retest according to any requirements of an applicable collective bargaining agreement or, in the absence of such agreement, within three (3) calendar days of receiving the initial test result. Such requests shall be in writing, signed, dated and shall be presented to the Employer. The Employer will, as soon as possible but no later than twenty-four (24) hours after receipt of the request, forward the request to the DER. Such retest will be scheduled at Firelands, or at another laboratory of the employee's choosing, provided that the laboratory performing such a retest is certified by the National Institute on Drug Abuse. Any such retest shall be at the expense of the employee.

An employee who is suspended, pending appeal of a positive test required pursuant to this policy, will be permitted to use any available sick, vacation or personal days in order to remain in an active pay status. If the employee has no sick, vacation or personal days he/she will be placed on unpaid leave status. If the employee's re-test indicates a negative result, the employee's unused time balance will be restored.

**Records and Specimen Retention** All records pertaining to a given alcohol or drug test shall be maintained as required by federal law.

All positive specimens shall be routinely retained in frozen storage so as to be available for any necessary retest for a period of one year, unless otherwise authorized in writing by the employer. A longer retention shall be required under legal challenge for an indefinite period.

**Voluntary Disclosure** An employee who voluntarily discloses to the Employer that he/she has a substance abuse (alcohol and/or drug) addiction issue will be offered confidential assistance in contacting counseling and treatment programs and will be provided information about any available insurance coverage or benefits. The Employer will expect such employees to take such actions as are necessary to remedy the addiction issue. Although an employee's decision to seek assistance will not be used as the basis for disciplinary action, it will also not be allowed as a defense by the employee from imposition of disciplinary action when facts confirming a violation of this policy become known, nor will such decision to seek assistance be used as a defense against any disciplinary action for violation of any other policy. Also, should any employee who makes such a voluntary disclosure be subjected to a reasonable suspicion testing that results in a positive result, he/she will become subject to disciplinary action and follow up testing as defined in this policy and will lose any protections he/she may have enjoyed under the voluntary disclosure status.

**Disciplinary Consequences for Positive Test Result** A confirmed positive alcohol or other drug test under this policy will result in appropriate progressive disciplinary action, pursuant to the terms and conditions of any applicable collective bargaining agreement, being taken against the employee.

Failure to produce either a saliva and/or valid breath sample as required by this policy, whether for a random test or for a reasonable suspicion test, will be treated as a refusal to test unless there is a verifiable medical reason that the specimen could not be produced. Any employee refusing to provide a sample as required by this policy will be subject to the disciplinary process for an act of insubordination. If a claimed medical condition, confirmed by a medical professional (physician, physician's assistant, or registered nurse) does not allow for the collection of a saliva and/or breath sample, alternate testing methods will be considered by the Employer.

Any employee who tampers with, or attempts to tamper with, the submission of a saliva or breath sample – or the actual sample itself – or falsifies any statement made in conjunction with the testing process will be subject to any and all appropriate progressive disciplinary action – up to and including termination.

**Return to Work Upon Successful Completion of Drug and/or Alcohol Rehabilitation** An employee who is enrolled in substance abuse rehabilitation as a result of a positive drug or alcohol test under this policy, and who has completed such rehabilitation, and absent any other pertinent factors and/or disciplinary action, will be allowed to return to work upon presentation of a written release signed by a licensed physician or recognized rehabilitation professional. The release must include a statement to the effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-worker(s) and others.

Should a follow-up drug/alcohol test show the presence of a prohibited substance or the introduction of a newly prohibited drug in the employee's body, appropriate progressive disciplinary action shall be taken up to and including termination. Random follow-up tests will be unannounced and may occur at any time and with more frequency than random tests submitted by other employee(s).

**Post-Employment Offer, Pre-Employment, or New Hire Drug Testing** Effective immediately upon implementation of this policy, all applicants are subject to post-offer, pre-employment or "new hire" drug testing that is conducted by an Employer approved contractor. The Employer will decline to extend an offer of regular employment to any applicant, or will release from employment a probationary employee, who refuses to test or who provides a specimen that contains a verified positive test result for any illicit drug or alcohol under this policy.

**Employee Assistance** The employer believes in offering useful information to assist employees with a substance abuse issue. The employer is well aware of the known frequency of substance abuse issues within the law enforcement profession, and will be supportive of employees taking action on their own behalf to address a substance abuse issue. The employer will make information regarding local substance abuse resources and employee assistance programs available to any employee in need of such assistance.

## **11.18 POSSESSION OF UNAUTHORIZED FIREARMS ON AGENCY PREMISES**

Civilian employees of this agency, including corrections officers, communications officers, secretaries, and cooks, are forbidden to transport onto the premises of the Erie County Sheriff's Office, or to possess on the premises of the Erie County Sheriff's Office, any firearms. This policy is applicable to those employees who may be issued a concealed handgun license by the Sheriff of Erie County and/or any other Sheriff of this state, or of any state with a reciprocity agreement with the Ohio Attorney General regarding concealed handgun licenses.

This policy is also applicable to any property used or controlled by the Erie County Sheriff, to include Sheriff's Office substations.



## **12.01 REPORTING FOR DUTY**

All employees shall report for duty at the time and place specified by their superior officer(s). All employees shall be physically and mentally fit to perform their duties, they shall be properly attired, and they shall have in their possession all necessary issued equipment.

“Place” includes the main Sheriff’s Office building, any Sheriff’s Office substation, or any other location as directed by a superior officer.

To provide for the most efficient delivery of public safety services, the Sheriff and certain deputy sheriff’s particularly those assigned to the Patrol Division of the Sheriff’s Office, may be assigned vehicles to be utilized in the performance of their duties. Those employees assigned vehicles, will report to their designated reporting place in their assigned vehicle no later than the start of their specified reporting time, unless otherwise directed by the superior officer.

## **12.02 SLEEPING ON DUTY**

All employees shall remain awake and alert while on duty. If an employee is unable to remain awake, he/she shall report that fact to his/her superior officer. The superior officer will then be responsible to determine the proper course of action.

## **12.03 NEGLECT OF DUTY**

Employees shall not read, play games, watch television or movies, or otherwise engage in personal entertainment while on duty, except as may be required in the performance of the employee’s duties. An employee shall not engage in any activity or personal business that would cause the employee to neglect or to otherwise be inattentive to the employee’s duties.

## **13.01 REFUSAL TO WORK**

The alternative to the law, and its fair and impartial enforcement, is anarchy and its resulting devastation. An employee’s commitment to public service and professional ethics precludes him/her from engaging in strikes or similar activities, unless authorized by law. For these reasons, unless expressly authorized under the law, employees of the Erie County Sheriff’s Office do not have the right to strike or to engage in any work stoppage or slowdown. It is the policy of the Erie County Sheriff’s Office to seek the removal from office of any employee who, in violation of the law, plans or engages in a strike, work stoppage, or work slowdown.

## **14.01 OBSERVING THE CHAIN OF COMMAND**

The Erie County Sheriff’s Office, as a contemporary, paramilitary law enforcement agency, has a designated rank structure and applicable chain of command. Unless otherwise directed, employees will forward requests for leave, equipment, and/or other general information through the chain of command. If the employee believes that the information is of such a nature that it should be brought immediately to the attention of the Sheriff or the Sheriff’s designee, the employee may bypass the chain of command and contact the Sheriff or his/her designee directly. Justification for departure from following the normal chain of command may be requested from the employee.

## **14.02 CONFLICTING ORDERS**

An employee who is given an order that is in conflict with a previous order shall immediately inform the superior officer issuing the conflicting order of the conflict. If the superior officer issuing the conflicting order does not rescind the conflicting order, that order shall be followed. The responsibility for the conduct of the employee following the conflicting order shall then lie with the superior officer issuing the conflicting order, and the employee following the conflicting order shall not be charged with insubordination or any

other applicable disciplinary violation for following the conflicting order. A written explanation from the employee, following the conflicting order, and the supervisor issuing the conflicting order, may be required.

#### **15.01 CRITICISM**

An employee shall not publicly criticize or ridicule the agency, its policies, or other employees through verbal, written, or any other form of communication when such communication is defamatory, obscene, unlawful, or could impair the operation of the agency by impairing its efficiency.

#### **16.01 OFF DUTY EMPLOYMENT**

The Sheriff must ensure the continued efficiency and effectiveness of the Erie County Sheriff's Office while simultaneously reducing or eliminating potential conflicts of interest. To achieve this goal, the Sheriff shall manage the agency utilizing reasonable controls to restrict or regulate the conduct of agency employees. It is the policy of this agency, therefore, to provide guidelines to its employees as to the types of off-duty employment that are appropriate.

**"Employment"** means the provision of a service, whether or not in exchange for a fee, object of value, or other service. Employment does not include voluntary charity work.

**"Off-duty employment"** means any employment that does not require the use, or potential use, of law enforcement powers by a sworn deputy sheriff of this agency or the use of any equipment or property owned by this agency by sworn or non-sworn personnel.

Employees may engage in off-duty employment, as long as such employment meets the following guidelines:

1. Except for non-sworn agency employees, the employment is of a non-law enforcement nature in which vested law enforcement powers are not a condition of employment, and the work provides no real or implied law enforcement service to the employer and is not being performed during assigned hours of duty; and
2. The employment presents no potential conflict of interest between the employee's duties as a sworn deputy sheriff or non-sworn member of this agency and the employee's duties for the secondary employer. Examples of employment representing potential conflicts of interest are as follows:
  - a. acting as a process server, reposessor, bill collector, vehicle towing service employee, or in any other employment in which law enforcement authority could be implied for the collection of money or merchandise for a private enterprise;
  - b. conducting private personnel investigations or any other employment which may require the employee to have access to law enforcement information, files, records, or services as a condition of employment with the secondary employer;
  - c. the wearing of an agency uniform or clothing identifying the employee as a member of this agency while performing tasks that are not related to this agency;
  - d. acting in any manner in the assistance in case preparation for the defense in any criminal prosecution, or assisting any party in any civil action or proceeding;
  - e. employment in any fashion for a business or labor group that is on strike; or
  - f. any employment that requires the agency employee to act as a doorman, bouncer, or to perform any other security duties other than extra-duty employment as approved by this agency.
3. The employment does not constitute a threat to the status or dignity of the Erie County Sheriff's Office. Examples of employment that constitutes a threat to the status or dignity of the agency are as follows:
  - a. employment in businesses or areas that sell pornographic books, magazines, sexual videos,

- or that otherwise provide entertainment or services of a sexual nature; or
- b. employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business; or

## PROHIBITIONS

1. No employee of the Erie County Sheriff's Office shall engage in off-duty employment without first receiving written permission from the Sheriff or his designee.
2. Employees who are on medical or other leave – including, but not limited to, leave due to illness, temporary disability, an on-duty injury, or discipline – shall, at the start of that leave period, become ineligible until the end of such leave period to engage in previously approved off-duty employment without supplemental written permission of the Sheriff.
3. It is the responsibility of the individual employee to schedule off-duty performance of the deputy's normally scheduled job duties. The off duty employment shall not render the deputy unavailable during an emergency, or physically or mentally exhaust the employee to the point that the employee's job performance will be affected.
4. No more than sixteen (16) hours of regular, extra-duty, and off-duty work, in any combination thereof, may be scheduled within a twenty-four (24) hour period without a six (6) consecutive hour break in any type of employment during that twenty-four (24) hour period.
5. Off duty employment shall not in any way conflict with the objectives of this agency, impair its reputation, or compromise the law enforcement mission. For these reasons, off-duty employment may be prohibited by the Sheriff or his designee if such employment is not considered to be in the best interest of the agency.

## 16.02 SPECIAL DETAILS

The Erie County Sheriff is obligated to provide for the continued efficiency and effectiveness of the Erie County Sheriff's Office while simultaneously reducing or eliminating liability and potential conflicts of interest. To achieve this goal, the Sheriff must manage the agency utilizing reasonable controls to restrict or regulate the conduct of Sheriff's Office employees. At various times, the Sheriff approves the employment of deputy sheriffs for special details. This policy exists to provide the necessary guidelines for those working special detail employments.

**Employment**—the provision of a service in exchange for a fee, object of value, or other service. Employment does not include voluntary charity work provided without any form of compensation.

**Special detail employment**—any employment that is conditioned on the actual or potential use of law enforcement authority by a deputy sheriff; wages for which are paid for by any entity other than Erie County and that occurs outside of the deputy sheriff's scheduled work hours.

## SPECIAL DETAIL EMPLOYMENT POLICY

Deputy Sheriffs may engage in special detail employment, as follows:

1. All special detail employment, either paid or voluntary, must be approved by the Sheriff or his/her designee.
2. The special detail employment rate of pay will be \$30.00 per hour, or other rate as mutually agreed upon between the Sheriff and the entity requesting the special detail employment. Unless previously approved by the Sheriff, all compensation due from special detail employment will be paid directly to the deputy(ies) working the special detail.
3. Special details that will be considered for approval by the Sheriff are as follows:
  - a. traffic control; and/or
  - b. crowd control; and/or
  - c. security and/or protection of life and/or property.

## SPECIAL DETAIL POLICY GUIDELINES

1. Special details will be filled based upon agency rank seniority.
2. Special detail notices will be posted by the Sheriff or Chief Deputy in an appropriate location that is available to all sworn members of the agency.
3. Any deputy sheriff wishing to work a special detail will print his/her name clearly in the space provided on the notice, along with the date and time that the name was placed on the notice. By placing his/her name on the notice, the deputy sheriff is accepting assignment to that special detail and is acknowledging that he/she will report for the special detail as required.
4. In the event that a deputy sheriff determines that he/she is unable to work a special detail after signing up to work, it is the responsibility of that deputy sheriff to locate another deputy sheriff willing to work the detail. If a replacement cannot be found, the deputy sheriff who originally signed up to work the detail will be responsible to work it.
5. Prior to twenty-four (24) hours before the starting time of a special detail, a senior deputy sheriff may bump a less senior deputy sheriff from a special detail by placing a single line through the less senior deputy sheriff's name and placing his/her name next to the bumped deputy sheriff's name. The senior deputy sheriff is obligated to notify the less senior deputy sheriff that he/she has been bumped from the detail.
6. No bumping from a special detail will occur within twenty-four (24) hours of the start of the detail, unless the special detail request was posted less than twenty-four (24) hours before its start.
7. In the event that a deputy sheriff has bumped a less senior deputy sheriff from a special detail, and the senior deputy subsequently determines that he/she is unable to work the detail, the detail will be offered first to the deputy previously bumped from the detail in inverse order (last bumped, first asked) prior to the detail being offered to any other detail.
8. Unless otherwise posted, deputy sheriffs working any special detail will be dressed in the standard uniform of the day and will utilize a marked agency vehicle. In the event that it is necessary to affect an arrest during the special detail, the deputy working the detail will be responsible for all tasks associated with the arrest unless other arrangements are made with the shift officer-in-charge.
9. Deputies working special details represent the Erie County Sheriff's Office. Those entities that wish to employ deputies for special details make their requests with the understanding that a deputy or deputies will appear for the detail. It is a poor reflection on the agency when a deputy does not appear for a special detail after having committed to working it. Any deputy who does not report for a scheduled special detail will be subject to disciplinary action for a violation of Group I, Rule 3 of this agency's Rules and Regulations for failing to commence duties at the beginning of a scheduled work period.
10. Duties performed during a special detail are restricted to those duties customarily performed by members of this agency and as provided for by state and/or local statutes.
11. Deputies working a special detail are deemed to be acting within the course and scope of their official duties while fulfilling their responsibilities during the course of the special detail. All agency rules, regulations, policies, and procedures are, therefore, applicable while a deputy is working a special detail. Deputies working special details are obligated to communicate their location at all times, either to the dispatcher via radio or via mobile data computer.
12. Deputies working special details are authorized to use all issued agency equipment.
13. Any entity requesting special detail employment requiring the use of a cruiser throughout the employment period—i.e.: traffic control—will be billed separately by the Sheriff's Office at the rate of \$18.00 per hour, per cruiser. Said funds, upon receipt, shall be deposited into the general fund of the county.

## **PROHIBITIONS**

1. No special detail shall be worked except as set forth above.
2. Deputies who are on medical or other leave—including, but not limited to— leave due to illness, temporary disability, an on-duty injury, or discipline, shall become ineligible to work any special details during the entire period of the leave unless specifically authorized to do so in writing by the Sheriff or Chief Deputy.
3. It is the responsibility of the individual deputy to schedule extra-duty details without conflicting with the deputy's normally scheduled duties. A deputy will not volunteer for special detail work that could physically or mentally impair the deputy to the point that his/her performance during regularly scheduled work hours could be affected. For this reason, the Sheriff always reserves the right to prohibit a deputy from working a special detail if it appears that such work is interfering with, or could interfere with, the deputy's regularly assigned duties.
4. No more than sixteen (16) total hours of regular, special detail, and off-duty work, in any combination thereof, may be scheduled by a deputy within a twenty-four (24) hour period without a six (6) consecutive hour break in any type of employment during that twenty-four (24) hour period. Obviously, the deputy is to ensure that regularly assigned full-time job duties are prioritized.
5. Special detail employment shall not, in any way, conflict with the objectives and mission of this agency or impair the agency's reputation. For these reasons, special details may be prohibited by the Sheriff or the Chief Deputy if working such details would not be considered in the best interest of the Erie County Sheriff's Office.

## **17.01 PERFORMANCE EVALUATIONS**

The Sheriff must ensure the efficiency and effectiveness of employees of the Erie County Sheriff's Office. One method to measure the efficiency and effectiveness of employees is to evaluate the job performance of those employees.

Probationary periods are utilized to ensure that the newly hired or promoted employee can and will perform his/her job duties satisfactorily, and to provide a period of training, supervision, and counseling by senior or supervisory personnel in an attempt to ensure that the employee may succeed in his/her job performance. An employee who does not successfully complete his/her probationary period will be subject to discharge or to be returned to his/her former classification or rank.

Probationary employees will be evaluated as follows:

1. Each new employee, and each newly promoted employee, will be evaluated twice during his/her probationary period. The employee will be evaluated approximately halfway through the probationary period, and again approximately two (2) weeks before the end of the probationary period. The ratings determined during these evaluations will be utilized to determine the continued employment of the employee.
2. The Sheriff may not personally conduct these evaluations, but may rely on designee(s) and/or the employee's immediate supervisor to perform the evaluations.

Non-probationary employees will be evaluated by the Sheriff, his/her designee, or his/her immediate supervisor annually, within thirty (30) days of the employee's anniversary date.

## **18.01 DISCIPLINARY ACTION**

### **I. General Guidelines and Implementation**

- A. Recognizing that each instance of potential discipline involving a violation of established rules and regulations may differ in many respects from somewhat similar situations, the Sheriff retains the right to treat each occurrence upon the individual merit and without creating any precedence for the treatment of any other case which may arise in the future.

- B. The following rules and regulations of the Sheriff's Office provide standard penalties to apply for specific offenses; however, a more or less severe penalty may be issued by the Sheriff than the standard one if the Sheriff determines that the situation so warrants. It is the general intention, however, that this policy be progressive in the Group in which they occur; however, related offenses are progressive regardless of whether they are Group 1, 2, or 3 violations and regardless of which order the Group violations occurred.
- C. Each disciplinary action shall remain effective and in the employee's personnel file for twenty-four (24) months after its issuance. Thereafter, the action will be removed from the file upon the written request of the employee to the Sheriff provided that the same or related offense does not recur within that period of time.
- D. In each case where the penalty deviates from the recommended standard penalties, the reason(s) for such deviations will be noted in writing.
- E. Whenever the Employer and/or his designee determines that there may be cause of an employee to be disciplined (suspended, reduced, or discharged), a pre-disciplinary conference will be scheduled to give the employee the opportunity to offer an explanation of the alleged misconduct. The pre-disciplinary conference procedures shall be rules:
  - 1. The employee shall be provided with a written notice advising him of the charges and specifications of the charges against him. In addition, the notice will list the date, time, and location of the hearing. Such notice shall be given to the employee at least three (3) days before the hearing. The employee shall be allowed representation of his choice, the cost of which shall be borne by the employee. Time limits may be waived by mutual consent of the parties.
  - 2. The hearing shall be conducted before a "neutral" administrator selected by the Employer; who is not involved in any of the events giving rise to the offense. The employee may offer verbal or written statements from other persons pertaining to the charges during the hearing.
  - 3. Within five (5) calendar days after the hearing, the neutral administrator shall provide the employee and Employer with a written statement affirming or dismissing the charges based on the strength of the evidence given at the hearing by the employee and the supervisor. The document will also give the reasons for the decision.
- F. Prior to the scheduled time of conference the employee may waive the right to the conference. An employee who waives his right to the conference may not grieve the imposition of discipline in the matter for which the conference was scheduled, unless such written waiver is presented to the Employer at least twenty-four (24) hours in advance of said hearing.
- G. The Employer agrees all disciplinary procedures shall be carried out in private and in a business-like manner.
- H. An employee may inspect his personnel file twice annually, provided such inspection is done on the employee's non-work time and the Sheriff is notified of the request at least seventy-two (72) hours in advance of such inspection.

## II. Rules and Regulations

- A. Group 1 Offenses: No employee shall violate or be found guilty of the following;
  - 1. Use of profane or abusive language in the performance of an employee's duties or any other conduct unbecoming an employee of the Erie County Sheriff's Office.
  - 2. Mistreatment of the public including any member of the public in an employee's custody or control.
  - 3. Failure to commence duties at the beginning of the scheduled work period or leaving work prior to the end of the scheduled work period without appropriate authorization.
  - 4. Failure to report off duty and give notice for any absences pursuant to established policy and procedure.
  - 5. Leaving an assigned duty post during regular working hours without appropriate

authorization.

6. Making preparations to leave work without specific prior authorization before any official break time, lunch, or before the specified quitting time.
7. Threatening, intimidating, coercing, or interfering with subordinates or other employees.
8. Failure to cooperate with employees as required by an employee's job duties.
9. Failure to use reasonable care, and control, over Erie County and Sheriff's Office property and/or equipment.
10. Failure to observe any rule, regulation, policy, or directive of the Erie County Sheriff's Office.
11. Obliging the County or the Sheriff's Office for any expense, service, or performance without authorization.
12. Unsatisfactory work performance including demonstrating a lack of knowledge of the application of federal and state laws to be enforced; an unwillingness or inability to perform a reasonably assigned task; failure to take appropriate action on the occasion of a crime; or other acts demonstrating incompetence.
13. Use, possession or control of another employee's property or equipment without authorization.
14. Neglect or carelessness in observance of official safety rules or disregard of common safety practice.
15. Conviction of any minor misdemeanor while on or off duty, which discredits oneself or the Erie County Sheriff's Office.
16. Excessive absenteeism or tardiness.

B. Group 2 Offenses: No employee shall violate or be found guilty of the following:

1. Sleeping while on duty.
2. Reporting for work, or working while unfit for duty.
3. Possession of, or consumption of, intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under appropriate authorization.
4. Possession or storage at the Erie County Sheriff's Office of alcoholic beverages, controlled substances, narcotics, or hallucinogens, unless prescribed by a physician or dentist in the treatment of the employee, or unless being held as evidence or unless otherwise appropriately authorized.
5. Consumption of intoxicants to the extent that it results in impairment, intoxicating, obnoxious, or offensive behavior, which discredits oneself or the Erie County Sheriff's office, or renders oneself unfit to report for one's next scheduled work assignment.
6. Unauthorized use of Erie County or Sheriff's Office property or equipment.
7. Giving false testimony during any official investigation.
8. Performing private work on County time.
9. Willful failure to make required reports or knowingly enter, or cause to be entered, any inaccurate, false, or improper information.
10. Willful disregard of any rule, regulation, policy, or directive of the Erie County Sheriff's Office.
11. Failure to report for overtime work without a proper excuse after being scheduled to work.
12. Soliciting on County premises, including the Erie County Sheriff's Office, without appropriate authorization.
13. The making or publishing of false, vicious, malicious, or intentionally misleading statements concerning any employee, supervisor, the Sheriff or County, or operation of either.
14. Distributing or posting written or printed matter of any description, on County or

Sheriff's Office premises, unless authorized, or unless such has been previously approved for distribution.

15. Use of abusive or threatening language by an employee toward a supervisor.
16. Engaging in off-duty employment without prior written approval of the Sheriff. No off-duty employment may interfere with the employee's position at the Sheriff's Office or bring the employee or the Sheriff's Office into disrepute.
17. Employees in positions where operations are continuous, shall not leave their post at the end of their scheduled shift until relieved by an employee on the incoming shift unless by appropriate authorization.
18. Excessive garnishments.

C. Group 3 Offenses: No employee shall violate or be found guilty of the following:

1. Wanton or willful neglect in the performance of assigned duties or in the car, use or custody of an County or Sheriff's Office property or equipment; abuse or deliberate destruction in any manner of County or Sheriff's Office property, tools, equipment, or the property of other employees.
2. Engaging or participating in any form of illegal gambling at any time, except in the performance of duty and while acting under appropriate authorization.
3. Conviction of any felony offense while on or off duty.
4. Making false claims or misrepresentations in an attempt to obtain a benefit of the County or Sheriff's Office.
5. Falsifying testimony during the course of any official investigation or falsifying or assisting in falsifying or destroying any County Record, including work performance reports; or giving false information or withholding pertinent information called for in making any employment application.
6. Leaving an assigned duty post during regular working hours without appropriate authorization and such action endangers another person's life or security of the department.
7. Knowingly harbor a communicable disease, such as tuberculosis, which may endanger other employees or the public.
8. Assault, or attempt to assault, another employee or an employee's supervisor when related to one's employment at the Erie County Sheriff's Office.
9. Carry or possess firearms, explosives or weapons on County or Sheriff's Office property at any time, in violation of law, or established Sheriff's Office procedures.
10. Misuse or removal of County or Sheriff's Office information of any nature, or revealing such information without prior authorization.
11. Instigating, leading or participating in any walkout, strike, sit down, stand-in, refusal to work at the scheduled time and shift or other concerted curtailments, restriction or interference with work in or about the Erie County Sheriff's Office.
12. Dishonesty, or any dishonest action, whether on or off duty.
13. Insubordination by refusing to perform work assigned or to comply with written or verbal instructions of the supervisor which the employee may be expected to perform.
14. Unauthorized absence from work for three (3) consecutive scheduled work days, without appropriate notice.
15. Using ones official position or identification for personal or financial gain, for obtaining privileges not otherwise available, except in the performance of duty, or for avoiding consequences of illegal acts.
16. Violations of the Ohio Revised Code and Administrative procedures.



17. Sleeping while on duty where it places others in danger.
18. Conviction of any misdemeanor while on or off duty.
19. Willful violation of the civil or constitutional rights of any resident of the Erie County jail or member of the public.

### III. Penalties

A. Whoever is found to be guilty of any of the offenses in Group 1, may be subject to the following progressive discipline.

1. First Offense: Verbal instruction and cautioning.
2. Second Offense: Written reprimand.
3. Third Offense: A one (1), two (2), or three (3) working day suspension without pay.
4. Fourth Offense: Up to fifteen (15) working days suspension without pay.
5. Fifth Offense: Termination.

B. Whoever is found to be guilty of any of the offenses in Group 2 may be subject to the following progressive discipline:

1. First Offense: A one (1), two (2), or three (3) working day suspension without pay.
2. Second Offense: Up to fifteen (15) working days suspension without pay.
3. Third Offense: Termination.

C. Whoever is found to be guilty of any of the offenses in Group 3, may be terminated immediately from the Erie County Sheriff's Office.

Bargaining unit employees should refer to current contract language regarding disciplinary measures.

## 18.02 GRIEVANCE PROCEDURE FOR NONBARGAINING UNIT MEMBERS

Erie County recognizes that within any organization, there will be occasional differences among its employees regarding interpretations of rules and other problems stemming from conditions of employment. In order to provide the Erie County Employees with an orderly process by which to seek resolution of such differences, the Sheriff has established the following grievance procedure:

STEP 1. Any employee having a grievance may file his or her grievance orally to their immediate supervisor. In order for the grievance to be recognized, it must be filed within five (5) working days from the date the alleged grievance occurred. Within five (5) working days from the date the aggrieved first presented his/her complaint, the Supervisor will attempt to resolve the matter.

STEP 2. If the grievance is not resolved in Step 1, the aggrieved may pursue the matter by reducing the grievance to writing and presenting such to the department head within (5) working days of the reply received in Step 1. The departments head shall, if it is deemed necessary, meet those concerned and otherwise attempt to resolve the matter.

STEP 3. If the grievance is not settled as Step 2, the grievant shall have five days to refer the grievance to the Sheriff. The Sheriff will, within 5 days, schedule a meeting with the grievant and other concerned parties.

## 19.01 POLITICAL ACTIVITY

Employees in the classified service are prohibited from:

1. Participating in a partisan election as a candidate for office.
2. Declaring candidacy for an elected office, which is filled by partisan election.
3. Circulating official nominating petitions for any candidate participating in a partisan election.
4. Holding an elected or appointed office in any political organizations.
5. Accepting appointment to any office normally filled by election.
6. Campaigning by writing for publications, by distributing political material or by making speeches

- on behalf of a candidate for elective office.
- 7. Soliciting, either directly or indirectly, any assessment, contribution or subscription for any political party or candidate.
- 8. Soliciting the sale of or selling political party tickets.
- 9. Engaging in activities at the political polls, such as soliciting votes.
- 10. Acting as recorder, checker, watcher or challenger of any party or faction.

Engaging in political caucuses.

- 1. Employees in the classified service are permitted to:
- 2. Register and vote in any election.
- 3. Express opinions, either orally or in writing.
- 4. Make voluntary financial contributions to political candidates or organizations.
- 5. Attend political rallies that are open to the general public.
- 6. Sign nominating petitions in support of individuals.
- 7. Wear political badges or buttons.

Employees in the unclassified service are not prohibited from engaging in political activity unless specifically precluded by federal or state constitution or statutory provisions.

## **19.02 COLLECTIVE BARGAINING ACTIVITIES**

- A. Employees shall have the right to join employee organizations
- B. Employees shall not engage in any strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a sworn statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensations, rights, privileges, or obligations of employment.
- C. Employees will not engage in unauthorized collective bargaining activities during scheduled work hours.

## **20.01 FIREARMS**

Sworn members of this agency are required to carry firearms to be used in the performance of their duties. The Sheriff has an inherent responsibility to ensure that the firearms and ammunition utilized by the employees of the Erie County Sheriff's Office are suitable for, and are properly used for, the pursuit of the law enforcement mission.

**Employee** – includes the Sheriff, and any deputy Sheriff, and any other member of the Erie County Sheriff's Office authorized to carry firearms in the performance of his or her duty.

**On-duty** – any time that a sworn member of this agency is being compensated by the agency.

**Off-duty** – any time period not included in the definition of on-duty.

## **GENERAL SAFETY PRECAUTIONS**

An employee will always treat any firearm that he/she is handling as if it is loaded. Unless the controlled imminent discharge of a firearm is contemplated to defend the employee or another individual pursuant to Response to Resistance/Aggression policy(ies), the muzzle of any firearm being handled by an employee will be pointed in a safe direction. An employee will not point a firearm at a compliant individual who is not a threat to the safety of the employee or others. An employee is authorized to point a firearm at an individual who the employee perceives as posing an imminent threat of serious physical harm or death to that employee or another person, provided that the employee ceases to point a firearm at that individual if/when the individual is no longer perceived by the employee to pose that imminent threat of serious physical harm or death to the employee or another person.

## DISCHARGING OF FIREARMS

Firearms will only be discharged by employees of this agency, as follows: when the employee is justified in using deadly force, as outlined in Policy 22.02 or to destroy a dangerous animal, or to destroy an animal that is so seriously injured or ill that humanity requires its removal from further suffering; or during training or qualifications. An employee will not place his/her finger on the trigger of a firearm at any time unless the circumstances dictate that the imminent discharge of the firearm would be appropriate.

At all times, employees will exercise caution and will discharge firearms in the safest manner possible given the situation. Employees will avoid discharging firearms when the circumstances indicate that the employee should be cognizant of specific dangers associated with the discharge of the firearm at that specific time, i.e.: risk of striking innocent bystanders, risk of ricochets, etc.

## FIREARMS, AMMUNITION, AND HOLSTERS

Firearms utilized by on-duty employees will be issued by the agency, or may be owned or approved by another law enforcement agency that employs the employee and may be carried with the approval of the Sheriff. Firearms utilized by off-duty employees will be owned by the employee.

Ammunition utilized by on-duty employees will be issued by the agency or by another law enforcement agency that also employs the employee.

Ammunition utilized by off-duty employees may be supplied by the agency; if not supplied by the agency, ammunition utilized by off-duty employees will be supplied by the employee.

Handgun holsters utilized by on-duty employees will be issued by the agency, or issued or approved by another law enforcement agency that also employs the employee, or may be owned by the employee and may be carried provided that the holster is substantially similar to the issued holster. All holsters utilized by on-duty employees will contain a device or mechanism designed to secure the handgun in the holster and to prevent its loss from, or unauthorized removal from, the holster.

Holsters utilized by off-duty employees will be owned by the employee.

Shotguns, rifles, and/or tactical weapons, if stored in a vehicle, will be secured in a locked rack in a vehicle, or in a case in the vehicle's trunk, or in the passenger compartment of a vehicle. If a cased firearm is stored in the passenger compartment a vehicle, the vehicle will remain locked at all times that the vehicle is unattended.

## DISPLAY OF FIREARMS

Employees will not draw from the holster or display firearms in any situation unless the employee drawing or displaying the firearm has reason to believe that based upon the totality of the circumstances presented to the employee at the time, the use of the firearm could be reasonably possible, or unless the employee is preparing for training or is preparing to clean, store, or examine the firearm, or is preparing to enter a facility in which the possession of firearms is prohibited.

Firearms will not be drawn or displayed within the Sheriff's Office except in the area designated for the cleaning or clearing of firearms, or in an area in which the possession of firearms is prohibited, or at any time when the storage of the firearm would be appropriate – i.e.: prior to entering an interview room, prior to using the restroom, etc. Firearms will be stored in suitable areas and will not be left unattended in plain view.

## REPORTING PROCEDURE

Any employee negligently discharging an agency-owned or authorized firearm shall immediately report such negligent discharge to his immediate supervisor. If off-duty at the time, the employee shall report such negligent discharge to the Operations Officer, in writing. Such report shall include all pertinent facts surrounding the negligent discharge. In the event that such negligent discharge occurs during training, the employee in charge of the training exercise shall be made aware of the negligent discharge and shall report same in writing to the Operations Officer.

Any employee purposely discharging an agency-owned or authorized firearm, except as provided for in a training exercise or to dispatch an injured or diseased animal, shall immediately notify the employee's

supervisor. That supervisor will institute an immediate investigation and will ensure that a report is completed regarding that investigation. The supervisor will also immediately, as soon as possible, notify the Operations Officer of the facts surrounding the purposeful discharge of the firearm. The Operations Officer will ensure that the facts surrounding the purposeful discharge of the firearm are properly documented.

Employees purposely discharging a firearm to dispatch an injured or diseased animal are not required to complete a written report, provided that there are no extenuating circumstances associated with the discharge of the firearm. The fact that a firearm was utilized to dispatch the animal will, however, be placed on the agency's daily activity log.

#### **FIREARMS QUALIFICATIONS**

All employees are required to meet the minimum firearms qualifications requirements of the Ohio Peace Officer Training Commission for each individual firearm carried by that employee. These minimum qualifications will be met prior to the employee carrying the firearm either on-duty or off-duty.

#### **MAINTENANCE OF FIREARMS**

Each employee is responsible for maintaining and cleaning agency issued firearms. Employees will ensure that all firearms are unloaded prior to cleaning or routine maintenance. Agency issued firearms will only be dismantled by an agency armorer or firearms instructor, except for basic field stripping for routine cleaning. Any damage to or malfunction of any agency issued firearm will be reported immediately to the employee's supervisor and/or to an agency firearms instructor or armorer.

The theft, loss, or destruction of any agency owned firearm is to be immediately reported to the Sheriff and/or Operations Officer. If the firearm was stolen within Erie County, this agency will immediately commence a criminal investigation into the firearm's theft in collaboration with any other law enforcement agency having concurrent jurisdiction at the location of the theft of the firearm.

#### **SPECIAL CONSIDERATION FOR CARRYING OF OFF-DUTY FIREARMS**

Off-duty employees are not required to carry firearms. Off-duty employees may carry firearms off-duty, provided that the employee has advised the Sheriff of employee's intent to do so and has provided to the Sheriff the manufacturer, model, and serial number of the firearm to be carried off-duty.

Prior to carrying an off-duty firearm, the employee will successfully complete a qualification course as outlined above. Off-duty employees who otherwise comply with this policy are hereby permitted to carry firearms off-duty provided that the employee is in compliance with all local, state, and/or federal statutes at the time or place when or where the off-duty firearm is carried. If the firearm is not being carried in compliance with any local, state, and/or federal statute the employee is not authorized to carry the off-duty firearm at the time or place when or where the off-duty firearm is being illegally carried.

### **20.02 RESPONSE TO RESISTANCE/AGGRESSION POLICY**

The Erie County Sheriff's Office acknowledges its authority and responsibility to enforce criminal statutes, traffic statutes, court orders, and to properly operate and manage the Erie County Jail. The inherent risk to the safety of this agency's employees in exercising this authority and carrying out these responsibilities is also acknowledged. The intent of this policy is to establish procedures and guidelines for responding to the actions of those who would, by force or otherwise, endanger this agency's employees or members of the general public while at the same time complying with state and federal statutes and court decisions.

## **POLICY STATEMENT TO COMPLY WITH THE “STATE OF OHIO STANDARD FOR “USE OF FORCE”**

“Employees may only use the force which is reasonably necessary to affect lawful objectives including: affecting a lawful arrest or overcoming resistance to a lawful arrest, preventing the escape of an offender, or protecting or defending others or themselves from physical harm.”

## **POLICY STATEMENT TO COMPLY WITH THE “STATE OF OHIO STANDARD FOR “USE OF DEADLY FORCE”**

“The preservation of human life is of the highest value in the State of Ohio. Therefore, employees must have an objectively reasonable belief deadly force is necessary to protect life before the use of deadly force. Deadly force may be used only under the following circumstances:

1. To defend themselves from serious physical injury or death; or
2. To defend another person from serious physical injury or death; or
3. In accordance with U.S. and Ohio Supreme Court decisions, specifically, *Tennessee v. Garner* and *Graham v. Connor*.”

**EMPLOYEE** – The Sheriff, a deputy sheriff, or a corrections officer, or any other member of the Erie County Sheriff’s Office who may be required to respond to the resistance or aggression of another.

**FORCE** – Any violence, compulsion, or constraint physically exerted by any means upon or against a person or thing. (ORC section 2901. (A)(1)).

**RESPONSE** – When an employee uses force in response to a subject’s resistive and/or aggressive actions.

**DEADLY FORCE** – Any force that carries a substantial risk that it will approximately result in the death of any persons (ORC Section 2901.02(A)(2)). As used in this policy, “deadly force” is defined as that force which is intended to cause death or serious injury, or which is intended to cause death or serious injury, or which creates some degree of risk that a reasonable and prudent employee would consider likely to cause death or serious injury.

**DEADLY RESPONSE** – When an employee uses deadly force in response to a subject’s life-threatening action.

**PHYSICAL HARM TO PERSONS** – Any injury, illness or other physiological impairment, regardless of its gravity or duration (ORC Section 2901.01(A)(3)).

**SERIOUS PHYSICAL HARM** – Any physical harm which carries a substantial risk of death; any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity; any physical harm that involves some permanent disfigurement, or that involves some temporary serious disfigurement (ORC Section 2901.01 (A)(5)).

**JEOPARDY** – Hazard, danger, or peril.

**IMMINENT JEOPARDY** – Immediate hazard, danger, or peril.

**PRECLUSION** – To make impossible by necessary consequences, rule out in advance, or exclude.

**REASONABLE BELIEF** – Facts or circumstances that an officer knows, or should know, that would cause an ordinary and prudent employee to act or think in a similar way under similar circumstances.

**LESS LETHAL IMPACT PROJECTILES** – Those munitions, which can be fire, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance, or preventing serious injury without posing a significant potential for causing death. Examples of less lethal projectiles include beanbags, launchable wooden, foam, or rubber batons, rubber pellets, and other like item.

**PPC** – Pressure point control techniques.

**ELECTRICAL DEVICES** – Include “stun guns” and Taser devices that may be utilized to introduce electrical current into the human body; either by direct contact with the device or the launching of

darts or similar objects from the device into the human body, the electrical current then being transmitted through these darts into the body.

## **RESPONDING TO RESISTANCE/AGGRESSION**

Employees should be objective when responding to resistance/aggression. Employees will respond in accordance with the objective reasonableness standard as outlined in *Graham v. Connor* (490 U.S. 386, 109 S. Ct. 1865).

The type of response used shall be based upon the principles of the Action-Response Continuum (hereafter referred to as ARC), which is incorporated into this policy as Appendix A. The type of response shall be determined by the actions of the involved subject and the environment in which the subject is encountered. The ARC provides employees with a graphic reasonableness guideline follow in applications of response.

Generally accepted methods of response are identified in the model, with the levels of response corresponding to levels of offender resistance or aggression.

## **STANDARDS OF ARC APPLICATIONS**

In applying techniques to gain legal compliance from subjects, employees will be held accountable to articulate the need to respond based on the elements of jeopardy (which include ability, opportunity, and intent) and preclusion.

### **ABILITY**

Non-deadly response standard: Does the subject possess the capacity to resist the employee or to cause physical harm to the employee and/or a third party?

Deadly response standard: Does the subject possess the capacity to kill the employee and/or a third party, or to cause the employee and/or a third party serious physical harm?

### **OPPORTUNITY**

Non-deadly response standard: Does the subject have the opportunity to resist the employee or to cause the employee and/or a third party physical harm?

Deadly response standard: Does the subject have the opportunity to kill the employee and/or a third party, or to cause the employee or a third party serious physical harm?

### **INTENT**

Non-deadly response standard: Has the subject demonstrated the intent to resist the employee or to cause the employee or a third party physical harm?

Deadly response standard: Has the subject demonstrated the intent to kill the employee and/or a third party, or to cause the employee or a third party serious physical harm?

### **PRECLUSION**

Both non-deadly and deadly response standards: Have all reasonable options at that time, at that place, and under those circumstances been reasonably exhausted?

## **USE OF FORCE AGAINST PERSONS EXPERIENCING MEDICAL EMERGENCIES**

Employees are authorized to use force which is objectively reasonable to control an individual who is experiencing a medical emergency and who is actively resisting necessary medical treatment. The following questions must be considered when determining whether force should be used, and whether that force is objectively reasonable:

1. Was the person experiencing a medical emergency that rendered him incapable of making a rational decision under circumstances that posed an immediate threat of serious harm to himself or others?
2. Was some degree of force reasonably necessary to ameliorate the immediate threat?

3. Was the force used more than reasonably necessary under the circumstances (i.e.: was it excessive)?

If the answer to the first and second questions is “Yes,” and the answer to the third question is “No,” then an employee will be found to have been objectively reasonable in using force against an individual experiencing a medical emergency and not charged with a criminal offense. (*Estate of Corey Hill v. Miracle*; *United States Court of Appeals, 6<sup>th</sup> Circuit*; No. 16-1818).

#### **AN EMPLOYEE IS REASONABLE IN USING DEADLY FORCE WHEN HE/SHE:**

1. Confronts an armed subject
2. In close proximity
3. Whose actions indicate intent to attack

In these circumstances the courts, cannot ask an officer to hold fire in order to ascertain whether the subject will, in fact, injure or murder the officer. (See *Martinez v. County of Los Angeles*, 47 Cal. APP 4<sup>th</sup> 334 1996).

#### **RESPONSE TO RESISTANCE/AGGRESSION IN DEFENSE OF HUMAN LIFE**

An employee may employ a deadly response when he or she has a reasonable belief that he or she, or another, is in imminent danger of death or serious physical harm, based upon the totality of the circumstances known to the employee at the time. ([See FindLaw | Cases and Codes: Tennessee v. Garner, 471 U.S. 1 \(1985\)\)](#)).

#### **USE OF DEADLY FORCE TO APPREHEND A FLEEING FELON**

An employee may employ a deadly response to stop a fleeing suspect if the employee has probable cause to believe **all** of the following (emphasis added):

1. The suspect has committed a felony; and
2. The force is necessary to prevent the escape of the suspect; and
3. The suspect poses a significant threat of death or serious physical harm to the employee or others should arrest be delayed; and
4. A warning stop is given, if feasible.

#### **PROHIBITED USES OF DEADLY RESPONSE**

Deadly force **may not** be used in the following situations, except as specifically authorized previously in this policy.

1. To shoot at or from a moving vehicle, unless the guidelines in *Tennessee v. Garner*, 471 U.S. 1 (1985) have been met and the danger to the employee or others of not shooting is greater than the danger of shooting; or
2. Solely because a subject fails to stop for a blockade or roadblock, or fails to obey a command to stop; or
3. For the purpose of firing a warning shot or shots. However, it is understood that in a worst-case scenario, the use of tactical shots, cover or suppressive fire may be necessary to protect the lives of employees or others. These tactics should be used when other options are not reasonable, and only to stop serious physical harm assaults, or to prevent offenders from initiating a serious physical harm assault.

#### **RENDERING APPROPRIATE MEDICAL AID**

- A. Whenever a response results in injury, appropriate medical aid will be administered.
- B. Responses require the use of emergency medical services
  1. Once the situation has been stabilized, the injured person will be treated, and if necessary, the appropriate emergency medical

- service will be requested to treat that person.
2. If an arrested person has been injured as the result of use of force by an employee, that person will be kept under constant guard by this agency until released from custody.
  3. Whenever OC spray is used, the affected person will be moved to fresh air as soon as the circumstances permit, and if possible his or her eyes and skin will be flushed with water to provide more rapid decontamination.

## REPORTING REQUIREMENT

Detailed reports will be completed in all instances of responses, beginning at the blue level of the ARC continuum. All injuries sustained by employees and/or subjects will be photographed. Reports will be completed as soon as practical by the involved employee(s). The report will include the following, in chronological order:

1. Employee's observations upon arrival at the scene or upon first becoming aware of the situation;
2. Initial contact with the subject – attempt to use direct, complete quotes;
3. Subject action – verbal, non-verbal, physical actions, aggression, resistance or other;
4. Officer response to subject's actions – method(s) of control: de-escalation, methods used, duration of incident, and handcuffing method used.
5. Follow-up medical treatment for the subject and/or employee.
6. Identification of, and statements from, any witnesses to the incident.

Any Employee involved in an incident during which a reportable response to resistance did not involve death or serious physical harm to either the employee or subject will complete a report as outlined above and will ensure that the employee's supervisor is notified as soon as possible.

Any Employee involved in an incident during which a reportable response to resistance involved death or serious physical harm to either the employee or subject, or involved the discharge of a firearm, will—if possible—immediately ensure that the employee's immediate supervisor is notified. If that employee is unable to make the required notification due to physical injuries, or if the employee involved is the supervisor, any and all other employee(s) who become aware of the situation are equally responsible to make that notification. Upon receiving that notification, the supervisor will immediately ensure that the Sheriff and the Chief Deputy Sheriff are notified of the incident. If the supervisor is unable to make those notifications, any and all other employee(s) who become aware of the situation are equally responsible to ensure those notification are made

## INVESTIGATIVE REQUIREMENTS

The Sheriff and/or Chief Deputy Sheriff will ensure that sufficient supervisory and investigative employees respond to the scene of any incident that involves response to resistance that resulted in death or serious physical harm. A criminal investigation will begin immediately, and the Sheriff—at his/her discretion—may make a mutual aid request for that investigation to be conducted by an outside agency, such as another Sheriff's Office.

Employees are hereby notified that criminal liability may attach to their actions at any time, including in situations in which response to resistance has resulted in serious physical harm and/or death. For that reason, employees who are directly involved in an incident that results in the commencement of a criminal investigation may be immediately placed on paid administrative leave; they may be immediately removed from the scene of the incident; they will be allowed time to reflect on their actions and to speak with an attorney of their choosing if they desire prior to participating in any criminal proceeding; and they



are not required to submit to an interview conducted as part of the criminal investigation and may assert their rights under the Fifth Amendment of the United States Constitution if they so choose.

Employees are also hereby notified that internal investigations may be instituted at any time to ensure that agency policies and/or procedures were followed during a response to resistance incident. Internal affairs investigations will be separated and distinct from any parallel criminal investigation being conducted into the same incident. Prior to an interview scheduled on conjunction with an internal investigation, the employee being interviewed will be advised of the Garrity and Piper warnings. Employees are reminded that, during an internal investigation interview, they are required to provide truthful information and are not afforded self-incrimination protections under the Fifth Amendment to the United States Constitution.

#### REVIEW OF INCIDENTS TO ENSURE POLICY COMPLIANCE

All response to resistance events involving serious physical harm or death will be reviewed for policy compliance by the Sheriff and/or the Chief Deputy Sheriff. All response to resistance events other than those involving serious physical harm or death will be reviewed for policy compliance by the employee's immediate supervisor and/or the Chief Deputy Sheriff and/or the Sheriff.

After such review(s) an internal investigation will be undertaken if there is reasonable cause to believe that this policy, or any other agency policy, was violated by any employee during the incident in question.

The Sheriff—at his/her discretion—may seek an outside agency to conduct an independent internal investigation into allegations of violations of this policy. Employees being investigated by that outside agency will cooperate with that investigation in the same manner as if the investigation was being conducted by the Sheriff's Office.

#### TRAINING

All employees will be issued a copy of this policy (either paper or electronically) immediately upon the commencement of their employment with the agency.

No less than every twelve (12) months, employees will be trained and tested on this policy.

Documentation of annual training and successful completion of training will be filed in each employees personnel file.

### **20.03 APPROVED NON-LETHAL AND LESS-LETHAL WEAPONS; USE**

The Erie County Sheriff's Office issues and/or approves the use of certain non lethal or less-lethal weapons by its employees. The proper use of these weapons, in most circumstances, will eliminate or reduce the potential or injury for those who resist arrest or act in an aggressive fashion toward this agency.

**EMPLOYEE** – Means the Sheriff, a deputy sheriff, a corrections officer, or any other member of this agency who may be required to respond to the resistance or aggression of others.

#### APPROVED NON-LETHAL WEAPONS; USE

**Oleoresin capsicum (OC) spray** – may be used to provide for the temporary incapacitation of those who may resist or act in an aggressive fashion toward employees. Only those completing an agency approved course of instruction in its use may employ OC spray. The use of OC spray will be governed by the Action-Response Use of Force Continuum as found in Policy 20.02. The only OC solution authorized for use by employees of this agency is that solution being currently issued. Privately purchased OC spray may be

carried provided that the solution is absolutely identical to the issued spray. In the event that OC spray is employed on a subject:

1. The subject will be provided with verbal directions in an attempt to establish immediate control.
2. If the subject does not comply with verbal directions, physical control methods will be used to establish control.
3. As soon as practicable after the employment of OC spray on a subject, he/she will be exposed to fresh air and – when available – copious amounts of clean water to hasten the decontamination process.
4. The subject will be monitored closely for signs of unusual medical distress; i.e.: difficulty breathing; prolonged disorientation. Emergency medical assistance will be summoned for any subject on whom OC spray is used if the subject requests that assistance or if the employee feels that it is appropriate. If there are any questions, emergency medical assistance will be summoned.
5. Bystanders who are accidentally exposed to OC spray during its use will be provided with decontamination information and will be rendered assistance, if at all possible.
6. If at all possible – dependent upon the actions of the subject on whom it is deployed, and to avoid the “hydraulic puncture effect: of the OC particles on the human eye – OC spray should not be sprayed from belt-carried canisters at a subject from a distance of less than three feet. More distance is required between the face of the subject and larger canisters – this warning should appear on the label of the canister.

**Pepper ball guns** – may be employed for reasons that would also allow employment of OC spray, again provided that there is compliance with the Action –Response Use of Force Continuum and provided that the OC projectiles are being fired from the pepperball gun. Any person exposed to OC powder shall be decontaminated as outlined above.

**Batons** – straight batons (both expandable and non-expandable) may be carried by employees, provided that the employee has completed an agency-approved course of instruction, and provided that the baton is used in a manner consistent with the Action-Response Use of Force Continuum. Unless the actions of the subject dictate such a response, potentially lethal blows to the head, neck, and groin, are to be strictly avoided.

**Flashlights** – employees may utilize a flashlight as a baton, provided that the flashlight is used in a manner consistent with the Action-Response Use of Force Continuum. As with the baton, unless such a response is dictated by the actions of the subject, potentially lethal blows to the head, neck, and groin, are to be strictly avoided.

#### APPROVED LESS-LETHAL WEAPONS; USE

**Less-lethal impact projectiles** – including beanbags, launchable wooden, foam, or rubber batons, rubber pellets, and other like items – may be utilized to gain compliance from individuals provided that they are used in a manner consistent with the Action-Response Use of Force Continuum. Any subjects who sustain physical injury as a result of the use of less-lethal impact projectiles will be provided with first aid and, if necessary, emergency medical assistance. Employees who utilize these devices must first complete an agency-approved course of instruction in their proper use and deployment.

**Electrical devices** – including “stun guns” and Taser devices – may be utilized to gain compliance from individuals provided that they are used in a manner consistent with the Action-Response Use of Force Continuum. Any subjects on whom electrical devices are utilized will be closely monitored for signs of physical distress and emergency medical assistance will be immediately summoned for those who may exhibit signs of adverse distress. Any employee utilizing electrical devices will have first received authorization from the Sheriff to do so and will have completed an agency approved course of instruction in

the use and deployment of such devices. Employees should refer to specific detailed guidelines in regards to the use of Tasers in policy 20.03(A).

**Chemical munitions** – the use of chemical munitions and pyrotechnic distraction devices are generally reserved for incidents of crowd control/civil disturbances, controlling violent persons, and attempting to remove barricaded subjects from the building within which they are barricaded. Chemical munitions and pyrotechnic distraction devices will be deployed only by those employees who have received agency-approved training in their use and deployment. Pyrotechnic munitions will not be utilized for deployment inside a building, unless extreme circumstances dictate their use in such a fashion. Chemical munitions and pyrotechnic distraction devices will be deployed in accordance with the Action-Response Use of Force Continuum.

## KNIVES

Employees are permitted to carry personally owned folding knives for routine and emergency cutting uses. The use and deployment of knives by employees shall be done as unobtrusively as possible so as not to alarm bystanders. Employees should take care not to exhibit or use the knife in a careless or imprudent manner. It is the employee's responsibility to use the knife in a safe and responsible manner.

It is recognized that the employee, in the course of his or her duties may require the use of his or her knife as a weapon of defense under extraordinary circumstances. Such use must be in accordance with the Action-Response Use of Force Continuum and with the requirements of *Graham v. Conner* (490 U.S. 386, 109 S. Ct. 1865), as well as with the Ohio Revised Code.

## PROHIBITIONS

Only those non-lethal and less-lethal weapons identified and authorized by this policy are authorized for use and/or carry by employees. This section is not intended to limit employee use of force options relating to implements or objects ready at hand, used as weapons, as the result of rapidly evolving situation.

Due to the special security needs of the Erie County Jail and other areas into which employees may enter, the use and carry of any and/or all of the weapons mentioned in this policy may be limited or prohibited by the operational policies of those facilities

## 20.03(A) TASER

As stated in related Policy 20.02 – Response to Resistance/Aggression – employees of this agency are required to be objectively reasonable when responding to resistance and/or aggression. When objectively reasonable and as outlined in this policy, employees are hereby authorized to utilize a Taser device in the performance of their duties to overcome unlawful resistance and/or aggression.

*Taser* – a conducted electrical weapon (CEW) designed to temporarily incapacitate a human being through the use of an electric shock. For purposes of this policy, the term Taser includes the Model X26 as manufactured by the Taser Corporation that is currently issued to employees of this agency, and any similar replacement device that may be issued to agency employees in the future.

*Employee*- includes the Sheriff, any Deputy Sheriff, any Corrections Officer, and any other employee of the Erie County Sheriff's Office who may be required to utilize a Taser during the course of his/her duties.

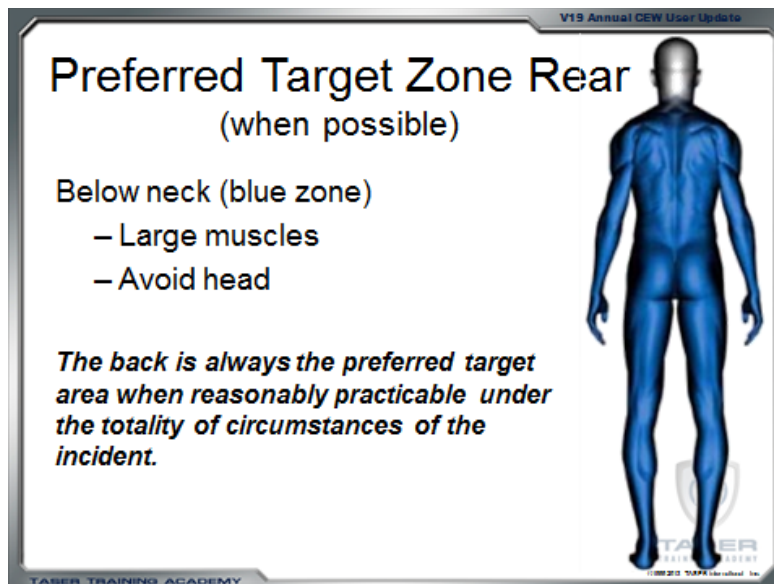
1. Only those employees who have satisfactorily completed agency approved training regarding the use of a Taser, and who have demonstrated proficiency in its use, are authorized to be issued and/or to use a Taser. Only agency issued Tasers will be utilized.
2. Tasers shall be carried in agency approved and issued holsters and shall be carried by uniformed employees who are issued or carry handguns on their duty belt on the opposite side of their

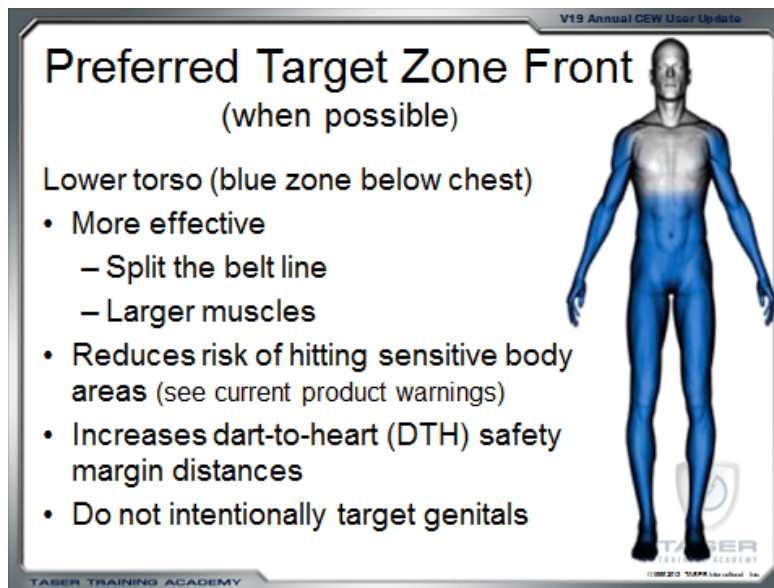
holstered handgun. Employees not armed with handguns during the course of their duties may carry the Taser on either side of their body.

3. A Taser **may** be used to control a subject:
  - a. pursuant to the Action-Response Use of Force Continuum (ARC), as published in Policy 20.02; **and**
  - b. when attempts to subdue the subject by other means pursuant to ARC have been, or will likely be, ineffective given the specific situation presented; or, there is reasonable expectation to believe that it would be unsafe for an employee(s) to approach within physical contact range of the subject based upon any object that the subject may be possessing and/or based on the failure of other subject control techniques; **and**
  - c. when the use of deadly physical force is not necessary and/or justified.

**\*\*All of these criteria must be present for an employee to utilize a Taser\*\***

4. Tasers may be utilized either as a “drive stun” device or as conventionally designed to propel two darts into the subject’s body. The preferred target areas for either “drive stun” or conventional use are the back of the subjects’ body, from the bottom of the neck down including the arms and legs and excluding the chest and genital regions, as depicted below.





5. Employees are individually responsible to ensure that any Taser device that is issued to and/or carried by the employee is functioning properly. Employees will follow the agency approved course of instruction regarding functional testing to ensure that the device is operating properly. Employees will immediately remove from service, any Taser device that is not operating properly, and that cannot be made to function properly through routine maintenance (i.e. change of battery, change of cartridge). Employees are required to follow the chain of command to ensure that a defective Taser device is repaired or replaced.
6. Employees are authorized to utilize Tasers to subdue aggressive animals that present – by the animal's aggressive actions – an imminent threat of physical harm to the employee, particularly in the event that the successful deployment of the Taser may preclude the necessity of destroying the animal.
7. Taser usage shall be documented as follows:
  - a. Intentional uses, while attempting to control a subject or animal, will be documented in the employee's appropriate divisional incident report. Detailed facts surrounding the entire incident, including other attempts that were made to control the individual or animal, prior to the use of the Taser will be reported in detail. A detailed description of any injuries sustained as the result of the Taser use will also be listed in the report, as well as steps taken to treat those injuries. All such injuries will be photographed.
  - b. Unintentional uses (i.e. negligent discharges) of the Taser that occur while attempting to subdue a subject or animal, will be noted in the employee's appropriate divisional incident report. Unintentional uses that involve the firing of an air cartridge and that occur during testing of a Taser device, or under any other circumstances, will be reported in the form of a memo to the employee's immediate supervisor with a copy being forwarded to the Chief Deputy. Unintentional uses of a Taser that occur during agency training will be addressed by the course instructor.
8. In the Event that a Taser is utilized to control a subject – and once the subject is in custody (i.e. handcuffed) – necessary medical aid will be immediately rendered and/or sought. Employees are authorized to remove a Taser probe from a subject's body, provided that the probe is hanging loosely, is not deeply embedded, and is not embedded anywhere in the subject's head, groin, or, if the subject is a woman, in the breast. In the event that a probe has struck the subject in one of these sensitive areas, the appropriate emergency medical service will be consulted prior to the removal of the probe and/or the subject will be transported to an emergency medical provider's facility so that the probe can be removed. Employees removing Taser probes should do so only while wearing latex

rubber gloves. Probes will be examined after removal to ensure that no part of the probe has been left in the subject's body. If it appears that a portion of the probe has been left in the subject's body, appropriate medical aid will be sought.

9. Any air cartridge and its probes used to subdue a subject will be retained as evidence. The probes, once recovered, will be placed point first back into the air cartridge portal and taped or sealed into the cartridge. Probe wires will be loosely coiled and not wrapped tightly around the cartridge. The recovered cartridge, probes, and wires will be placed into evidence.
10. Any Taser is subject to data downloading at any times. Data will be downloaded as soon as possible from any Taser utilized to subdue a subject, and that data will be maintained for reference and to ensure policy compliance.

## PROHIBITIONS

Along with any other previously listed prohibitions, employees are prohibited from the following:

1. Using a Taser other than in a manner and under circumstances as prescribed in this policy.
2. Using a Taser on any subject who may be contaminated with combustible liquids.
3. Using a Taser when it is reasonable to believe that incapacitation of the subject by the use of a Taser may cause serious injury or death due to the subject's location – i.e. on an elevated platform, ladder, or roof, or in water more than several inches deep.
4. Using a Taser on any individual who is operating a moving motor vehicle.
5. Using a Taser on any suspect or detainee who is handcuffed.
6. Using a Taser on any juvenile who is known to the employee to be, or who appears to be, under 13 years of age, unless extreme exigent circumstances justifying that such use exists.
7. Using a Taser on any person who is known to the employee to be, or who appears to be, over 70 years of age, unless extreme exigent circumstances justifying that such use exists.
8. Using a Taser on any female who is known to the employee to be, or who appears to be, pregnant, unless extreme exigent circumstances justifying that such use exists.
9. Pointing a Taser at any individual or animal unless the employee involved reasonably believes that the use of a Taser would be justified and is imminent.
10. Engaging in any type of horseplay or other irresponsible conduct with a Taser.
11. Using a Taser on a subject whose actions do not justify the use of a Taser on the subject, or using a Taser as a method of intimidation or torture.
12. Intentionally targeting any of the non-referred target areas when using a Taser on a subject.
13. Purposely and simultaneously subjecting an individual to the effects of more than one Taser. If two employees determine that they are simultaneously exposing a subject to the effects of a Taser, the employees are collectively required to communicate with each other and to immediately discontinue the use of more than one Taser on the subject.
14. Exposing a single individual to exposure to more than three successive Taser cycles during the same incident. Employees must utilize other subject control options, if the Taser is not effective after three cycles.

## 20.04 CONCEALED CARRY HANDGUN LICENSE POLICY-effective April 15, 2015

- 20.04.00 Policy
- 20.04.01 License Expense Fund
- 20.04.02 Procedure
- 20.04.03 Requirements
- 20.04.04 Withdrawal of Application
- 20.04.05 Denial
- 20.04.06 Suspension
- 20.04.07 Revocation
- 20.04.08 Challenge and Review Procedures

20.04.09	Temporary Emergency License
20.04.10	Renewal
20.04.11	Change of address
20.04.12	Replacement of Lost or Destroyed License
20.04.13	TPO/CPO Responsibilities
20.04.14	Arrest of Person with Carry Concealed Handgun License
20.04.15	Release of License Information
20.04.16	Ohio Peace Officer Training Commission
20.04.17	Competency Certification
20.04.18	Disqualifiers
20.04.19	Responsibilities of Concealed Carry
20.04.20	Prohibited Places
20.04.21	Private Employers
20.04.22	Rights of Peace Officers
20.04.23	Immunity for Law Enforcement Agency
20.04.24	Reciprocity
20.04.25	License Comparison Chart
20.04.26	FBI Order 556-73 Request Identification Record

## **20.04.00 POLICY STATEMENT**

It is the intent of this policy of the Erie County Sheriff's Office to establish clear procedures for the issuance or denial of concealed handgun licenses in accordance with Chapter 2923 of the Ohio Revised Code and any other applicable statutes. It is also the intent of this policy to provide for the expedient issue of concealed handgun licenses to qualified individuals, while at the same time preventing unauthorized individuals from obtaining such a license.

### **20.04.01 LICENSE ISSUANCE FUND**

1. In accordance with Ohio Revised Code Section 341.42, all fees paid for issuance, renewal, duplicate or temporary emergency licenses shall be paid into Fund 24000-3200, as established by the Erie County Auditor on a monthly basis from the applicable agency checking or bank account.
2. The Erie County Sheriff's Office shall distribute the fees collected in accordance with the specifications prescribed by the Ohio Peace Officer Training Commission under division (C) of Section 109.731 of the Ohio Revised Code and from the expenditure line item in Funds 24000-3200 as established by the Erie County Auditor.
3. The Sheriff, or his designee, may expend any county portion of the fees for any costs incurred by the Erie County Sheriff's Office in the performance of issuing concealed handgun licenses. The Sheriff, or his designee, may also expend with the approval of the Erie County Commissioners any county portion of the fees for any costs incurred by the Erie County Sheriff's Office in serving the public through firearms training, which includes but is not limited to the acquisition of agency owned firearms and ammunition.
4. Any expenses paid from the License Issuance Fund must be approved by the Board of County Commissioners.

### **20.04.02 PROCEDURE**

The applications for the license to carry a concealed handgun will be available Monday through Friday 8:00 a.m. to 3:45 p.m. and Saturday 8:00 am to 11:00 a.m. excluding holidays, from Records Division personnel. An Ohio Peace Officer Training Commission concealed handgun license pamphlet shall be distributed with the application. The completed applications shall be returned to the Administrative Captain or his designee or, in their absence, left in the provided and marked area in the Records Division. The Administrative Captain or his designee will review the application packet for completeness upon receipt from the applicant:

### *Application*

#### I. Ensure the application is complete and typed or printed in ink.

- A. Passport sized photograph attached to upper left-hand corner. May be taken by the Sheriff's Office.
- B. For initial license applications: Non-Refundable Fee of \$67.00 for resident more than five years, if less than five years \$91.00 submitted unless waived.
- C. For Renewal license applications: Non-Refundable Fee of \$50.00 for resident more than five years, if less than five years \$74.00 submitted unless waived.
- D. For Replacement license applications: \$15.00 (Affidavit should be attached attesting to the loss or destruction of the license);
- E. For Temporary Emergency license: \$30.00 and if resident less than five years \$54.00.

Only money orders, cashier's checks, or certified bank checks will be received as payment for license fees by an applicant for a concealed handgun license. Checks or money orders will be made payable to the Erie County Sheriff's Office. No personal or business checks will be accepted at any time for payment of any fees associated with the issuance of a concealed handgun license.

#### II. Section II

- A. Applicant's full name, to include last, first, and middle names and any suffixes.
- B. Current resident address
  - 1. Applicant's actual street address. Post Office Box or Rural Route addresses may also be recorded for mailing purposes but an actual street address is required of each applicant.
  - 2. Ensure that the street name is spelled correctly and identified properly--i.e.: Avenue, Boulevard, Circle, Drive, Lane, Road, Street, North, South, East, West
  - 3. City
  - 4. Zip code
  - 5. County of residence (Not the county where license is being issued)
- C. Residence and/or cellular phone number
- D. Date of birth
- E. Social Security Administration number
- F. Place of birth (city, state & country)
- G. Sex
- H. Race: NCIC codes are:
  - A – Asian or Pacific Islander
  - B – Black
  - H – Hispanic
  - I – American Indian or Alaskan native
  - W – White
- I. Is the appropriate box marked indicating the type of competency certification, renewed training, or equivalent training required.
- J. The name of the school or agency where firearms/competency training or equivalent training was held.
- K. Firearms training instructor's name.
- L. Firearms training instructor's number.
- M. Date on training certificate or affidavit.

#### III. Section III

- A. Are all of the questions answered yes, or no?
- B. If applicant is a resident of another state, ensure that the applicant works in Erie County or an adjacent county.

#### IV. Section IV



- A. Is application signed and dated?
- B. Is the person applying for an Emergency Temporary Concealed Handgun License? If so-
  - 1. Is the form initialed?
  - 2. Is the form notarized?
- C. Is the person applying for a renewal?
  - 1. Did applicant enter County or State previously applied in?
  - 2. Did applicant enter date previous application was made?

If all appears to be complete:

- 1. Secure funds in the area designated by the Sheriff or his designee.
- 2. Create file folder for the application and supporting documentation
  - a. Folder will have last name, first name, middle initial on label.
  - b. Inside label will have records checklist with date application was made and date application must be approved or denied by.

The Administrative Captain or his designee will photograph and WebCheck fingerprint the applicant and will place the file into the Concealed Handgun (CHL) background check in-box. A background check will be conducted to detect any prohibitions that would prevent the issuance of a license.

Due to the fact that not all prohibited offenses required fingerprinting, and if the applicant was found at one time to be mentally incompetent, involuntarily hospitalized or institutionalized, WebCheck and the submission of fingerprints will not detect these conditions if they occurred prior to April 8, 2004.

Therefore, the following background checks need to be performed where the applicant resided AND where the applicant works (if they live outside of Ohio):

- 1. Local Police Departments and Sheriff's Offices;
- 2. Domestic Relations Court;
- 3. Probate Court;
- 4. Utilize the records check form either by mail, or fax, or call in person if needed.
- 5. Computerized records
  - a. LEADS and CCH checks
  - b. NIC for disqualifiers
  - c. DS through LEADS for confirmation of residential address, SSN and mental defective status.

Any information received will be placed in the applicant's application folder and if the information received will cause the applicant to be denied, the applicant will be notified in writing. See *Denial* under Section 20.04.06 of this policy. Application will then be placed into the 'Application Denied' file in alphabetical order for future reference.

Any information received that would cause the application process to be suspended, the applicant will be notified in writing. See *Suspension* under Section 20.04.07 of this policy. The application will then be placed into the 'Application Process Suspended' file in alphabetical order for future reference.

The applicant may withdraw their application at any time, by giving the Sheriff's Office a written or verbal request. See *Withdrawal of Application* Section 20.04.05 of this policy.

After starting the background check on an applicant, all records must be destroyed after 20 days unless the application is:

- 1. Suspended due to pending disposition of criminal case;
- 2. Application was denied due to prohibitions in ORC 2923.125 and 2923.13, and is pending appeal.

If the applicant meets all the requirements after the completion of the background check, the applicant shall be issued a license as follows:

- 1. The Administrative Captain or his designee will contact the applicant by phone; or

2. If unsuccessful by phone, the Administrative Captain or his designee will contact the individual via first class US Mail at the residence listed on the application advising him/her to contact the Sheriff's Office for issuance of the concealed handgun license. See form *Approval of Application*.
  - a. A copy of the letter, if sent, will be placed in the applicants file.
3. Upon the applicant's arrival, but before issuing the license, the information on the license will be entered into the Ohio Law Enforcement Automated Data System (LEADS).
4. Complete the license with the following:
  - a. Licensee's full name;
  - b. Resident address;
  - c. Date of birth;
  - d. Date of issuance;
  - e. Name of the Sheriff
  - f. License number
5. Have licensee sign for the license and place receipt with application.

Date:  
From: Records Division  
Ref: Concealed Carry License

The following person(s) has applied for a concealed handgun license. Please check your records for any disqualifying offenses, (See ORC 2953.32), and FAX the results of your records check to (419)627-7547 or e-Mail the results to [daniellem@eriecounty.oh.gov](mailto:daniellem@eriecounty.oh.gov)

Name: \_\_\_\_\_

DOB: \_\_\_\_\_

SSN: \_\_\_\_\_

County: \_\_\_\_\_

In accordance with ORC Section 2923.125, any information that you may keep on file in reference to this request must be destroyed within 20 days of the date of your receipt of this request, unless notified by our office.

NO RECORD \_\_\_\_\_

SEE ATTACHED RECORD \_\_\_\_\_

AGENCY CHECKING RECORD \_\_\_\_\_

Applicant will be disqualified if any of the following applies:

1. If applicant has been CHARGED or UNDER INDICTMENT for:
  - a. Any felony
  - b. Any drug offense
  - c. Misdemeanor offense of violence
  - d. Negligent assault
  - e. Falsification to obtain carry concealed license
  - f. Possess a revoked or suspended carry concealed license
  - g. Including conspiracy, complicity, or attempt to commit any of the above offenses
2. If applicant has been CONVICTED or has been adjudicated a delinquent child under the following offenses:
  - a. Any felony
  - b. Drug offense
  - c. Resisting arrest –within last 10 years
  - d. Assault on a peace officer
  - e. Domestic Violence
  - f. Including conspiracy, complicity, or attempt to commit any of the above offenses
3. If applicant has been convicted or has been adjudicated a delinquent child under the following offenses within 3 years:

A misdemeanor offense of violence

Assault 2903.13

Menacing by Stalking 2903.21.1

Arson 2909.03

Domestic Violence 2919.25

Intimidation Victim/ 2921.04

Witness

Discharge firearm at or into Habitation 2923.16.1

or School Safety Zone

Aggravated Menacing 2903.21

Menacing 2903.22

Riot 2917.03

Endangering Children 2919.22

Escape 2921.34

4. Ever convicted or charged with an Offense of Violence O.R.C. 2901.01 or an offense, other than a traffic offense, under an existing or former municipal ordinance or law of this or any other state or the United States, committed purposely or knowingly, and involving physical harm to persons or a risk of serious physical harm to persons. This includes any conspiracy or attempt to commit, or complicity in committing, any offense of violence.
5. If applicant has been convicted or has been adjudicated a delinquent child under the following offenses within 5 years, or two or more assaults or negligent assaults.
6. If applicant has been convicted or has been adjudicated a delinquent child under the following offenses within 10 years. Resisting arrest
7. If applicant is or has been: Adjudicated mentally incompetent, committed to any mental institution, been found by a court to be a mentally ill person, subject to hospitalization by court order, or an involuntary patient other than for purposes of observation.
8. The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.
9. If applicant is subject to any temporary protection order or civil protection order in Ohio or any other state.

LICENSE #: \_\_\_\_\_

ISSUED TO: \_\_\_\_\_

The above concealed carry license was picked up by the applicant as indicated by the signature and date below.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

-----  
  
LICENSE #: \_\_\_\_\_

ISSUED TO: \_\_\_\_\_

The above concealed carry license was picked up by the applicant as indicated by the signature and date below.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

-----  
  
LICENSE #: \_\_\_\_\_

ISSUED TO: \_\_\_\_\_

The above concealed carry license was picked up by the applicant as indicated by the signature and date below.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

-----  
  
LICENSE #: \_\_\_\_\_

ISSUED TO: \_\_\_\_\_

The above concealed carry license was picked up by the applicant as indicated by the signature and date below.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

### **20.04.03 REQUIREMENTS**

In order for an Ohio resident to obtain a concealed handgun license he/she must meet the following requirements, in accordance with Ohio Revised Code Section 2923.125(A):

1. Be at least 21 years of age.
2. Be a resident of Erie County or an adjoining county or work in Erie County or an adjoining county.
3. Must have received a Certificate of Competency, as specified in O.R.C. Section 2923.125(B)(3) (a), (b), (c), (e) or (f), within 3 years prior to date of application, covering the training requirements as specified in O.R.C. Section 2923.125(G)(1) and (G)(2). or

Produce a document that evidences the applicant within 6 years immediately preceding the application date:

1. Is a retired law enforcement officer.
2. Is an active or reserve member of the U.S. Military.
3. Has been honorably discharged from U.S. Military.
  - a. And through participation in above employment the applicant acquired experience in handling handguns and that experience is equivalent to training requirements of 2923.125 (B) (3) (a), (b) or (c).
4. Applicant is not disqualified pursuant to criminal background check or mental incompetency check, as specified in O.R.C. 2923.125 (D) (1) (d), (e), (f), (g), (h), (i) or (j), or retired as a result of a mental disability. Also, the applicant is not prohibited by O.R.C. 2923.13 Having Weapon While Under Disability.
5. Must have a color photo taken within 30 days of application.
6. Attest that applicant has read pamphlet provided by O.P.O.T.C. as specified, and also attest the handgun shall be carried for a lawful purpose.
7. Non-refundable fee at the time of the application unless retired law enforcement whereby the fee is waived.

### **20.04.04 WITHDRAWAL OF APPLICATION**

Upon receipt of a written or verbal request to withdraw from the application process and in accordance with ORC 311.41(2), if at any time the applicant decides not to continue with the application process, the investigation of that person's background shall cease immediately, unless if, at the time of the requested withdrawal, it was determined that the applicant was engaged in an activity of a criminal nature.

If there was no indication of criminal activity the applicant will be given his/her application back along with any supporting documentation they provided.

All other information contained in the file will be destroyed such as fingerprints, photograph if taken by agency, any background record checks including those received at a later date.

The withdrawal letter will be filed under Carry Concealed Handgun Licensing Records in alphabetic order in the year it was written.

If a verbal request was made, an Inter-Office Communication will be prepared and signed by the person responsible for the return of the application along with a witness attesting to the request and subsequent return of the application. This document will be filed in the same manner as .04 above.

There is no refund of any license fees paid.

#### **20.04.05 DENIAL**

If the Sheriff makes a determination to deny an application because certain criteria were not satisfied, per ORC 2923.125 (D) (1), the Sheriff must:

1. Specify reason for the denial; and
2. Provide written notice to the applicant of the reason for the denial.

The applicant may appeal the Sheriff's denial decision to the Erie County Common Pleas Court pursuant to ORC Sections 119.12 and 2923.14.

If a denial is due to the result of a criminal background check and the applicant believes that the denial is based on incorrect source information, the applicant may challenge the results from the source as follows:

1. If the source of the information that led to the denial is the Ohio Bureau of Criminal Identification and Investigation (BCI & I), the applicant must follow use the existing challenge policy in place at that agency.
2. If the source of the information that led to the denial is from records maintained by the Erie County Sheriff's Office, the applicant must present certified copies of source information that contradicts the records on file at the Erie County Sheriff's Office, i.e.: court judgment entries or other records that indicate that the a criminal case was dismissed, the applicant was exonerated of the offense in question, etc.

Date

Applicant's name  
Applicants house number and street  
City, State, Zip  
1234 Main Street  
Anytown, OH 44055

Dear Mr/Mrs. (Applicants Name),

You have been denied the issuance of a concealed handgun license due to \_\_\_\_\_, case number \_\_\_\_\_, through \_\_\_\_\_ Court.

Pursuant to Ohio Revised Code Section 119.12 and Section 2923.125(D)(2)(b), you may appeal this denial with the Court. Any party desiring to appeal shall file a notice of appeal pursuant to Ohio Revised Code Section 119.12 with within fourteen (14) days after the mailing of this notice.

Sincerely,

Sheriff Paul A. Sigsworth



#### **20.04.06 SUSPENSION**

Suspension of the CCW license will occur if the applicant is charged with a disqualifying offense. The sheriff must suspend the CCW license until the disposition of the criminal case that would lead to the applicant's disqualification. The Sheriff will send a letter notifying the applicant of the Suspension of the CCW license.

A concealed handgun license issued by the Erie County Sheriff shall be suspended for:

1. Arrest or charge for disqualifying offense pursuant to ORC Section 2923.125 (D) (1) (d); or
2. Violation of ORC Section 2923.15, Using weapons While Intoxicated;
3. The applicant is named as the respondent and/or defendant subject to the terms of a temporary protection order or of a civil protection order.

The suspension will commence on the date the licensee was arrested or on the date that the temporary protection order or civil protection order naming the applicant was issued.

The suspension will end if the criminal charge(s) that led to the suspension are dismissed by the prosecutor or court or if the temporary protection order or civil protection order naming the applicant is cancelled.

The licensee shall be notified by letter sent via United States mail, return receipt requested, of suspension of the licensee's concealed handgun license.

The licensee shall be notified in that letter that the licensee must surrender the license to the Sheriff within ten (10) days of the receipt of the notice.

The license shall be returned to the licensee if or when the suspension ends.

(Suspension letter)

Date

Licensee's Name

Address

City, State, Zip

Dear Mr/Mrs/Ms. Licensee's last name,

Your concealed handgun license is being suspended due to your arrest by \_\_\_\_\_ on the charge of \_\_\_\_\_.

Your license must be surrendered to the Records Division of the Sheriff's Office within ten (10) days of your receipt of this letter. Failure to surrender your license as required could result in the filing of additional criminal charges against you. The term of your license suspension will immediately end in the event that the listed charge is dismissed or you are found not guilty at trial.

Thank you for your anticipated cooperation.

Sincerely,

Sheriff Paul A. Sigsworth

## **20.04.07 REVOCATION**

The Sheriff shall revoke a license:

1. If a license was issued and it was later found that the licensee is under 21; or
2. If at a later time any offense or prohibition in the issuance of a license becomes known; or
3. On or after the date the license was issued the licensee is convicted of using a weapon while intoxicated or any of the offenses that prohibit the issuance of a license; or
4. On or after the date the license was issued the licensee becomes subject to a civil protection order or to a temporary protection order; or
5. Licensee knowingly carries a concealed handgun into a place prohibited; or
6. On or after the date the license was issued the licensee is declared or committed to a mental facility; or
7. The licensee at the time of issuance did not meet the residency requirements and currently does not meet the residency requirements; or
8. The firearms training competency certificate submitted by the licensee is determined to have been forged or was otherwise fraudulent.

Upon the Sheriff's determination that a concealed handgun license will be revoked, the licensee will be notified via certified U.S. Mail, return receipt requested, of the revocation and of the reason for the revocation.

The licensee may report to the Sheriff's Office to contest the revocation within 14 days of mailing of the notice.

If, after the fourteen-day period has ended and after consideration of any information provided during that period it is determined by the Sheriff that the revocation will remain in effect, the licensee shall be notified of that fact and shall be required to surrender the license in question.

Any person in possession of a suspended or revoked concealed handgun license, except a law enforcement officer in the performance of his or her official duties, is guilty of Possessing a Revoked or Suspended Concealed Handgun License, a misdemeanor of the third degree pursuant to Ohio Revised Code Sections 2923.1211 (B) and (C).

NOTICE OF REVOCATION

Today's Date

Licensee's Name

Address

City, State, Zip

Dear Mr./Mrs. Last name,

In accordance with Ohio Revised Code Section 2923.128(B)(1), your concealed handgun license or temporary concealed handgun license is subject to revocation due to a conviction of \_(charge)\_\_\_\_\_, case number \_\_\_\_\_, through \_\_\_\_\_ Court.

Pursuant to Ohio Revised Code Section 119.12 and Section 2923.125(D)(2)(b), you may appeal this revocation to \_\_\_\_\_ Court within fourteen days after the mailing of this notice.

Sincerely,

Sheriff Paul A. Sigsworth

#### **20.04.08 CHALLENGE AND REVIEW PROCEDURES**

Persons wishing to challenge a criminal record due to a denial, suspension, or revocation must:

1. Come to the Erie County Sheriff's Office and present:
  - A. A valid photo ID.
  - B. Any documentation that would invalidate the adverse action taken, such as:
    1. Certified copies of court judgment entries that evidence the following:
      - a. Case dismissed;
      - b. No billed;
      - c. Nolle Prosequi or "Nol Pros";
      - d. Not Guilty;
    2. Letter from arresting agency, if applicable.

Investigation into the error will occur and changes will be made if necessary if the record in error is on file at the Erie County Sheriff's Office.

Disposition cards not forwarded to the Bureau of Criminal Identification and Investigation (BCI & I) are not an ECSO entry problem. The challenger will be informed of the procedures, if known, of the responsible agency, such as BCI & I, the Federal Bureau of Investigation (FBI), and/or any other criminal justice agency.

Entry errors by any other agencies will not be subject to challenge by the Erie County Sheriff's Office, such as records maintained by mayor's courts, municipal courts, courts of common pleas, and/or any other courts of record.

If the person challenging the denial does not provide clear and convincing evidence as to why they should be issued a license and the 20 day period elapses as to filing a civil suit in accordance with O.R.C. 119.12 the information gained during the background will be destroyed.

#### **20.04.09 TEMPORARY EMERGENCY LICESE**

In order for an Ohio resident to obtain a temporary emergency concealed handgun license, the individual must meet the following requirements, in accordance with Ohio Revised Code Section 2923.1213:

1. Must be at least 21 years of age at the time of application; and
2. Must be a resident of Erie County; and
3. Applicant must not have any disqualifiers which are listed in Ohio Revised Code Section 2923.125(D); and
4. Applicant must present "evidence of imminent danger" by supplying any of the following:
  - A. Sworn statement from the applicant, that the applicant "Has reasonable cause to fear a criminal attack on applicant or family member, and such cause would justify a prudent person in going armed", or
  - B. A written document prepared by a government entity or public official describing the facts that establish reasonable cause to fear, for example:
    - a. a temporary protection order or civil protection order; and/or
    - b. a court order with a report; and/or
    - c. a report made to or by a law enforcement agency or prosecutor.
5. The applicant must pay a non-refundable fee of \$30.00.
6. The applicant must have fingerprints taken electronically or by inked impression.

Upon completion of the application, the Sheriff shall immediately:

1. Conduct a background investigation.
2. Review the results of the background investigation.

3. If the issuance of the license by the Sheriff is approved, appropriate information shall be entered into LEADS.
4. The Sheriff shall immediately issue a temporary emergency concealed handgun license to the applicant.

The denial and challenge processes for a temporary emergency concealed handgun license are the same as listed above for a regular license.

Temporary emergency concealed handgun licenses are valid for only 90 days. They may not be renewed and must be carried at all times while the licensee is carrying a concealed handgun. In addition, an individual may only receive one temporary emergency concealed handgun license within any four (4) year period.

An individual issued a temporary emergency concealed handgun license is subject to the same rights and restrictions as listed in Ohio Revised Code Section 2923.125.

Prior to the issuance of a temporary emergency concealed handgun license, the applicant does not have to submit a competency certificate of training.

The Sheriff may revoke or suspend a temporary emergency concealed handgun license using the same procedures as are listed above for a regular license.

The Sheriff may revoke a temporary emergency concealed handgun license if it is discovered that the person is not eligible to possess a firearm under state or federal law.

## SWORN STATEMENT

I \_\_\_\_\_ do hereby swear or attest to the following which is evidence of imminent danger, to wit: \_\_\_\_\_

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that the above facts as sworn to by the person (applicant) seeking to carry a concealed handgun that is made under threat of perjury states that the person has reasonable cause to fear a criminal attack upon the person or a member of the person's family, such as would justify a prudent person in going armed. Reference O.R.C. 2923.1213 (A)(1)(a).

Date: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Sworn to, before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, at \_\_\_\_\_ County of \_\_\_\_\_, State of Ohio.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Recorded in: \_\_\_\_\_ County.

#### **20.04.10 RENEWAL**

1. To renew a concealed handgun license, the licensee is required to submit a renewal application no earlier than *ninety (90) days before* his or her license expires.
2. unless said fee is waived by the Sheriff, a fee of \$50.00 is required for applicants who live in Ohio. A fee of \$68 is required for renewal applicants who live in another state but work in Ohio.
  - a. WebCheck done or fingerprints taken and submitted to appropriate agencies.
  - b. If the applicant has been a resident of Ohio for less than 5 years, WebCheck or fingerprints taken will also be submitted to the FBI.
3. A background check will be conducted.
4. The applicant's license information will be entered into LEADS.
5. The Sheriff will then issue a renewal license, unless it is determined that the renewal should be denied.

#### **20.04.11 CHANGE OF ADDRESS**

1. The licensee shall give notice of any change of address in the licensee's residence address to the Sheriff within 45 days after that change, pursuant to Ohio Revised Code Section 2923.126(A).
2. The new address will be entered into LEADS. The licensee will retain the old license.

#### **20.04.12 REPLACEMENT OF LOST OR DESTROYED LICENSE**

1. The replacement of a license or a temporary emergency license is the same.
2. The licensee pays a fee of \$15.00.
3. The licensee submits an affidavit attesting to the loss or destruction of the license.
4. Color photograph provided or take a new photograph of the licensee.
5. Enter into LEADS the appropriate information on the loss or destruction of the old license.
6. Enter into LEADS the new replacement license information.
7. Issue the replacement license with a new license number.
8. Expiration will be indicated the same date as the old license.



## AFFIDAVIT

The following person is making application for a duplicate concealed carry license or temporary concealed carry license:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_

The reason for the duplicate request is:

- ☐ Lost
- ☐ Stolen
- ☐ Destroyed

I am aware that the duplicate license shall expire on the same date as the originally issued license and I swear or attest the above information is true to the best of my knowledge under threat of perjury.

\_\_\_\_\_  
Signature of Licensee

\_\_\_\_\_  
Date

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*(Sheriff's Office Use Only)*

Original license #: \_\_\_\_\_

Date of Expiration: \_\_\_\_\_

Duplicate license #: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

Authorized Representative

#### **20.04.13 TPO/CPO RESPONSIBILITIES**

1. When receiving a temporary protection order (TPO) or civil protection order (CPO), or an arrest warrant for an individual, and the offense listed in the warrant is listed as a prohibited offense, the agency employee processing the TPO, CPO, or arrest warrant will do the following:
  - a. Check LEADS for concealed handgun license issuance and status.
  - b. If an individual named in a TPO, CPO, or warrant is a concealed handgun licensee, the employee processing the document will notify the Administrative Captain or designee.
  - c. A copy of the TPO, CPO, or warrant will be forwarded to the Administrative Captain or designee.
  - d. Upon receipt of the above information a Notice of Suspension shall be sent to licensee by the Administrative Captain or his designee as soon as possible.
2. Communications Officer response to concealed handgun license confirmation: When a deputy sheriff or other law enforcement officer requests a vehicle registration or driver license check through the Ohio Bureau of Motor Vehicles via the LEADS system, especially pursuant to a traffic stop or other field contact, the communications officer shall do the following:
  - a. Check the registration and/or driver license information through LEADS as soon as possible after the request is made; and
  - b. Immediately provide response to deputy/officer that registered owner is concealed carry licensee if that information is shown in the LEADS entry; and
  - c. Immediately notify the deputy sheriff or other law enforcement officer of the status of person's concealed handgun license.
3. Any time a deputy sheriff or other law enforcement officer requests a criminal record check on an individual, the information listed above shall also apply.

#### **20.04.14 ARREST OF PERSON WITH CONCEALED HANDGUN LICENSE**

1. At the time of the individual's arrest, if the offense for which the individual is arrested is a disqualifying offense, the deputy sheriff shall:
  - a. Seize the concealed weapon and tag it as evidence in accordance with approved policy.
  - b. Seize the subject's concealed handgun license.
  - c. Both are possible evidence of additional offense.
  - d. License may be revoked at adjudication.
  - e. Weapon maybe considered as contraband.
  - f. Issue Notice of Suspension form.
  - g. Original to licensee.
  - h. Copy to Records with Report.
2. If arrestee has license issued by another county:
  - a. Immediately notify that county by TTY
  - b. Act on TTY order of that Sheriff to notify of suspension
  - c. Forward copy of suspension letter as served above.
  - d. All above must be reflected in report.
3. If license issued by the Erie County Sheriff's Office.
  - a. The Administrative Captain or his designee will provide notice of suspension in writing to the arrestee.
  - b. Issue a receipt to arrestee for weapon and license.
  - c. Notice of arrest forms will be distributed to all Erie County Law Enforcement Agencies requesting them to notify us upon the arrest of a CHL holder of a disqualifying charge.
4. LEADS entry will be modified to read "suspended".
  - a. This entry will be completed by the county issuing the original license.
5. All reports shall be sent to the Administrative Captain or his designee as soon as possible.

- a. Records Division personnel shall send the suspension form and a copy of the report to the issuing county.
6. All of the above documentation will be attached to the licensee's application, which shall be pulled until the suspension period ends or the concealed handgun license is revoked.
7. If convicted of the prohibited offense, the licensee's concealed handgun license will be revoked.
8. The individual's concealed handgun license will be returned, and the suspension will be terminated, if the individual is acquitted of the prohibited offense or if the charge is dismissed.
9. During the booking process conducted by the corrections staff, all prisoners will be checked in LEADS for a concealed handgun license by running a DS.
  - a. If the prisoner has a license, the offenses the prisoner is being booked in on will be checked against the offenses that a person is prohibited from committing when issued a license.
  - b. If a prisoner is found to have a CCW license, the above steps will be taken as applicable for the notification of suspending their license until the case is disposed of.

#### **20.04.15 RELEASE OF LICENSE INFORMATION**

1. Sheriff's licensure records are not public records, except to a journalist. Upon a signed, written request to the Sheriff by a journalist, the Sheriff shall disclose the name, date of birth, and county of residence of all individuals who have valid concealed handgun licenses issued by the Erie County Sheriff's Office as of the date of the request *by allowing the journalist to view the applications*.
2. The written request shall include the journalist's name and title and the name and address of the journalist's employer. The journalist shall state in the request that disclosure of the information sought would be in the public interest.

## NOTICE OF ARREST

TO: Sheriff Paul A. Sigsworth

FROM:

REF: Concealed Carry License

DATE:

This letter is to advise you that the person listed below, and who currently is in possession of a concealed carry license or temporary concealed carry license, has been arrested/charged locally for the listed offense(s). We are providing this information to you so that you may make the necessary notification of the suspension of said license. (Disqualifiers are listed on the back of this form)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_

Arrested for/charged with:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## JOURNALIST CARRY CONCEALED RECORDS REQUEST

Please Print Legibly:

I \_\_\_\_\_ whose title is \_\_\_\_\_

Is employed by \_\_\_\_\_

(Address) \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (Zip)

Phone #: \_\_\_\_\_

Request the following Carry Concealed Handgun License Information be disclosed and that it is being sought in the public interest.

Information is limited to these three items listed below specific request.

- |  |                                 |   |
|--|---------------------------------|---|
| <input type="checkbox"/> Licensee Name       | <input type="checkbox"/> All or | <input type="checkbox"/> Please list specific request |
| <input type="checkbox"/> County of Residence |                                 |   |
| <input type="checkbox"/> DOB                 |                                 |   |

Space for specific information requests within the above scope of permitted information:

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Since no records may be kept other than the application this information may take some time to compile. To better facilitate your request be specific as possible.

\_\_\_\_\_  
Journalists Signature

\_\_\_\_\_  
Date

#### **20.04.16 OHIO PEACE OFFICER TRAINING COMMISSION (OPOTC)**

1. Provide application, license forms, provide firearms pamphlet.
2. Determine license fees and disbursements.
3. There are quarterly reports that are required to be sent to OPOTC for the previous quarters activity, they are:
  - a. Number of standard licenses;
    1. Issued;
    2. Renewed;
    3. Suspended;
    4. Revoked;
    5. Denied.
  - b. Number of applications suspended during processing;
  - c. Temporary emergency licenses;
    1. Issued;
    2. Renewed;
    3. Suspended;
    4. Revoked;
    6. Denied.
4. The reports will not include any applicants or licensee's name or any other identifying information.
5. The information is to be reported in such a manner that OPOTC is able to maintain the statistics and to timely prepare statistical reports as required by law.
6. The information sent to OPOTC is a public record.
7. OPOTC will oversee compliance with destruction of records.
8. OPOTC may hire employees to investigate that destruction requirements are met.
9. Sheriffs are required to cooperate with any investigations, permit access to records and locations related to those criminal record checks ORC 109.731.

#### **20.04.17 COMPETENCY CERTIFICATION**

1. Evidence of firearms safety training, re-qualification, firearms safety instruction, or prior equivalent training, must be presented at time of application.
  - a. Must be completed within 3 years prior to application date.
  - b. Firearms Safety Training Course open to the public and under auspice of:
    1. Any National Gun Advocacy Organization
    2. A Law Enforcement Agency
    3. Public or Private College or Post-Secondary education within Ohio or another State
    4. Firearms Training School in Ohio or another State
    5. Public or private organization in Ohio or another State who complies with 2923.15
  - c. Firearms Safety Training Course open to public with instructors from and/or certified by:
    1. Any National Gun Advocacy Organization
    2. Ohio Peace Officer's Training Commission
    3. Government officers of Ohio or another State of US
  - d. Certificate or similar document that evidences any of above, that complies with "course requirements."
  - e. If no certificate was issued then an Affidavit that attests to applicant's satisfactory completion of required 8 hour course, signed by authorized representative.
2. Prior Equivalent Training: Pursuant to O.R.C. 2923.125(D)(i)(ii) this training will take the place of the Certificate of Competency if the following is met within 10 years of the date of the application:
  - a. If applicant is:
    1. An active or reserve member of U.S. Military, or

2. Retired law enforcement officer or honorably discharged military
- b. Who while employed:
  1. Was authorized to carry a firearm/handgun and
  2. While employed through participation in above, acquired experience in handling handguns, and such experience was equivalent to the required training specified in O.R.C. 2923.125(G)

Documentation:

The above prior equivalent experience and retirement or honorable discharge is able to be documented

## 20.04.18 DISQUALIFIERS

Applicant will be disqualified if any of the following applies:

1. If applicant has not received required training in past 3 years, except 10 years for law enforcement or military. (See training requirements.)
2. If applicant has been CHARGED or UNDER INDICTMENT for:
  - a. Any felony
  - b. Any drug offense
  - c. Misdemeanor offense of violence
  - d. Negligent assault
  - e. Falsification to obtain Carry Concealed license
  - f. Possess a revoked or suspended Carry Concealed license
  - g. Conspiracy or attempt to commit, or complicity in committing, any of the above offenses
3. If applicant has been CONVICTED or has been adjudicated a delinquent child under the following offenses:
  - a. Any felony
  - b. Drug offense
  - c. Assault on peace officer
  - d. Conspiracy or attempt to commit, or complicity in committing, any of the above offenses
4. If applicant has been convicted or has been adjudicated a delinquent child under the following offenses within 3 years:

A misdemeanor offense of violence (Except resisting arrest, assault on peace officer, possess revoked or suspended CC license).

Misdemeanor Crimes of Violence:

Assault	2903.13
Aggravated Menacing	2903.21
Menacing by Stalking	2903.21.1
Menacing	2903.22
Arson	2909.03
Riot	2917.03
Domestic Violence	2919.25
Endangering Children	2919.22
Intimidation of Victim/Witness	2921.04
Escape	2921.34
Discharge firearm at or into	
Habitation or School Safety Zone	2923.16.1
Offense of Violence O.R.C.	2901.01

An offense, other than a traffic offense, under an existing or former municipal ordinance or law of this or any other state or the United States, committed purposely or knowingly, and involving physical harm to persons or a risk of serious physical harm to persons.

A conspiracy or attempt to commit, or complicity in committing, any offense under division (A)(9)(a), (b), or (c) of this section.

Conspiracy	2923.01
Attempt	2923.02
Complicity	2923.03

This includes:

Aggravated Murder	2903.01
Murder	2903.02
Voluntary Manslaughter	2903.03
Involuntary Manslaughter	2903.04
Felonious Assault	2903.11
Aggravated Assault	2903.12
Assault	2903.13
Permitting Child Abuse	2903.15
Aggravated Menacing	2903.21
Menacing by Stalking	2903.211
Menacing	2903.22
Kidnapping	2905.01
Abduction	2905.02
Extortion	2905.11
Rape	2907.02
Sexual Battery	2907.03
Gross Sexual Imposition	2907.05
Felonious Sexual Penetration	2907.12 (Former Section)
Aggravated Arson	2909.02
Arson	2909.03
Terrorism	2909.24
Aggravated Robbery	2911.01
Robbery	2911.02
Aggravated Burglary	2911.11
Burglary: (Division(A)(1),(2), (3)	2911.12
Inciting to Violence	2917.01
Aggravated Riot	2917.02
Riot	2917.03
Inducing Panic	2917.31
Endangering Children: (Division)	
(B)(1), (2), (3), or (4)	2919.22
Domestic Violence	2919.25
Intimidation	2921.03
Intimidation of Crime Victim	2921.04
Escape	2921.34
Improperly Discharging Firearm at or into Habitation or School Safety Zone	2923.161



5. If applicant has been convicted or has been adjudicated a delinquent child under the following offenses within 5 years.
  - a. 2 or more assaults
  - b. 2 or more negligent assaults
6. If applicant has been convicted or has been adjudicated a delinquent child under the following offenses within 10 years.
  - a. Resisting arrest
7. If applicant is or has been:
  - a. Adjudicated mentally incompetent
  - b. Committed to any mental institution
  - c. Been found by a court to be a mentally ill person, subject to hospitalization by court order
  - d. Involuntary patient other than for purposes of observation
8. ORC 2923.13 (4) the person is drug dependent, in danger of drug dependence, or a chronic alcoholic.
9. If applicant is subject to:
  - a. Temporary protection order
  - b. Civil protection order in Ohio or any other state.

#### **20.04.19 RESPONSIBILITIES OF A CONCEALED HANDGUN LICENSEE**

1. Various Ohio Revised Code Sections address responsibilities of a person who has been issued a concealed carry license. A person violating any of those responsibilities is subject to possible prosecution.
2. The following responsibilities include, but are not limited to, transportation, duties when approached, prohibited places, and falsification.
3. Duties of Applicant:
  - a. To provide completed application meeting all requirements as prescribed in ORC 2923.125 and 2323.1213.
  - b. Section 2921.13 (A) (14), no person shall knowingly make a false statement or knowingly swear or affirm the truth of a false statement previously made when the statement is made in an application filed with the Sheriff in order to obtain a permit or license to carry a concealed handgun or to obtain a temporary emergency license to carry a concealed handgun.
  - c. Section 2921.23 (C), no person shall knowingly present to a Sheriff a fictitious or altered document that purports to be a competency certification
  - d. NOTE: ORC 2953.32 (D), sealed records shall be inspected in connection with criminal background check conducted for application under 2923.125.
  - e. Section 2923.126, the licensee shall give notice to the Sheriff who issued the license of any change in residence address within 45 days after change.

#### *Duty to Inform Law Enforcement Officer:*

Pursuant to Ohio Revised Code Section 2923.12 (B), a person who has been issued a concealed handgun license or temporary emergency concealed handgun license in Ohio, or by another state that has a reciprocal agreement with the Ohio Attorney General, who is stopped for a law enforcement purpose and who is carrying a concealed handgun shall promptly inform any law enforcement officer who approaches the person after being stopped that the person has been issued a license and is carrying a concealed handgun.

#### *Duty to Carry License:*

Section 2923.126 (b), at the time of the carrying or possession of a concealed handgun the person must carry a valid concealed handgun license or temporary emergency concealed handgun license, and proper identification.

*Prohibited Places to Carry:*

Any place, in which liquor is being dispensed on premises, for which a “D” permit has been issued.  
Examples:

1. Hotel/restaurant; food service operation; club; amusement park; drug store; lunch stand; boat or vessel to sell beer, wine, cocktails, liquor or mixed beverages at retail, for consumption on premises.
2. Any open air arena for which D permit has been issued, such as a football game.
3. Sheriff’s Office, Ohio State Highway Patrol facility, BCI & I facility, any other law enforcement agency facility, a state correctional institution, a county jail, workhouse, or other detention facility.
4. Airport passenger terminal.
5. State institution for care, treatment, and training of mentally ill or mentally retarded.
6. School safety zone or school.
7. Courthouse or another building where courtroom is located.
8. Any premise owned or leased by a public or private college or university or other institute of higher education (unless locked in motor vehicle).
9. Church, synagogue, mosque or other place of worship, unless same permits otherwise.
10. Child day care center.
11. Aircraft
12. Any building owned by Ohio, or any political subdivision (all county, municipal, township, buildings)
13. Anyplace prohibited by federal law.

Private employers may adopt a rule, policy or practice concerning or prohibiting firearms on their premises, including in motor vehicles parked or operated on the employer’s premises.

If a licensee carries a handgun into above places, the person may be charged with criminal trespass and/or other criminal offense.

*Duty to Surrender:*

Pursuant to Ohio Revised Code Section 2923.128, any person receiving notification by certified mail that his or her concealed handgun license has been suspended or revoked must surrender the license immediately to the issuing county sheriff.

Possession of or carrying concealed handgun while revoked or suspended is a criminal offense.

*Handling/Transportation:*

Pursuant to Ohio Revised Code Sections 2923.15 and 2923.16, no person shall knowingly transport or have a loaded handgun in motor vehicle or vessel if at the time of transportation the person is under the influence of alcohol or drug of abuse or any combination.

No person shall knowingly transport or have a loaded handgun in a motor vehicle or vessel unless the loaded handgun is in a holster on the person’s person or securely encased by being stored in a closed, locked glove compartment or in a case that is locked or *in a closed container, case or bag that is in plain sight with a lid or closing mechanism with a zipper, snap or buckle.*

No person, while transporting or while in a motor vehicle shall remove or attempt to remove the loaded handgun from the holster, glove compartment or case; or

Knowingly grasp or hold the loaded handgun by touching it with hands or fingers, unless directed to by law enforcement officer.

The driver or occupant of any motor vehicle shall promptly notify any law enforcement officer who approaches the motor vehicle that the driver or occupant is a concealed handgun licensee and is carrying a concealed handgun, or has a loaded handgun in the motor vehicle.

The driver or occupant of a motor vehicle stopped for law enforcement purposes and transporting or possessing a loaded handgun in any manner, must comply with any lawful order of any law enforcement officer during his or her contact with the law enforcement officer(s).

A driver or occupant transporting or having a loaded handgun in any manner must keep his or her hands in plain sight at all times if stopped or approached by a law enforcement officer, as the law enforcement officer approaches the vehicle, and must remain in the motor vehicle unless instructed otherwise by law enforcement officer.

#### **20.04.20 PROHIBITED PLACES**

The concealed carry licensee is prohibited from carrying a concealed weapon in any of the following places per ORC 2923.124(C) (G)

1. Police Station, Sheriff's Office, State Highway Patrol Post
2. Bureau of Criminal Identification & Investigation
3. State Correctional Facility
4. Jail, Workhouse, Detention Facility
5. Airport passenger terminal
6. Mental health facility, Mental retardation and developmental disability facilities
7. School Safety Zone (2923.122)
8. School building
9. School premises
10. School activity
11. School bus
12. Courthouse or structure where court located (2923.123)
13. Any room/open air arena where D liquor permit issued (2923.121) (liquor consumed on premises)
14. Any owned/leased premise of a private or public College (Exception: licensee must keep firearm locked in their motor vehicle)
15. Any church, synagogue, place of worship (Exception--unless with prior approval from person authorized to give approval)
16. Any day care center with children present (Exception--licensee's own children in licensee's own home, when no other children are present)
17. Any aircraft, foreign, interstate, intrastate transportation of mail
18. Any building or part owned or leased by State or political subdivision
19. Any place prohibited by Federal Law

#### **20.04.21 PRIVATE EMPLOYERS**

1. Pursuant to Ohio Revised Code Section 2923.126, private employers are in no way restricted from prohibiting the presence of firearms on their property including motor vehicles.
2. Private employers are immune from liability for actions caused by a licensee bringing a handgun on their property, including vehicles, unless the employer acted with malicious purposes.
3. Owners of private or public land being leased may post signs in a conspicuous location prohibiting persons from carrying firearms or concealed firearms on the property.

#### **20.04.22 RIGHTS OF POLICE OFFICER**

1. Pursuant to O.R.C. 2923.126(D), a peace officer has the same right to carry a concealed handgun in Ohio as a licensee under 2923.125.
2. A peace officer from a state other than Ohio has a reciprocity agreement and is considered a licensee in the state of Ohio.

3. A peace officer from Ohio, traveling outside of Ohio, should check the laws concerning concealed carry in other states, concerning the legality of carrying in that state.

#### **20.04.23 IMMUNITY FOR LAW ENFORCEMENT AGENCY**

1. Pursuant to O.R.C. 2923.129 (A)(5) a law enforcement agency that employs a peace officer is immune from liability in a civil action for damages for:
  - a. Injury or death
  - b. Loss to persons or property allegedly caused by police officer while the police officer is:
    1. Off duty but acting in an official capacity, and
    2. Carrying a concealed weapon.

NOTE: Political Subdivision Sovereign Immunity Law, in O.R.C. Chapter 2744 and R.C. 9.86 and 9.87, provides for qualified immunity if concealed handgun used in performance of official duties while peace officer is off duty.

#### **20.04.24 RECIPROCITY**

Some states who have entered into a reciprocity agreement with the Attorney General of Ohio. Persons who live in Ohio but hold a Concealed Handgun License from a state which Ohio has reciprocity, are granted the same rights and responsibilities as an Ohio Concealed Handgun Licensee. Licensees from a state Ohio does not have reciprocity with, may carry in Ohio as long as they are in the state on a temporary basis.

Persons traveling outside of Ohio are encouraged to contact the Attorney General's Office of the state(s) that the licensee will be traveling through to determine laws of carrying concealed within that respective state.

## 20.04.25 License Comparison Chart

	Concealed Carry License	Emergency Temporary License
Requirements	21 years old	21 years old
Residency	Resident of county or adjacent or employed in Ohio	County resident only
Background	Must Pass	Must Pass
Issued	Within 45 days	Immediately
Valid	5 years	90 days
Renewal	Yes	No (only issued once in 4 years)
Restrictions	Same	Same
Rights	Same	Same
Revoke/Suspend	Same	Same & discover possession violation of State/Fed law
Records	Background 20 days	Kept entire period
Fee	Not more than \$67.00 Waived for retired law enforcement	Not more than \$30.00 Waived for retired law enforcement
Duplicate	\$15.00	\$15.00
Certificate of Competency	Yes	No
Must carry license at all times	Yes	Yes

### 20.04.8 FBI Order 556-73 Request Identification Record:

Title 28 CFR Part 16 – Production or Disclosure of material or information

Subpart-C, Production of FBI Identification Records in Response to Written Requests by Subjects Thereof.

By order dated September 24, 1973, the Attorney General of the United States directed that the Federal Bureau of Investigation, hereinafter referred to as the FBI, publish rules for the dissemination of arrest and conviction records to the subjects of such records upon request. This order resulted from a determination that 28 U.S.C. 534 does not prohibit the subjects of arrest and convictions records from having access to those records. In accordance with the Attorney General's order, the FBI will release to the subjects of identification records copies of such records upon submission of a written request, satisfactory proof of identity of the person whose identification record is requested and a processing fee.

Since the FBI Criminal Justice Information Services (CJIS) Division is not the source of the data appearing on the identification records, and obtains all data thereon from fingerprint cards or related

identification forms submitted to the FBI by local, state and federal agencies, the responsibility for authentication and correction of such data rests upon the contributing agencies. Therefore, the rules set forth for changing, correcting or updating such data require that the subject of an identification record make application to the original contributing agency in order to correct a deficiency.

The Relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rule making, opportunity for public participation and delay in effective date are inapplicable because the material contained herein relates to the interpretation of 28 U.S.C. 534 as allowing the granting of an exemption to subjects of identification records and relief of prior administrative restrictions on dissemination of such records to them. Furthermore, it is deemed in the public interest that there be no delay in effective date of availability of identification records to the subjects thereof.

By Virtue of the order of the Attorney General, dated September 24, 1973, and pursuant to the authority delegated to the Director, FBI, by 28 CFR 0.85(b), 28 CFR Part 16 is amended as follows:

#### 16.30 Purpose and Scope

This subpart contains the regulations of the Federal Bureau of Investigation (FBI) concerning procedures to be followed when the subject of an identification record requests production of that record to review it or to obtain a change, correction, or updating of that record.

#### 16.31 Definition of Identification record

An FBI identification record, often referred to as a "rap sheet," is listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The identification record includes the name of agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

#### 16.32 Procedure to obtain an identification record.

The subject of an identification record may obtain a copy thereof by submitting a written request via the U.S. mails directly to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. Such request must be accompanied by satisfactory proof of identity, which shall consist of name, date and place of birth and a set rolled-in inked fingerprint impressions placed upon fingerprint cards or forms commonly utilized for applicant or law enforcement purposes by law enforcement agencies.

#### 16.33 Fee for production of identification record

Each written request for production of an identification record must be accompanied by a fee of \$18 in the form of a certified check or money order, payable to the Treasury of the United States. This fee is established pursuant to the provisions of 31 U.S.C. 9701 and is based upon the clerical time beyond the first quarter hour to be spent in searching for, identifying, and reproducing each identification record requested as specified in § 16.10. Any request for waiver of the fee shall accompany the original request for the identification record and shall include a claim and proof of indigence. Subject to applicable laws, regulations, and directions of the Attorney General of the United States, the Director of the FBI may from time to time determine and establish a revised fee amount to be assessed under this authority. Notice relating to revised fee amounts shall be published in the Federal Register.

16.34 Procedure to obtain change, correction or updating of identification records.

If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of an entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod.D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

Published in the Federal Register on 11/28/73; amended on 10/27/78, 10/27/81, 8/8/83, 5/6/86, 5/17/91, 1/3/95, and 9/28/99.

## **21.01 USE OF DEPARTMENTAL EQUIPMENT**

An employee shall utilize departmental equipment in accordance with established departmental procedures and shall not abuse, damage, or lose departmental equipment.

## **21.02 CARE OF EQUIPMENT AND BUILDINGS**

Employees are responsible for the proper care of department property and equipment assigned to them. Damaged or lost property may subject the responsible individual to reimbursement charges and appropriate disciplinary action.

Employees shall immediately report to their superiors any loss of, or damage to, departmental property assigned or used by them. The supervisor will be notified of any defects or hazardous conditions existing in any department equipment or property.

Employees shall not mar, mark, or deface any surface in any departmental building. No material of any nature shall be affixed to any wall in departmental buildings without specific authorization from a supervisor.

All employees who are issued manuals are responsible for their maintenance and will make appropriate changes or inserts as they arise.

Employees are required to surrender all department property in their possession upon separation from service. Failure to return nonexpendable items may cause the person to reimburse the Department for the fair market value of the articles.

## **21.03 KEYS TO BUILDINGS/EQUIPMENT**

No employee shall make a key to any Erie County Sheriff's Office building or vehicle without authorization of the Sheriff. No employee shall take a key or any equipment from the Erie County Sheriff's Office when he/she is off duty without authorization from the Sheriff.

## **21.04 USE OF AGENCY TELEPHONES AND CELLULAR TELEPHONES; USE OF PERSONAL CELLULAR TELEPHONES**

The use of telephone communication is vital to the mission of the Erie County Sheriff's Office. While recognizing the extreme importance of this type of communication, the Erie County Sheriff is obligated as a matter of public policy that such communication is conducted in the most efficient and cost-effective manner as possible. This policy addresses specific issues relating to telephone use by agency employees, while also addressing specific issues relating to the auditing of calls made on agency phones. Unless otherwise specified, the word "telephone" applies to both "land-line" telephones and "cellular" telephones.

## GENERAL USE OF TELEPHONES

1. Those employees utilizing telephones will be courteous and professional at all times during their conversations, regardless of the tone or demeanor of the caller.
2. Those employees receiving a call that must be forwarded to another employee will do so in a polite and efficient manner.
3. Those employees answering emergency calls will quickly and efficiently obtain the necessary information from the caller. The caller will only be forwarded to another public safety agency as necessary to obtain the emergency services needed by the caller, and only if the employee is unable to dispatch those services.
4. Employees may carry and use personally owned cellular telephones. As with agency "land-line" telephones, the use of such phones for personal calls shall be limited to family or personal emergencies or for employment related communication. Personally owned cellular telephones will not be used for general non-employment related communication and should not be used, unless absolutely necessary, in the presence of the general public.
5. Employees may be authorized to use agency owned cellular telephones. The use of such phones shall be restricted to employment related calls only. Those employees, who are issued agency owned cellular telephones, shall utilize such phones for employment related purposes only.
6. Employees may be authorized to use agency owned cellular telephones. The use of such phones shall be restricted to employment related calls only. Those employees who are issued agency owned cellular telephones shall utilize such phones for employment related purposes only.
7. Unless specifically authorized in writing by the Sheriff, Chief Deputy, or Jail Administrator, any Corrections Officer or other agency employee entering the Erie County Jail is specifically prohibited from possessing a cellular telephone while present within the confines of the Jail. The Sheriff, Chief Deputy, and Jail Administrator are hereby deemed exempt from this policy requirement because of their job duties.
8. Unless specifically authorized in writing by the Sheriff, Chief Deputy, or Communications Supervisor, any Communications Officer (Dispatcher) or other agency employee entering the Erie County Sheriff's Dispatch Center is specifically prohibited from possessing a cellular telephone while present within the confines of the Dispatch Center. The Sheriff and Chief Deputy are hereby deemed exempt from this policy requirement because of their job duties.

## AUDITING OF CELLULAR TELEPHONE RECORDS

1. Employees issued agency owned cellular telephones, the use of which are paid for entirely by the employer, will be required to reconcile regular bills for those phones to certify that no personal telephone calls were made or received from that particular telephone. Calls made from agency owned cellular telephones are subject to routine internal and/or external audits.
2. In the event that any personal calls are made on an agency cellular telephone, the responsible employee shall – within seven days – complete a Personal Use Reimbursement Form and forward that form, along with payment in the form of a personal check made payable to the Erie County Treasurer for any personal calls, to the Sheriff or his designee. These documents will then be forwarded to the county auditor.
3. Some employees have been provided with cellular telephones that were originally owned by the agency. Those employees are also provided a regular stipend by the employer, to reimburse the cost of the use of that particular cellular telephone. Any costs for those particular telephones over and above the cost of the stipend will be borne by the employee.
4. Employees to whom agency owned cellular telephones have been issued, or to whom a stipend is paid for reimbursement of cellular telephone use, will be available for around-the-clock on-call assistance, unless on approved leave.

## **21.05 USE OF DEPARTMENT STATIONARY/LETTERHEAD**

The office letterhead and stationary will be used for official business only, at the direction of the Sheriff.



## **21.06 USE OF THE FITNESS ROOM**

The following policy will be followed when using the fitness room and equipment in the basement of the Sheriff's Office.

1. Only employees of the Sheriff's Office, or others designated by the Sheriff, may use the room.
2. Prior to anyone using the equipment, that person must:
  - a. Have on file with the Sheriff evidence of a current physical examination and approval by a doctor to participate in a physical fitness program.
  - b. Have on file with the Sheriff the signed waiver of liability provided by the department.
  - c. Have completed the orientation program provided by the department, including the rules of use, and proper use of the equipment.
3. All persons using the fitness room must sign in on the form provided in the Communications Center and inform the dispatcher on duty, that they will be in the building.

## **21.07 COMPUTER, INTERNET, ELECTRONIC MAIL, AND ONLINE SERVICES STANDARD OPERATING GUIDELINE.**

All employees of the Erie county Sheriff's Office shall, while in the performance of their duties, use a computer (including those privately owned or owned by an entity other than this agency); any computer related equipment, the Internet, electronic mail, and/or online services **for official agency use only. All other uses are hereby prohibited.**

Prohibited uses of computers, computer related equipment, Internet, electronic mail, and online services include the following:

1. Operating a business for personal gain.
2. Sending chain letters
3. Soliciting money for any purpose
4. Sending, receiving, or storing communications that contain offensive or harassing statements, including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious, or political beliefs.
5. Sending, receiving, or storing communications that contain incendiary statements that might incite violence or describe or promote the use of weapons or devices associated with terrorist activities.
6. Sending, receiving, or storing data for, or using a computer for, recreational purposes, i.e.: jokes, computer games
7. Sending, receiving, storing, or disseminating sexually oriented messages, materials, or images.
8. Sending, receiving, storing, downloading, disseminating, or printing copyrighted materials (including articles and software) in violation of copyright laws.
9. Any activity not directly related to this agency's operation.

The above prohibitions do not apply to any data or images sent, received, stored, or disseminated in conjunction with a criminal investigation being conducted by this agency or by a law enforcement agency with which this agency is cooperating with or aiding in a criminal investigation.

Agency employees shall not use an account (Internet, electronic mail, information service, or bulletin board system), electronic mail address or signature line other than their own.

Access to Erie County funded Internet service is restricted to agency personnel only. Agency personnel are prohibited from authorizing, allowing, or assisting other in gaining access to the county Internet service.

Employees shall abide by all rules and regulations governing any access service to which they may connect.

Employees shall not seek to gain access to data or services by circumventing any security devices or procedures.

Violators of this standard operating guideline shall be subject to the disciplinary process and/or criminal prosecution.

## 21.08 USE OF AUTOMATED EXTERNAL DEFIBRILLATOR DEVICES

The protection and safety of the general public are fundamental and primary responsibilities of the law enforcement mission. The rendering of first aid to those injured or ill, until the arrival of medical professionals, is a basic tenet of that mission. One type of emergency care that employees of this agency should be prepared to provide is assistance to those who have suffered sudden cardiac arrest. Technological advances now allow for lay persons with relatively minimal training to utilize automated external defibrillators (AED's) to provide potentially life saving defibrillation shocks to those who have suffered sudden cardiac arrest. As it has been medically proven that prompt defibrillation after the onset of sudden cardiac arrest may clearly make the difference between life and death, this agency's employees will utilize AED's.

The following police, and allied procedures, is hereby adopted to provide for the protection of agency personnel and members of the general public, while maximizing the availability of AED's for use by members of this agency.

### APPROVED AUTOMATED EXTERNAL DEFIBRILLATORS

Members of this agency will utilize AED's provided by the agency. However, nothing in this policy will prohibit the use of another type of AED by agency members if special circumstances dictate.

### TRAINING AND CERTIFICATION

Prior to use of an AED, members of this agency will receive proper training and certification in the use of an AED and in cardio pulmonary resuscitation (CPR). This training will meet the guidelines established by the American Heart Association and/or the American Red Cross.

### GENERAL PROCEDURES

AED's will be made available to employees of this agency within the Sheriff's Office building, at certain other locations to which Sheriff's Office personnel are assigned, and to deputy sheriffs assigned to the Patrol Division. Patrol deputies will, as much as possible, equip themselves with an automated external defibrillator while performing their patrol functions

In the event that an employee of this agency becomes aware of – or is dispatched to a situation involving – a subject in cardiac arrest, a subject “down” from unknown causes, or an unconscious subject – the employee will respond immediately to assist the individual, if it is reasonably believed by the employee that the employee will arrive to assist the individual prior to the arrival of the local emergency medical service. **As soon as possible after an employee of this agency receives such a report, the local emergency medical service will also be requested to respond.**

Upon arrival at the scene of the incident, the employee will immediately assess the area to determine that the scene is safe for the employee to begin treating the involved subject. Attention will be given to the general surroundings, and particular attention will be given to electrical wires that may still be live in the event that the victim is suffering from electrical shock.

If the scene is assessed to be safe, the employee will then assess the victim to determine if the use of the AED, and/or the performance of CPR, is appropriate. If deemed appropriate, the employee will immediately begin performing CPR and/or will initiate the use of the AED. If at all possible, the employee will utilize the CPR protective mask found in the AED case.

If it is determined that the victim is eight (8) years of age or older, is unresponsive, is not breathing, and appears to not have a pulse, the following steps will be taken regarding the operation of the AED:

1. Remove clothing from the patient's chest. If necessary to expedite its removal, the clothing may

- be cut from the patient utilizing the scissors provided in the agency AED case.
2. If the patient is sweating profusely, the patient's chest should be dried the gauze pad provided in the agency AED case and/or the patient's clothing.
  3. If the patient has excessive body hair which the employee believes would interfere with the attachment of the electrodes, the electrode attachment areas on the patient's chest should be dry-shaved, if a razor is available. A disposable razor will be kept in the agency AED cases.
  4. Turn on the AED – current agency devices turn on when the lid is opened – and prepare the electrodes for attachment to the patient.
  5. One at a time, remove the release liner from the electrodes and place on the victim – one on the patient's upper right chest and one on the patient's lower left chest.
  6. Once the electrodes are properly placed, the AED will automatically begin to analyze the victim's cardiac rhythm. If the AED prompts the employee to administer a defibrillation shock, the employee will ensure that no one is in contact with the victim. The employee will then administer a defibrillation shock.
  7. The AED will then prompt the employee to follow additional steps, such as implementation of CPR or the administration of additional defibrillation shocks. The AED may also advise the employee not to touch the patient. As much as practicable, the employee will follow the instructions given by the AED.
  8. The employee will – as much as possible – update the dispatcher regarding what care is being administered to the patient. This information will be immediately relayed to the local emergency medical service that is responding to treat the patient, so that the medical personnel are prepared to properly and immediately care for the patient upon their arrival at the scene. Once attached, AED electrodes will not be removed from the patient until the arrival of the local emergency medical service.
  9. Agency employees will immediately turn over care of the patient to the local emergency medical services when its personnel arrive at the scene. Employees will cooperate with the medical service personnel by providing them with any information available regarding the patient's condition and the treatment provided by the employee prior to the medical services arrival.

#### DISPOSITION OF AED AFTER USE

In the event that an AED is utilized by an employee – whether or not a defibrillation shock is administered – the AED will be taken out of service and will be forwarded to the Operations Officer or his/her designee. The Operations Officer or designee will ensure that the electronic data stored in the device as a result of its use, is retrieved for documentation purposes. Once the data is downloaded, one copy will be attached to the standard incident report. A second copy will be forwarded to the medical facility to which the victim was transported. At the conclusion of the data downloading, the Operations Officer or designee will ensure that the AED is operational and fully equipped. The AED will be placed back into service as soon as possible.

#### CONTRAINDICATIONS FOR AED USAGE

Employees should be cognizant of the fact that an AED is to be used in cases of sudden cardiac failure in certain age groups. Victims who are decapitated, exhibit rigor or livor mortis, putrefaction, or are younger than eight (8) years of age, are not suitable candidates for the use of an AED.

In addition, certain patients – particularly those who are terminally ill – may have issued for them by their physician, a 'Do Not Resuscitate' or DNR order. A copy of a DNR is attached and labeled as Attachment A. In the event that an employee arrives at the scene of a reported sudden cardiac arrest, and the employee is presented with a DNR for the victim that appears to the employee to be genuine, then the employee should not begin life-saving measures. The DNR must be presented in writing to the employee prior to the onset of CPR and/or the use of an AED. If the DNR is not presented immediately, and CPR or AED usage is commenced, that care will continue until the victim's care is transferred to local emergency

medical service personnel, or unless a DNR that appears to be genuine is provided to the employee. If a DNR is presented to an employee after COR and/or the use of an AED has commenced, and the DNR appears to be genuine, then all life-saving measures – including the performance of CPR and/or the use of the AED – will cease.

#### REPORTING REQUIREMENT

In the event that an employee utilizes an AED to care for a sudden cardiac arrest victim, a standard incident report listing all pertinent details will be completed as soon as practicable after the event by the involved employee. In addition, an Erie County Sheriff's Office AED Use Report will also be completed. The original of the report form will be attached to the incident report; the copy will be forwarded to the medical facility to which the victim was transported, as soon as possible after the conclusion of the incident. An example of the report form is also attached.

#### MAINTENANCE

Patrol deputies will routinely check AEDs that are used by the Patrol Division to ensure that they are functional. Agency employees assigned to areas where AEDs are placed within their work area will also routinely check those AEDs for serviceability. Any AED found to be unserviceable will be immediately forwarded to the Operations Officer or his/her designee for repair.

#### IMMUNITY FROM LIABILITY FOR USE

Section 2305.235(D) of the Ohio Revised Code specifies as follows:  
“Except in the case of willful or wanton misconduct or when there is no good faith attempt to activate an emergency medical services system...no person shall be held liable in civil damages for injury, death, or loss to person or property, or held criminally liable in civil damages for injury, death, or loss to person or property, or held criminally liable, for performing automated external defibrillation in good faith, regardless of whether the person has obtained appropriate training on how to perform automated external defibrillation or successfully completed a course in cardiopulmonary resuscitation.”

DNR Identification form: [www.odh.ohio.gov/pdf/forms/dnrfrm.pdf](http://www.odh.ohio.gov/pdf/forms/dnrfrm.pdf)

AED Use Report  
Erie County Sheriff's Office

Date:\_\_\_\_\_ Time:\_\_\_\_\_

Patient Name:\_\_\_\_\_ Age:\_\_\_\_\_

Location:\_\_\_\_\_

EMS Agency:\_\_\_\_\_

Disposition of Patient:\_\_\_\_\_

Was event witnessed or non-witnessed?      Witnessed\_\_\_\_\_ Non-witnessed\_\_\_\_\_

Name of rescuer:\_\_\_\_\_

Was pulse checked at initial assessment?      Yes\_\_\_\_\_ No\_\_\_\_\_

Was CPR performed prior to AED application?      Yes\_\_\_\_\_ No\_\_\_\_\_

Length of CPR: \_\_\_\_\_ minutes

CPR performed by: \_\_\_\_\_

Were shocks given?    Yes\_\_\_\_\_ No\_\_\_\_\_      Number of shocks given:\_\_\_\_\_

Did victim regain pulse?      Yes\_\_\_\_\_ No\_\_\_\_\_

Resume breathing?      Yes\_\_\_\_\_ No\_\_\_\_\_

Regain consciousness?      Yes\_\_\_\_\_ No\_\_\_\_\_

Any problems encountered? \_\_\_\_\_

Persons completing form: \_\_\_\_\_

Data downloaded by: \_\_\_\_\_

## **21.09 USE OF SPEED MEASURING DEVICES FOR ENFORCEMENT PURPOSES**

### **POLICY STATEMENT**

Sworn personnel are authorized to use agency owned and approved devices for measuring the speed of motor vehicles traveling on the roadways to facilitate the enforcement of traffic laws. The following procedures will be followed to ensure that such devices are utilized accurately and properly.

### **APPROVED DEVICES FOR SPEED MEASUREMENT**

The following devices are authorized for use by sworn personnel of this agency for the measurement of the speed of motor vehicles traveling on the roadways for purposes of enforcement:

- A. Doppler radar speed measuring devices, utilizing either stationary or moving modes to measure vehicle speed;
- B. Laser speed measuring devices; and
- C. Vehicle speedometers

### **RADAR SPEED MEASURING DEVICES –OPERATION REQUIREMENTS**

Personnel operating radar speed measuring devices will adhere to the following requirements, along with any manufacturer's recommendations:

- A. Calibration checks will be conducted of any radar speed measuring device to be used for enforcement purposes on a daily basis as follows:
  - 1. Prior to the commencement of any enforcement activities using the particular radar devices; and
  - 2. Immediately after the issuance of a citation based upon a speed measurement obtained from that particular radar device; and
  - 3. At the conclusion of enforcement activities for that particular day, if any traffic citations were issued as a result of a speed measurement obtained from that particular radar device;
  - 4. At any other time that the individual operating the particular radar device, believes that a calibration check is necessary to ensure that the radar device is operating properly.
- B. A calibration check shall consist of the following:
  - 1. Internal calibration test – this test is performed by activating the radar device to conduct its own internal self-check.
  - 2. External calibration test – this test is performed by placing vibrating tuning forks in front of the radar device's antenna while the radar device is activated, both in stationary and moving modes.
  - 3. Light test – this test is performed to ensure that all of the unit's light diodes are operating properly.
  - 4. Dependent upon the type of radar device being operated, the internal calibration and light tests may be performed by the unit simultaneously.

### **LASER SPEED MEASURING DEVICES – OPERATIONAL REQUIREMENTS**

Personnel operating laser speed measuring devices will adhere to the following requirements:

- A. Calibration checks will be conducted of any laser speed measuring device to be used for enforcement purposes on a daily basis, as follows:
  - 1. Prior to the commencement of any enforcement activities using the particular laser device;
  - 2. At the conclusion of enforcement activities for that particular day, if any traffic citations were issued as a result of a speed measurement obtained from that particular laser device;

3. At any other time that the individual operating the particular laser device believes that a calibration check is necessary to ensure that the laser device is operating properly.
- B. A calibration check for a laser speed measuring device will consist of all of the following.
  1. Check of the scope for proper alignment with the red aiming dot. Press the test button on the laser speed measuring device until the letters “tt” are displayed. Depress the trigger until an audible tone is heard. Pan the laser across an object isolated from any background interference, such as a utility pole or signpost. While scanning this object – with the laser device held in both a vertical, and horizontal, orientation – the tone emitted should be highest while the red aiming dot is passing across the object. This indicates that the laser beam is aligned with the aiming dot.
  2. Completion of the two-point verification check. This check consists of conducting a test of the laser’s ability to measure the distance from a stationary point to two separate objects at different known distances, and to be able to accurately calculate the distance between those points.
  3. Completion of the speed measurement check. This check consists of obtaining a speed of “0” MPH while pointing the laser at an object at a known distance, and then checking to ensure that the laser properly measured the known distance.
  4. All measurements obtained in the calibration check of a laser speed measuring device should be within the tolerances allowed for by the manufacturer of the device.
  5. Only calibration courses approved by this agency or used by another public law enforcement agency will be utilized for laser calibration.

## VEHICLE SPEEDOMETERS

The vehicles used by members of this agency for speed enforcement purposes are generally equipped with speedometers that are certified from the factory. The term certified in this instance indicates that the speedometer has met factory specifications for accuracy. However, as the vehicle ages and repairs or adjustments are made, the vehicle’s speedometer may lose accuracy.

Pacing of vehicles through the use of a vehicle speedometer for the purpose of speed enforcement is authorized. Any employee who issues a citation as the result of a speed reading obtained by pacing will, as soon as practicable after the issuance of the citation, arrange for a check of his or her vehicle’s speedometer through the use of a radar or laser device operated by another member of this agency. Deputies issuing citations based upon the pace of a vehicle should be able to document, and if necessary testify to, the distance that the vehicle was paced at the known speed. This check will consist of operating the cruiser at a known speed and having the speed measured by the second employee. The speedometer display and the reading obtained from the radar or laser device at the time of the check will be recorded as listed below.

## DOCUMENTATION REQUIREMENTS

- A. Each radar or laser speed measuring device owned or used by this agency will be assigned a unique inventory number. That particular number will be used when referring to the individual unit for documentation purposes.
- B. All radar or laser calibration checks will be documented on the employee’s daily activity report and in any reports generated due to the issuance of a citation, or the arrest of an individual, resulting from a reading obtained through the use of a laser or radar speed measuring device. This documentation will include the time that the calibration check was completed.
- C. When issuing a citation based upon a reading obtained from a radar, or laser speed measuring device, the type of device used and the agency assigned inventory number will be noted on the face of the traffic citation.
- D. When issuing a citation based upon a reading obtained from a vehicle speedometer while conducting a pace, the cruiser’s assigned unit number and the distance of the pace should be noted on the traffic citation and in any reports generated as a result of the issuance of that citation. All information regarding

the subsequent check of the speedometer utilized in pace will be documented in any subsequent reports generated pertaining to the issuance of a citation.

#### GENERAL REQUIREMENTS

- A. Only those employees operating marked vehicles will utilize radar or laser speed measuring devices for enforcement purposes.
- B. Employees utilizing speed measuring devices for enforcement purposes will place their vehicles in plain view of passing traffic. Visibility is the key to efficient and effective traffic enforcement activities. Employees are expressly forbidden from concealing, or attempting to conceal, their cruisers while operating speed measuring devices for enforcement purposes.
- C. Employees operating speed measuring devices from or near their cruisers during nighttime hours will ensure that, at the least, the vehicle's parking lights and tail lamps are on.
- D. Speed display retention on the radar or laser device, if available, is preferred until the conclusion of an enforcement contact. The alleged violator should be given the opportunity to view the speed display, if the violator desires to do so. At no time will such a request be honored if compliance would appear to compromise the safety of the employee. Failure to retain the speed of a violator's vehicle for display on the radar or laser device, which could occur for any number of reasons, is not to be considered a violation of this policy unless done intentionally and for no legitimate law enforcement purpose.
- E. If a violator wishes to observe the calibration process – particularly with a radar unit – this request should be honored if possible. At no time will such a request be honored if compliance would appear to compromise the safety of the employee.
- F. The power cord for a radar or laser speed measuring device – generally using a cigarette lighter plug – will, if possible, be plugged into an auxiliary outlet placed in the vehicle and will not be plugged into the cigarette lighter outlet. This will avoid the potential for electronic interference from the vehicle itself.
- G. If, at any time, the reliability of any speed measuring device is legitimately questioned, the device will be taken out of service until it can be checked and/or repaired, and any pending legal action taken as a result of the unreliable equipment will be resolved in favor of the alleged violator.
- H. Maintenance files will be kept on each laser and radar speed measuring device owned by this agency. Said files will be cataloged in order of agency assigned inventory number and will include all original calibration certificates, as well as documentation of repairs made and any subsequent calibration certificates obtained for each individual unit. All original documents will remain in these files, unless they are required to be produced in a court pursuant to a subpoena.
- I. Unless instructed otherwise, employees will not operate laser or radar speed measuring devices from a stationary position in an attempt to clock vehicles within any political subdivision that maintains its own law enforcement agency.

#### TRAINING REQUIREMENTS

Only those employees who have successfully completed an agency approved course of instruction in the use of radar and/or laser devices may utilize those devices for enforcement purposes.

## 21.10 CANINES

#### POLICY STATEMENT

Because of superior senses of smell and hearing as compared to humans; and/or the ability to quickly apprehend fleeing, hiding, or physically aggressive individuals; and/or the ability to protect the handler from attack, properly trained and handled canines can be a valuable supplemental asset to the law enforcement mission of the Erie County Sheriff's Office. Conversely, improperly trained or handled canines can be an agency liability. This policy provides guidelines for employees of the Erie County Sheriff's Office who train, handle, or otherwise interact with canines deployed by—or at the request of—any member of this agency.



## DEFINITIONS

*Employee* - any member of the Erie County Sheriff's Office.

*Canine handler* - an employee of the Erie County Sheriff's Office assigned to care for, train, and handle a canine.

*Canine team* - an employee of the Erie County Sheriff's Office accompanied by his/her assigned canine during the course of the employee's official duties.

*Canine* - any breed of dog owned by the Erie County Sheriff's Office specifically trained for law enforcement purposes and assigned to an employee for care and use during the course of the employee's official duties.

## CANINE TEAM SELECTION, TRAINING, AND SUPERVISION; PROPER DOCUMENTATION TO BE MAINTAINED

When the Sheriff determines that a canine handler vacancy exists within the agency, internal applicants will be sought through general posting. Those who request to be considered for assignment as a canine handler will be required to follow a designated internal selection process. The Sheriff will be responsible to make the final selection of the individual to fill the vacancy.

The Sheriff will be responsible for the purchase and assignment of agency canines.

An agency supervisor may be designated as the canine unit supervisor. If not otherwise assigned, the Chief Deputy is hereby designated as that individual.

Any canine owned by the Erie County Sheriff's Office, together with its handler, will be required to meet the minimum certification requirements for law enforcement canine teams as set forth by the Ohio Peace Officer Training Commission (OPOTC) for each specific canine discipline prior to the canine being utilized by this agency for that discipline. A canine handler will not deploy an agency canine knowing that the canine does not meet OPOTC minimum certification requirements for the specific discipline for which the handler intends to deploy the canine.

The canine handler will maintain all records documenting any training of his/her assigned canine and the certification of the canine to OPOTC minimum standards. Particular attention in those records will be made regarding the proficiency of the canine to detect the scent of specific narcotics.

As with all agency employees, a canine handler is responsible for the care and maintenance of his/her uniform and/or assigned vehicle. Appointment as a canine handler will not excuse an employee from disciplinary action for his/her failure to maintain uniform or cruiser standards of cleanliness (i.e.: soiled uniform or cruiser, uniform covered with animal hair, etc.)

The canine unit supervisor will, no less than every thirty (30) days, review the records required to be maintained by the canine handler. In addition, the canine unit supervisor will periodically, but no less than every sixty (60) days, inspect the canine handler's vehicle and the kennel area at the canine handler's home to insure that those areas are being kept safe and sanitary. Such inspections will be noted by the canine unit supervisor in the records maintained by the canine handler.

All canine handlers will be scheduled to attend regular training sessions with his/her assigned canine. The canine unit supervisor will be notified immediately by the canine handler of any absence from scheduled training.

#### USE OF CANINE IN RESPONSE TO RESISTANCE/AGGRESSION

The deployment of a canine team for law enforcement duties may constitute a real—or implied—response to resistance or aggression. As in all other instances when agency employees respond to resistance or aggression, canine handlers are required to deploy their canines to overcome resistance or aggression in a reasonable fashion and—notwithstanding the specialized abilities of a canine (aggressive behavior, ability to bite, etc.)—in substantial compliance with this agency’s Response to Resistance or Aggression policy as listed elsewhere in this manual. In addition, canine handlers will deploy their canines to overcome resistance or aggression as outlined below.

Canine handlers, prior to deploying a canine in response to resistance or aggression, will base their decision to deploy the canine on the totality of the circumstances and will consider the following guidelines when determining the totality of the circumstances:

1. The severity of the crime alleged to have been committed by the resisting or aggressive individual.
2. Whether the resisting or aggressive individual poses an immediate threat to safety of agency employees, other law enforcement officers, and/or the community at large.
3. Whether the resisting or aggressive individual is actively resisting or evading arrest at the time of the deployment of the canine.

Canine teams will not be utilized to apprehend an individual who is suspected of being under the influence of drugs or alcohol, or who appears to be mentally ill, if the individual no underlying criminal offense justifying the use of a canine for apprehension has occurred, and a canine handler will not deploy a canine in such a situation.

Any canine handler found to be utilizing a canine for purposes of indiscriminate, unnecessary, and/or unwarranted response to alleged but unfounded resistance or aggression will be immediately removed from his/her assignment as a canine handler. Any deployment of a canine in response to resistance to aggression will be documented in a standard agency report.

#### TREATMENT OF INJURY INFLICTED BY CANINE; DOCUMENTATION

The use of a canine to overcome resistance or aggression by a suspect may result in the infliction of injury to that individual by the canine, as the end result of that individual’s own acts of resistance or aggression.

In the event that a canine has actually bitten or scratched an individual—or is alleged to have bitten or scratched an individual—the following action will be taken:

1. The canine handler will immediately notify the shift officer-in-charge (OIC). The OIC will determine the basic information surrounding the incident and will then immediately notify the Chief Deputy. The OIC is also required to ensure that the listed steps below are followed.
2. If the individual or allegedly injured individual is not under arrest, the canine handler and/or the handler and/or the OIC will offer to obtain immediate medical care for the individual. If it appears that the individual is unable to make a proper decision concerning the need for medical care, or the individual is a juvenile and a parent cannot immediately be located, immediate medical care will be arranged for the individual.

3. If the injured or allegedly injured individual is under arrest, medical care will be sought for the individual as with any other arrestee prior to incarceration.
4. If possible, photographs of any visible injuries will be taken. A report will be completed documenting the entire incident and the nature of the injuries will be described in detail in that report.
5. The handler of the canine that inflicts injury on any person will be responsible to ensure that, immediately upon supervisory approval of the report, copies are sent to the Erie County Dog Warden and the Erie County Health Department.

## BUILDING SEARCHES

A primary use of agency canines is to apprehend individuals resisting arrest by hiding in structures. The guidelines listed below should be utilized in such situations.

1. The outside perimeter of the building should be secured by agency personnel with mutual aid assistance of other law enforcement officers, if necessary. If a canine search is anticipated, law enforcement officers will avoid or limit their presence in the building to eliminate as much as possible the introduction of extraneous scents.
2. If time or circumstances permit, the resident or owner of the building—if not the individual being sought—should be contacted to arrange for the removal of any individuals not being sought from the building and to determine the general interior layout of the building.
3. If possible, a written waiver of search for the building will be obtained prior to the commencement of the canine building search. If legally necessary, a search warrant will be obtained prior to the commencement of the canine building search.
4. Before commencing a building search, the canine handler will—and other law enforcement personnel present may, at the request of the handler—in a clear and loud tone announce that the Sheriff's Office is present on the premises, that a trained canine is present and will be released in the building, and that the individual may be bitten if the individual does not immediately surrender. The individual will be given a reasonable amount of time to respond to the announcement. When there is reason to believe that the wanted individual does not speak English, and if time permits, an individual fluent in the language believed to be spoken by the individual being sought should be brought to the scene to make the required announcement in the appropriate language.
5. In the event that the canine finds the individual being sought during a building search and bites that individual, and consistent with this agency's Response to Resistance/Aggression Policy, the canine will be commanded to disengage as soon as the individual is subdued and/or complies with the commands of the canine handler or other law enforcement officer present.
6. Unless an overriding risk to human life is present, a canine will not be used to search a building that the handler knows contains substances that could be harmful to the canine.
7. A canine may be worked off leash during a building search unless there is known risk of imminent injury to innocent individuals who may be present in the building. If at all possible, the canine handler should maintain visual contact with the canine while it is off leash.

## CROWD CONTROL

As with any other agency personnel, canine handlers may respond to assist with the control of crowds. During peaceful demonstrations, a canine will not be deployed to act in an aggressive fashion so as to unnecessarily antagonize or threaten those who are peacefully assembled. In the event that members of a crowd begin to act in a physically aggressive and/or destructive fashion toward others and/or property, a canine may be deployed on a short leash to display aggression to protect the handler, other law enforcement personnel, or other persons present.

At no time during a crowd control situation will a canine handler institute any offensive action utilizing a canine against any person unless that person's actions represent a substantial risk of serious physical harm to other persons present.

## NARCOTICS SEARCHES

Without a search warrant, or without the consent of an individual authorized to give such consent, the use of a canine to search for (sniff) the presence of illegal narcotics is allowable only when there is no reasonable expectation privacy in the item(s) to be searched or if current state or federal statutes and/or court decisions specifically authorize a search based upon the circumstances at the time. General guidelines for such searches are listed below; however, as search and seizure case law is ever-changing, specific questions regarding the legality of warrantless canine searches will be directed to a supervisor and/or appropriate prosecutor.

1. Without a valid search warrant or valid consent, canines may not be used to sniff personal items or luggage in the physical possession of an individual in a public facility or place unless there is reasonable suspicion that the items or luggage contain illegal narcotics; and the time required to conduct the search is limited in duration.
2. Canine sniffs of the exterior of residences, either single-family or multiple-family dwellings are not permitted without a search warrant or valid consent.
3. Canine sniffs conducted at educational institutions will only be done at the request of school authorities. Such sniffs will be limited to inanimate objects (lockers, vehicles) that do not have a reasonable expectation of privacy attached or that current law or case law allows for such sniffs to be conducted without a the requirement for a search warrant or consent.
4. Canine sniffs of motor vehicles may be conducted when there is reasonable suspicion to believe that the operator or passengers are in possession of illegal narcotics; when consent is received from a person authorized to grant such consent; or when the vehicle is in operation in a public place and only the exterior of the vehicle is sniffed.

As indicated above, current case law may modify or supersede any portion of this section of this policy.

## TRACKING

Canines may be used to track missing or wanted persons, or to search for discarded items that may be evidentiary in nature. Canines should remain on leash during tracking operations to provide a reasonable measure of safety to the subject of the search.

## GENERAL GUIDELINES

1. Terms and conditions of employment for canine handlers are contained in the current and applicable collective bargaining agreement.
2. Canines shall not be used for breeding, participation in shows, field trials, exhibitions other demonstrations, or during special details unless previously approved by the Sheriff or Chief Deputy.
3. Canine handlers are personally responsible for the daily care and feeding of their assigned canine, to include: maintenance and cleaning of the kennel and yard area where the canine is housed; provision of food, water, and diet maintenance as prescribed by the agency's canine trainer and/or veterinarian; grooming on a daily basis or more often as required by weather conditions, working conditions, or other factors; daily exercise; and general medical attention and maintenance of all medical records.
4. When a canine handler is unable to perform any of his/her listed duties

due to illness, injury, or leave, another canine handler or the canine supervisor may be assigned to temporarily care for the canine, or the canine may be temporarily housed in an agency approved commercial boarding kennel.

5. Unless being done as part of a documented training exercise, no one will be allowed to tease, agitate, or engage in "roughhousing" with a canine.
6. Canine handlers will not permit anyone to pet or hug their assigned canine without the prior approval and immediate supervision of the handler.
7. Canine handlers will not normally permit their canines to be handled or commanded by anyone other than the canine's assigned handler. Only under emergency conditions should another handler command an assigned canine.
8. Only canines owned by the agency will be utilized for enforcement purposes. For just cause, the Sheriff may authorize the reassignment of a canine to another canine handler, or the removal of the canine from active duty.
9. Narcotics or pseudo-narcotics are required for initial and continual canine training for narcotics detection. In the event that actual narcotics are being utilized for training purposes, specific and detailed records of the weight and types of narcotics being utilized for such training will be kept by the canine handler. Actual narcotics will be stored in the Evidence Room and will be accessible to authorized personnel only. At least once every thirty (30) days, those actual narcotics used for such training will be weighed by the canine handler, the canine supervisor, or a detective in the presence of a witness. The weight of such narcotics will be recorded and documented by both parties present during such weighing.
10. In the event that another law enforcement agency requests the assistance of this agency's canine(s) said request will be forwarded to the shift OIC. In the event that the canine handler is on duty at the time of the request, the OIC will grant the request if staffing levels will remain adequate in the absence of canine team. In the event that the canine handler is off duty at the time of the request, the OIC will contact the handler and advise him/her of the request. The OIC and handler will then jointly determine if the handler will respond to the call for assistance. OIC's and/or canine handlers are encouraged to contact the requesting agency if there are any questions about the nature of the mutual aid request. In the event that an OIC has any questions about a mutual aid request that cannot be satisfactorily answered, the request will be forwarded to the Sheriff or Chief Deputy for approval/disapproval.
11. Employees of the Erie County Sheriff's Office, when utilizing the services of another agency's canine team, will follow the general guidelines provided under this policy. At no time will a member of this agency knowingly allow for another agency's canine team operating under a mutual aid request to engage in conduct in violation of this policy. Questions or concerns regarding any such issue should be immediately directed to the shift OIC, Chief Deputy, and/or the Sheriff.
12. Canine handlers will be assigned to normal patrol duties, including prisoner transports. Canine handlers will be prepared to transport properly restrained prisoners in the front passenger's seat of the canine handler's assigned cruiser. The fact that a canine handler is transporting a canine in the rear passenger seat area of the cruiser will not be used as an excuse for the canine handler to refuse to transport a prisoner. It is advisable, however - to avoid conflict - to transport an individual who has been physically apprehended by a canine in a cruiser other than the canine handler's vehicle.

## **21.11 CRUISER AND BODY WORN CAMERAS**

The purpose of this policy is to provide specific guidelines to agency employees who are assigned to use cruiser and body worn cameras during the course of their duties.

The Erie County Sheriff's Office utilizes cruiser and body worn camera recordings to document events and activities that are engaged in by agency employees. This documentation can be used to

supplement and support investigations completed by the employee(s); provide- through review- information to assist in training agency employees; assist in the completion of administrative review(s) of any allegation of employee misconduct; and/or in any other fashion that may be beneficial to the overall operation of the agency and/or the pursuit of justice. Public confidence in this agency's integrity is of profound importance to the agency's mission and ultimate goals. The use of such devices, and the activities that they record, is vital in assisting to demonstrate to the citizens that we serve that our employees have engaged in the proper course of action in the performance of their duties, regardless of the circumstances. Unless specifically exempted or prohibited elsewhere in this policy, employees are always encouraged – and/or mandated as otherwise listed in this policy –to utilize cruiser and/or body worn cameras.

## DEFINITIONS

*Employee* – any employee of the Erie County Sheriff's Office.

*Cruiser camera* – includes any device designed to electronically capture and record employee interaction with other citizens by means of video and/or audio recordings, particularly during traffic stops or roadside contact with pedestrians. As its name implies, such a device is generally mounted in an agency patrol vehicle (cruiser).

*Body worn Camera* – includes any device designed to electronically capture and record employee interaction with other citizens by means of video and/or audio recordings at any time. As its name implies, such a device generally is worn on the person of the employee.

*Storage media* – includes any device or method utilized to store video and/or audio recordings made by a cruiser or body worn camera. Such devices could include, but are not limited to: video and/or audio tapes; DVD's; memory cards; and internal electronic storage devices, and computer servers.

## GENERAL GUIDELINES AND RESPONSIBILITIES

1. It shall be the responsibility of each employee assigned to use a cruiser and/or body worn camera during the performance of his/her duties to become proficient in the operation of the device. Any questions or issues relating to the operation of the device shall be immediately directed to the employee's immediate supervisor.
2. Each employee assigned to operate a cruiser or body worn camera during the course of his/her duties, is responsible to ensure that the device is operating properly at all times according to manufacturer's recommendations and is worn in the manner directed. Any damage or malfunction in the operation of the device shall be immediately reported, both verbally and in writing, to the employee's immediate supervisor as soon as it is practicable to do so.
3. Cruiser cameras will be activated upon the commencement of any vehicle or pedestrian stop or contact by an agency employee. While cruiser cameras may be preset to automatically activate without any manual effort on the part of the employee- i.e.: upon activation of the cruiser's emergency lights, upon reaching a certain speed, etc. – the employee is responsible to ensure that the camera is, in fact, activated as required above.
4. Body worn cameras will be activated by an agency employee upon commencing contact with an involved person at the scene of an incident to which the employee has been dispatched. If the employee makes personal contact with a person who wishes to file a complaint or is being stopped, questioned, or detained due to self-generated activity of the employee, the body worn camera will be activated as soon as possible prior to, or immediately after, that contact is initiated. In the jail, employees will activate a body worn camera prior to interaction with an arrestee or prisoner who is engaging in violent, or potentially violent, behavior – or as soon as possible after the beginning of such an encounter.

5. Unless otherwise addressed in this policy, employees are prohibited from discontinuing the operation of a cruiser or body worn camera until any event listed in paragraphs three (3) or four (4) above is concluded by a discontinuance of contact between the employee and the other personnel(s). In the event that any type of contact is reestablished between the employee and that same individual, camera operation will be reactivated.
6. Employees are hereby advised that there is generally no need to conceal the fact that a camera is operational when interacting with anyone. Employees are encouraged to confirm that a camera is being used and that all conversation and interaction is being recorded.
7. Shift supervisors will ensure compliance with this policy by all employees under the supervisor's direct supervision. As the Chief Deputy designates, supervisors will—no less than once every thirty days, review at least three cruiser cameras and three body camera recordings from selected at random for each employee under the supervisor's direct supervision to ensure compliance with all agency policies, and to allow for additional training and/or commendation or correction for those employees. Supervisors conducting such reviews are to be reported in writing, to the Chief Deputy, the specific videos that were reviewed and whether or not the supervisor has issued any commendation, has taken any corrective action, or believes that any further follow up needs to occur based upon the videos reviewed.

## EXCEPTIONS

1. Even though such situations involve frequent contact and dialogue with the public, body worn cameras are not required to be activated by an employee during a meal break, any other type of break from normally assigned duties, or during a court appearance as these contacts generally do not have the potential to be adversarial in nature. If such a contact should develop, the body worn camera will be activated by the employee.
2. Employees during the course of their duties may interact with individuals in a medical facility or setting under circumstances that would generally—as otherwise listed in this policy—require the activation of a body camera. In such circumstances, and to preserve the privacy of any individual also present in that facility, an employee may choose to discontinue the use of the body camera once any sufficient information necessary to be preserved for an investigation has been recorded. Such fact will be detailed in the completed report.
3. In very limited circumstances, respect for an individual's privacy and dignity may outweigh the need to continue to record an event, particularly if necessary facts and circumstances have already been recorded, i.e.: continually recording a conversation with the victim of a violent crime who has been obviously traumatized and who has already provided necessary information to support an investigation or prosecution. If an employee believes that those circumstances exist or that the continued use of a cruiser or body worn camera would inhibit the continued cooperation of a crime victim or witness, the employee may discontinue recording the contact with that individual provided that permission is first received from a supervisor and such fact is noted in the employee's report.

## PROHIBITIONS

1. No employee shall tamper with or alter any pre-programmed cruiser or body worn camera activation setting without the prior written approval of the Sheriff or Chief Deputy.
2. No employee shall purposely discontinue the use of a cruiser or body camera manually or by any other means, at any time during an incident that this policy requires to be recorded.
3. No employee shall, at any time and for any reason, erase or attempt to erase from any type of storage media, any portion of any event recorded by a cruiser or body worn camera, except to comply with this agency's record retention schedule and/or this policy.
4. No employee shall activate a body worn camera in any situation in which others may have an expectation of privacy—including locker rooms, dressing rooms, restrooms, certain areas of the jail—unless the employee is in the process of responding to a call for service or investigating a reported criminal offense

or unruly prisoner in such a location. If a call for service or a criminal offense is being investigated in such an environment and a body worn camera is activated pursuant to this policy, all appropriate precautions should be taken to ensure that partially or totally nude persons who are not related to the situation being investigated are not inadvertently recorded.

5. No employee shall intentionally activate a cruiser or body worn camera (or any other recording device) to record communication with other agency employee(s) during routine conversations—either within a Sheriff's Office facility (including substations) or in the field without the knowledge of the other employee(s).
6. No employee shall utilize a cruiser or body worn camera to record non work-related personal activity.
7. Except as part of the ongoing criminal investigation itself, employees shall not record confidential informants or employees acting in an undercover capacity and engaged in documented activities (illicit drug/weapons/property sales or transactions, "stings," etc.)
8. All recordings generated by and/or on agency camera equipment are, and shall remain, the sole property of the Erie County Sheriff's Office. Employees are not authorized to release, download, duplicate, or distribute any such recordings, whole or in part, in any fashion, without authorization by the Sheriff or Chief Deputy. Employees are also prohibited from allowing other employees from this agency, or employees of any other law enforcement agency, from viewing any such recording unless the other individual(s) has direct interest in the recording; the recording is being used for training; and/or the recording is considered a public record.
9. Employees are not authorized to make any audio or video recording while performing duties for the employer with any non-agency owned device without the advance written consent of the Sheriff or Chief Deputy. Any such recording is considered the property of this agency and will be handled as described in Paragraph #8 above.
10. Requests for copies of any cruiser or body worn camera footage will be handled expeditiously and identical to any other routine public records request.
11. Copies of cruiser or body worn camera footage considered as evidentiary in nature will be handled with the same chain of custody concerns and safeguards as with any other evidentiary material.

## **21.12 NALOXONE HYDROCHLORIDE ADMINISTRATION**

The purpose of this policy is to provide procedural guidelines for the administration of Naloxone Hydrochloride by employees of the Erie County Sheriff.

Naloxone Hydrochloride – also known by the common trade name of Narcan – is a medication that can reverse the potentially lethal condition caused by an opioid drug overdose in human beings.

Opioid – a sedative narcotic primarily used to relieve pain.

When an individual is suffering from an opioid overdose, the effects of the opioid interfere with that individual's ability to breathe properly, and death may occur without proper intervention. Common opioids include Heroin, Codeine, Demerol, Morphine, Darvocet, Fentanyl, Dilaudid, Methadone, Opium, Hydrocodone, Oxycodone, Levorphanol, Vicodin, Oxycontin, Tylenol 3, Tylox, Percocet, and Percodan.

Recovery Position - the positioning of an individual suffering from an opioid overdose that allows the unconscious overdose victim's airway to remain open and provides for stability of the victim. To provide the proper recovery position for a prone opioid overdose victim, the subject should be positioned on his/her left side; left leg extended straight down; right leg extended out 90 degrees from the hip.

It is the policy of the Erie County Sheriff to procure suitable supplies of nasally administered Naloxone Hydrochloride for issuance to Sheriff's Office employees. Those employees, who have successfully completed an agency approved course of instruction in the administration of Naloxone



Hydrochloride, will then be expected to utilize the medication in the course of their duties in an effort to save the lives of those Individuals in the community who are found to be overdosed on opioids.

#### **PROCEDURE**

1. An employee responding to a call for assistance will, prior to administering nasal Naloxone Hydrochloride, attempt to properly ascertain that the individual involved is experiencing an opioid overdose. Information to be used to make that determination can include statements from witnesses or relatives of the individual concerning the probability that the individual is experiencing such an overdose; physical evidence at the scene that would indicate an overdose is occurring; visible symptoms that would indicate an overdose is occurring—deep snoring or gurgling, irregular (or no) breathing, bluish skin tinge, limp limbs, vomiting; and any other articulable information that would lead an employee to believe that the subject is in an opioid overdose condition.
2. Once an employee has determined to administer Naloxone Hydrochloride, the employee will proceed by removing the end caps from the non-hypodermic syringe and from the medication capsule. The nasal spray diffuser will then be attached to the syringe and the medication capsule will be placed inside the syringe. The medication will then be dispensed by placing the diffuser in one nostril and dispensing approximately one half of the medication in the capsule into that nostril by pushing on the end of the capsule. Administer the remaining medication into the second nostril.
3. Once the medication has been administered, the individual should be placed into the recovery position to prevent asphyxiation due to accidental inhalation of vomit.
4. Monitor the individual's condition. Be prepared to perform CPR if necessary. Ensure that the responding emergency medical service provider has been notified that Naloxone Hydrochloride has been administered to the individual.
5. Once the individual has been released to the responding emergency medical service and any additional investigation has been completed, the employee administering Naloxone Hydrochloride will complete an appropriate agency report, along with any necessary supplemental documentation that may be required for Health Department, Board of Pharmacy, or any other agency use.

#### **STORAGE**

1. The shelf life of Naloxone Hydrochloride is approximately two years. Employees who notice that the self-life of any Naloxone Hydrochloride in their possession has expired will follow the chain of command to obtain a fresh supply of the medication.
2. Naloxone Hydrochloride, for long term storage, should be stored out of direct light and at room temperature.
3. Naloxone Hydrochloride should not be left in a motor vehicle for extended periods of time and should not be subjected to extreme heat or extreme cold as those temperatures may impact the medication's effectiveness.

### **22.01 OPERATION OF VEHICLES; GENERAL GUIDELINES**

The purpose of this policy is to define specific guidelines for the routine operation and maintenance of vehicles operated by members of this agency and owned by the agency and/or by Erie County.

The operation of any motor vehicle is a complex task requiring the full time and attention of the driver. Due to the increased visibility to the public of law enforcement vehicles, and the fact that law enforcement officers are – and should be – held to a higher standard of conduct by the motoring public, it is imperative that the operators of such vehicles be vigilant in their operation at all times. This policy is promulgated to provide standardization in the operational and maintenance responsibilities of members of this agency while operating vehicles owned or controlled by this agency and/or Erie County.

## GENERAL OPERATION OF VEHICLES

1. Marked vehicles will be used by members of this agency, which are assigned to basic patrol functions. Marked vehicles are those vehicles that contain the distinctive exterior insignia for sheriff's vehicles as contain the distinctive exterior insignia for sheriff's vehicles as stipulated in Ohio Revised Code Sections 311.081 and/or 4549.13.
2. Marked vehicles may also be used by members of this agency assigned to duties other than patrol, such as court security and/or prisoner transport.
3. Unmarked vehicles – those that do not contain any exterior insignia – may be assigned to members of the agency that do not require marked vehicles, i.e.: detectives or administrative personnel.
4. Compliance with applicable statutes:
  - a. All personnel operating agency vehicles for purposes of routine driving will comply with all applicable state or local laws pertaining to the operation of motor vehicles. Routine driving is defined as that driving which dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood rules of the road, and courtesy.
  - b. In accordance with the above, lap and/or shoulder belts will be worn by any member of this agency at any time that he/she is operating an agency-owned vehicle. In addition, employees will insure that any passengers in agency owned vehicles comply with any applicable statutes pertaining to occupant restraining devices.
5. The use of tobacco products of any sort in agency owned vehicles is prohibited.
6. The use of cellular telephones, texting devices, or other communications equipment (other than the agency 2-way radio(s)) by an employee while operating a moving vehicle is prohibited. Agency owned mobile data computers (MDC) may be utilized while the vehicle is moving at the discretion of the employee for vehicle registration checks or other brief uses where the employee's attention is not distracted from the operation of the vehicle. If there is any concern on the part of the employee that the use of the MDC would not be safe at a particular time or place, the employee will not utilize the device until the vehicle has been stopped.
7. Those deputies who are assigned agency vehicles will utilize them for agency business only. Agency owned vehicles will not be utilized to conduct personal business.
8. Unauthorized passengers in agency cruisers are hereby prohibited.

Unauthorized passengers are those individuals that are not being transported in an agency vehicle for official purposes (i.e.: prisoners, stranded motorists or pedestrians, or others who may need to be transported in an emergency situation).
9. Certain individuals may be authorized by the Sheriff or the Sheriff's Designee to participate in "ride-along" programs wherein the citizen rides with a member of the agency while the employee is performing his or her duties. Such individuals must have executed a waiver of liability prior to being transported in an agency vehicle. This definition includes members of other law enforcement agencies that wish to ride with members of this agency while the rider is not working in an official capacity for his/her agency.

## SPECIFIC RESPONSIBILITIES

1. Employees of this agency will not operate any agency owned vehicle without first receiving approval to do so from a supervisor.
2. Employees of this agency operating agency owned vehicles are responsible to examine the vehicle prior to use to insure that the vehicle is in satisfactory condition to operate on the roadway. Lights, fluid levels, cleanliness, and general operability shall be checked to ensure the road worthiness of the vehicle. Any damage noted beyond what would be considered wear from normal use will be reported in a report to the Operations Officer.

3. In the event that a vehicle is found to be soiled or filthy – inside or out – by an employee preparing to use it, such condition will be reported in a report to the Operations Officer detailing the problem. The employee using the vehicle will make arrangements for the vehicle to be cleaned as soon as possible. Employees leaving vehicles in such condition will be subject to the disciplinary process.
4. Sworn deputies will routinely check their vehicles, particularly prisoner transport compartments, to ensure that contraband that could be dangerous to the deputy is not concealed in those areas. It is not unreasonable for deputies to inspect these areas at the conclusion of each prisoner transport, to ensure that contraband or weapons have not been concealed by the transported prisoner.
5. Due to the myriad of electronic equipment contained therein, agency vehicles will not be used to “jump start” other vehicles, other than agency vehicles, except in emergency situations.
6. No member of this agency will tamper with or modify the motor, drive train, chassis, electrical system, emissions or exhaust systems, body, finish, or any other part of any county owned vehicle in such a way to modify the operation or appearance of the vehicle without the consent of the Sheriff or Operations Officer.
7. Each employee of this agency will exercise due diligence and care when operating any county-owned vehicle. Failure to do so may subject the employee to the disciplinary process as well as to criminal and/or civil liability.
8. Sworn personnel in plainclothes, when operating agency vehicles, will equip themselves appropriately so that they may respond to any emergency that may occur that may require law enforcement action to be taken. Specifically, employees will carry their agency identification card, a badge, and a sidearm while operating any agency owned vehicle when not in uniform. Sworn personnel are obligated to take – and will take – sufficient action if confronted with a situation requiring law enforcement assistance while operating an agency vehicle.

#### CRASHES INVOLVING AGENCY VEHICLES; PROCEDURES.

1. **ANY** damage caused by the operation of a motor vehicle by an agency employee will be promptly and immediately reported to the employee’s supervisor.
2. The employee operating the motor vehicle at the time the damage occurs will submit an internal report to the Operations Officer containing sufficient and detailed information pertaining to the incident as soon as possible after the damage has occurred.
3. If the damage occurs on private property within a municipality or other political subdivision with a local law enforcement agency, that agency will be summoned to the scene to conduct an investigation into the incident.
4. If the damage occurs on private property at a location within this agency’s primary jurisdiction – including on county owned property – the involved employee will request a supervisor to respond to the scene to conduct the investigation into the incident. The deputy investigating the incident will complete a standard private-property crash incident report. This is in addition to the internal report required of the involved employee.
5. If the damage occurs as a result of the operation of the vehicle on a public highway within a municipality or other political subdivision with a local law enforcement agency, that agency will be summoned to the scene to conduct an investigation into the incident.
6. If the damage occurs on a highway outside the corporate limits of a municipality or other political subdivision with a local law enforcement agency, the Ohio State Highway Patrol will be summoned to conduct an investigation into the incident.
7. In the event that the crash occurs on the public roadway and only involves damage caused by the actions of an animal – such as a deer – sworn personnel from this agency, other than the employee involved in the crash, will handle the crash investigation. Sworn personnel from this agency will also complete the crash investigation in the event that members of a local law enforcement agency

and/or the Ohio State Highway Patrol are available to conduct the investigation in a timely fashion.

8. The Operations Officer will be immediately notified by the officer-in-charge of the Patrol Division as soon as possible after a report is received of a crash involving an employee of this agency that has resulted in serious damage to the vehicle and/or personal injury to any persons involved in the crash.

Appendix A – Waiver of Liability for Passengers in Agency Vehicles.

ERIE COUNTY SHERIFF'S OFFICE  
PATROL RIDE-ALONG APPLICATION AND WAIVER OF LIABILITY

Date of application: \_\_\_\_\_

The undersigned hereby requests permission from the Sheriff of Erie County or his designee to accompany said Sheriff or deputy sheriff(s) of the Erie County Sheriff's Office on patrol and in the execution of their regular duties. In consideration of permission for such request being granted, and recognizing the potential danger inherent in law enforcement patrol operations, the undersigned does hereby release and agree to hold harmless said Sheriff of Erie County, Erie County deputy sheriffs, the Erie County Sheriff's Office, and/or the County of Erie, from any and all liability and/or claim or claims for damages or any type of physical harm that may arise or could arise in connections therewith or as a result thereof.

This agreement is in full force during the time period beginning at \_\_\_\_\_ M., \_\_\_\_\_, 2\_\_\_\_\_, and ending at \_\_\_\_\_ M., \_\_\_\_\_. 2\_\_\_\_\_.

In the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Parent (if applicant is a minor)

\_\_\_\_\_  
Sheriff of Erie County or designee

\_\_\_\_\_  
Date

APPROVAL

Permission is hereby granted/denied for the above applicant to ride-along during the listed time period.

\_\_\_\_\_  
Sheriff of Erie County or designee

## 22.02 EMERGENCY OPERATION OF VEHICLES

The purpose of this policy is to define guidelines for the operators of agency vehicles who are responding to emergencies requiring the urgent presence of the sheriff or a deputy sheriff.

The operation of a law enforcement vehicle, while complex, is made more complicated while the operator of the vehicle is utilizing emergency equipment and responding to urgent requests for assistance. It cannot be overly emphasized that in such situations, if the operator does not exercise proper control of the vehicle and all available emergency equipment, the operator could be subjected to civil and/or criminal liability in the event of a traffic crash.

### DEFINITIONS

*Emergency equipment* – a flashing, oscillating, or rotating red, blue, white, or combination of such lights **and** a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the director of public safety (Ohio Revised Code Sections 4513.17 and 4513.21).

*Emergency driving* – the operation of a motor vehicle initiated by a law enforcement officer responding to a situation:

1. that involves a physical assault that is causing or could cause physical harm to a person; or
2. that involves a serious property crime in progress, i.e.: burglary or robbery; or
3. that involves a motor vehicle crash, fire, or other situation that has resulted in, or could result in, injury to a person; or
4. that involves a request by another law enforcement officer for immediate assistance; or
5. any other situation that is deemed appropriate for an emergency response based upon the above criteria and based upon the information made available to the deputy and his/her supervisor at the time the emergency response is initiated.

*Public safety vehicle* – motor vehicle used by public law enforcement Officers or other person sworn to enforce the criminal and traffic laws of the state (Ohio Revised Code Section 4511.01E1).

Upon a member of this agency receiving information that would require the use of emergency driving, the employee will activate all emergency equipment available, including light(s) and siren, and proceed to the location of the incident as quickly and efficiently as possible, exercising due regard for other vehicles or pedestrians on the roadway. If the vehicle is not equipped with at least one emergency light and siren, emergency driving will not be utilized by the employee and the employee will proceed to the scene obeying all applicable traffic laws.

Once the employee engages in emergency driving, he or she must be aware of, and comply with the provisions of the following applicable Ohio Revised Code (ORC) statutes:

ORC Section 4511.03 – Emergency vehicles to proceed cautiously past red or stop signal.

ORC Section 4511.24 – Emergency (public safety) vehicle excepted from speed limit.

ORC Section 4511.37B – Turning in roadway prohibited; exception for Emergency or public safety vehicles

ORC Section 4511.45 – Right-of-way of public safety vehicles.

ORC Sections 4511.452 – Pedestrians yield right –of-way to public safety vehicles.

Many of these statutes provide exceptions to statutory prohibitions regulating certain conduct and allow for operators of public safety vehicles, **when utilizing emergency equipment**, to engage in driving activities that are normally prohibited. However, most of these statutes contain the language that does not relieve the driver or operator of a public safety vehicle from the duty to drive with and/or exercise due care

or regard for other vehicles or pedestrians on the highway – even with emergency equipment activated. Employees must, at all times, exercise extreme caution while engaging in emergency driving and must comply with the above statutes, as well as any other statutes that apply to the operation of public safety vehicles.

Employees will, when engaging in emergency driving, continually evaluate whether or not that type of response should be continued while enroute to the incident in question. If it becomes apparent that emergency driving is no longer necessary – i.e. response to reported injury traffic crash that is determined to be non-injury; response to an alarm for a felony in progress that is determined to be false – then emergency driving will be discontinued to minimize the risk of a traffic crash that such driving poses to be employee as well as to other motorists on the road.

In addition, while the types of incidents that may justify the use of emergency driving are listed in the definitions section, it is not mandatory that emergency driving be utilized in each and every one of those situations. For instance, response to an alarm that is repeatedly false would not justify the use of emergency driving. The final determination as to the use of emergency driving and emergency equipment rests with each individual employee and his/her supervisor; employees are also entrusted to use common sense and to not use the equipment and to not engage in emergency driving if the situation does not absolutely require this type of response. As mentioned above, failure to follow applicable statutes and reasonable standards may result in the employee being exposed needlessly to civil and/or criminal liability.

## **22.03 MOTOR VEHICLE PURSUITS**

The purpose of this policy is to define specific guidelines to be followed by officers of this agency who engage in motor vehicle pursuits; who supervise those officers who engage in motor vehicle pursuits; or who provide communications services to those officers who engage in motor vehicle pursuits.

Other than being exposed to gunfire, probably the most hazardous situation that a law enforcement officer may find himself involved in is the pursuit of another motorist. The potential for high speeds and erratic driving on the part of the pursued driver, as well as the potential for traffic crashes with other vehicles on the road, demand that a law enforcement officer contemplating a pursuit, or engaging in one, use critical, logical, and common sense thought processes. The officer and his/her supervisor must continually evaluate the situation and must immediately discontinue the pursuit if the threat to public safety as a result of the pursuit outweighs the interests of justice in the capture of the fleeing motorist.

### **DEFINITIONS**

*Officer* – the sheriff or a deputy sheriff.

*Pursuit* – an event resulting in actions by one or more sworn members of this agency to apprehend the driver and/or other occupants of a vehicle who are willfully attempting to flee or elude the sworn member, or other law enforcement officer, by using high speed driving, or other evasive tactics such as driving off of a highway, making sudden or unexpected turning movements, or maintaining a legal speed but willfully failing to yield to an officer's signal to stop.

*Emergency equipment* – same as Policy 22.02 - Emergency operation of vehicles

*Emergency driving* – same as Policy 22.02 – Emergency operation of vehicles.

*Public safety vehicle* – same as Policy 22.02 – Emergency operation of vehicles.

*Roadspike device* – a portable device equipped with metal spikes or quills, designed

to be rapidly deployed in the path of a pursued vehicle, causing the puncture and rapid deflation of the vehicle's tire(s) upon contact with the device.

#### PRIMARY PURSUIT CONSIDERATIONS

The primary goal of the Erie County sheriff's Office is the preservation of the safety of the public through the protection of life and property while enforcing applicable traffic and criminal laws. Officers of the Erie County Sheriff's Office will pursue traffic violators or those who have committed criminal acts within the limits of safety, while using other methods when possible to identify or arrest the involved individual(s). A pursuit is only justified when the necessity of the apprehension of the pursued individual outweighs the level of danger created by the pursuit.

The following information must be taken into consideration prior to an officer initiating or continuing a pursuit:

1. seriousness of the offense
2. possibility of apprehension
3. area in which the pursuit will take place (i.e. school zone, business, residential, rural, etc.)
4. current traffic volume
5. current road and weather conditions
6. availability of assistance to the officer
7. knowledge of the identity of the driver and/or occupants

A pursuit will not be initiated while an officer is transporting a prisoner or other person not specifically covered by a ride-along waiver as defined in previous policy 22.01 – Operation of Vehicles; General Guidelines. Officers operating certain high-profile vehicles prone to rollover – such as prisoner transport vans – will not engage in pursuits. Officers operating unmarked vehicles will not engage in pursuits.

Ohio Revised Code Section 311.07A requires the county sheriff to preserve the peace in his/her county. It is not the intent of this policy to avoid that responsibility; rather, the intent of this policy is to provide guidelines for pursuit that will help ensure apprehensions of violators within the limits of safety.

#### PRIMARY PURSUING OFFICER RESPONSIBILITIES

The primary pursuing officer is defined as the officer in closest proximity to the fleeing vehicle with primary responsibility for conducting the pursuit. The primary pursuing officer may or may not be the initiating officer.

In most situations, the active pursuit will not involve more than two officers – the primary pursuing officer and one back-up officer. In situations in which there are multiple occupants in the vehicle and/or there are indications that the occupants may be armed, the active pursuit may involve more than two officers. All officers not involved in the active pursuit will maintain perimeter control on parallel or intersecting routes unless given other specific instructions by a supervisor.

When the primary pursuing officer determines that a suspect is fleeing and decides to engage in a pursuit, he/she will immediately notify the dispatcher that he/she is in pursuit and will relay the following information:

1. location of pursuit;
2. direction of travel;
3. estimated speed of violator;
4. description, including license number, of pursued vehicle;
5. description of occupants;
6. reason for pursuit.



The pursuing officer has an obligation to ensure that complete and accurate information is transmitted to the dispatcher, at regular intervals, during the pursuit. In the event that communications between an officer involved in a pursuit and the dispatcher fails, the officer will discontinue the pursuit.

The primary pursuing officer bears the responsibility for the pursuit unless relieved by a supervisor. This authority pertains to the operation of the pursuit only, and is subordinate to the command of the supervisor at all times.

#### BACK-UP OFFICER RESPONSIBILITIES

The back-up officer, upon joining the pursuit, shall immediately notify the dispatcher of that fact and his/her unit number. The back-up officer will immediately assume radio communications with the dispatcher, allowing the primary pursuing officer to devote full attention to driving.

The back-up officer will follow the pursuit at a safe distance to avoid collision with the primary pursuing officer's vehicle – or with other vehicles – but will remain close enough to render assistance to the primary pursuing officer if and when such assistance is needed.

If the primary pursuing officer's vehicle becomes disabled, the back-up officer will become the primary pursuing officer. The dispatcher will then inform the supervisor and other officers – if they are not aware – that a new back-up officer is needed, and the next officer to join the pursuit will become the back-up officer.

#### SUPERVISOR'S RESPONSIBILITIES

It is the primary responsibility of the supervisor to direct and control the pursuit through effective communication until the end of the pursuit. The supervisor, for purposes of this policy, is defined as the senior ranking officer on duty in the Patrol Division at the time the pursuit begins. An officer with superior rank to the shift ranking officer may relieve the ranking officer of the supervisor's duties and assume the duties of supervisor at any time during the pursuit. It is not necessary that the supervisor be physically present or directly involved in the pursuit.

The supervisor, upon being notified of a pursuit, shall verify the following;

1. that the provisions of this policy are being followed; and
2. that law enforcement agencies into whose jurisdiction the pursuit may travel are notified;
3. that proper radio frequencies are being used to coordinate communication; and
4. that aircraft assistance, if available and necessary, has been requested.

The supervisor shall coordinate all officers involved. The supervisor shall continually evaluate the pursuit in relation to the traffic area, driving actions, identity of the violator, and most importantly the dangers involved **based upon the totality of the circumstances** (emphasis added).

If a motor vehicle pursuit exposes any officer, the public, or the violator to unnecessary risk, the supervisor shall terminate the pursuit and employ other techniques to identify and apprehend the violator. Supervisors will ensure that the facts surrounding any pursuit, whether or not the involved subject(s) is arrested, are documented in the standard incident report by the involved officer(s).

#### DISPATCHER RESPONSIBILITIES

The dispatcher, upon being notified by an officer that he/she is in pursuit, will immediately broadcast a "Signal 99" to advise all other officers using this agency's primary radio frequency that emergency traffic only is to be transmitted. Once this broadcast is made, the dispatcher will repeat the nature of the pursuit and the information received from the pursuing officer. The dispatcher will ensure that the supervisor is aware of the pursuit.

The dispatcher will coordinate all communications activities, will maintain radio discipline, and will be responsible for receiving and recording all information related to the pursuit.

#### PROCEDURES TO BE UTILIZED TO STOP THE FLEEING VIOLATOR

Pursuit at high speeds is extremely dangerous. Any tactic contemplated involving a vehicle being driven at high speed must take into consideration all of the factors surrounding the incident. Safety is always the foremost factor to be considered.

Methods for stopping a fleeing violator should always be progressively employed, starting from the least dangerous and escalating to the most dangerous. Alternatives to forcefully stopping the violators include:

1. identifying the suspect and apprehending him/her at a later time; or
2. parking a cruiser on the berm with pursuit lights activated and positioning an officer in a safe location directing the suspect vehicle to stop.

#### ROADBLOCKS; GENERAL CONSIDERATIONS

Roadblocks for stopping fleeing violators may be used by officers only under the conditions outlined in this policy. A roadblock, for purposes of this policy, is defined as the deliberate obstruction of traffic on a roadway at one or more selected points, through the use of various objects – including motor vehicles – to slow or stop traffic, including a fleeing violator. Roadblock does not necessarily mean a complete stoppage of traffic or a complete blockage of the roadway.

When determining if a roadblock is necessary in a pursuit, safety to the public must be the determining factor in the decision. The risk of continuing a pursuit must be greater than the risks encountered when using a roadblock in order for a roadblock to be utilized. Since each pursuit is different, and there are several types of roadblocks that may be used, there is no step-by-step procedure to dictate when a roadblock would be suitable or what type of roadblock should be used. The primary factor to be considered is safety – of the pursuing officers, of the other motorists on the roadway, and of the fleeing suspect. The pursuing officer and the pursuit supervisor will evaluate the possibility of using a roadblock depending on the facts of each pursuit. If the roadblock will expose any person to an unnecessary risk of injury, it will not be used.

If the fleeing vehicle is other than a standard passenger vehicle or commercial truck (i.e.: motorcycle, moped, snowmobile, etc.) a roadblock will not be used unless the fleeing suspect is wanted for the commission of a life-threatening felony. If other traffic is affected, the roadblock will be established in such an area that other motorists will have ample time to identify the roadblock and to stop their vehicles a safe distance away.

#### ROADBLOCKS; RESPONSIBILITIES

Supervisor's responsibilities:

1. decide what type of roadblock, if any, will be used and its location;
2. be aware of all existing conditions at the location of the roadblock, such as traffic volume, type of area, availability of backup officers in the event that the pursuit terminates at the roadblock, and the nature of the violations(s) that is the cause for the pursuit;
3. direct and control the officer's actions at the roadblock with safety of all involved being of primary concern; and
4. continue to evaluate whether the risk of continuing a pursuit is greater than the risk of establishing the roadblock – if the risk of continuing the pursuit is not greater than the risks involved in the establishment of the roadblock, the roadblock will be terminated.

Officer's responsibilities;

1. carry out and obey supervisor's decision to establish roadblock;
2. pursuing officer will make the decision whether or not to use a roadblock if, for some reason, the supervisor is unavailable. The pursuing officer will follow Paragraph 4 above in determining whether a roadblock should be utilized.

#### ROADBLOCK: TYPES

**Flares or traffic cones** – this is the least hazardous of all roadblocks, but still

presents a degree of danger to those involved – particularly to the officer setting up the roadblock. Flares and/or traffic cones may be placed across the roadway in an effort to stop the fleeing vehicle or to funnel it onto a berm and to a stop. The officer(s) setting up this roadblock must assume that the suspect will not stop and must position himself/herself and the cruiser in a position of safety. The cruiser should be off the roadway in a position to assume immediate pursuit with the emergency lights activated.

**Moving roadblock** – partial blockage of a roadway by a moving cruiser for the

purpose of slowing or stopping a fleeing suspect. This type of roadblock will only be utilized on divided highways with four (4) or more total lanes and involves the placement of a moving cruiser, traveling the same direction as the fleeing vehicle, in each lane of travel in front of the fleeing vehicle. The cruisers are gradually slowed to a stop and the violator's vehicle is necessarily forced to a stop behind the cruisers. This type of roadblock is extremely dangerous and, while not prohibited, will only be used as a last resort against fleeing vehicles whose operator or occupants are wanted for serious felony violations involving physical harm to other persons. When using these types of roadblocks, violators will many times attempt to ram the cruisers from behind.

**Stationary roadblock** – *partial* blockage of the roadway using a suitable material

such as construction barricades; however, if nothing else suitable is available, an *unoccupied* cruiser, with emergency lights activated may be used. Occupied or privately owned vehicles will not be utilized to establish to establish this type of roadblock.

Stationary roadblocks will be so constructed in such a manner so as to leave a route through the roadblock area; the design should be such that it would be necessary to proceed slowly through the area. Stationary roadblocks will be located in an area that provides a safe stopping distance for traffic to avoid unnecessary hazards to officers and innocent persons.

Officers assigned to stationary roadblocks will place themselves in a position of safety. They should never expose themselves to risk for the sake of stopping the suspect. The officers should also be in a position that affords them an opportunity to make an apprehension if the violator opts to end his/her flight at the roadblock and/or attempts to flee on foot.

If a cruiser is not being used to block the roadway at the scene of a stationary roadblock, the cruiser should be off of the roadway and parked in a safe position to resume the pursuit should the suspect vehicle not stop. The emergency lights should be activated in a safe position to resume the pursuit should the suspect vehicle not stop. The emergency lights should be activated.

#### USE OF ROADSPIKE DEVICES

Roadspike devices will be assigned to agency vehicles and will, generally, be stored in the trunks of those vehicles. Only those officers who have completed an agency-approved course of instruction will utilize roadspike devices. These devices will only be used in conjunction with a stationary roadblock and will never be deployed from a moving motor vehicles. The decision to use roadspike devices in an attempt to terminate a pursuit will be made by an officer and/or his/her supervisor after giving consideration to the procedures

outlined in this policy. If circumstances and time permit, prior approval from a supervisor will be sought before deploying roadspike devices in an attempt to terminate a pursuit.

It is imperative that all officers involved are aware of the exact location of deployed roadspike devices, so that they may slow their vehicles in time to allow the removal of the device after the fleeing vehicle strikes it. Officers deploying roadspike devices will take measures to divert other traffic from the area of the device to prevent unnecessary damage to other vehicles.

An officer who deploys a roadspike device will remove it immediately from the roadway after the suspect vehicle strikes it. The suspect vehicle will be slowing rapidly and the pursuing officer should be prepared to take evasive action to avoid contact with the suspect vehicle.

Roadspike devices will not be deployed in an attempt to stop two-wheeled motorcycles, three-wheeled motorcycles, three-wheeled all-purpose or all-terrain vehicles, four-wheeled all-purpose or all-terrain vehicles, or any other vehicle which the deploying officer believes could become unstable due to the deflation of the vehicle's tires if the operator were to continue to operate the vehicle after striking the roadspike device.

#### INTENTIONAL CONTACT WITH PURSUED VEHICLE (RAMMING)

Intentional contact with a pursued vehicle is a high-risk maneuver that presents extreme danger to the officer, the offender, and the general public. While not specifically prohibited, intentional contact with an offender's vehicle will be considered by an officer only after the dangers of intentional contact are weighed carefully and concluded at the time to be less than the danger of allowing the offender to continue. Intentional contact with the offender's vehicle is only authorized in those cases which the fleeing offender is wanted for, or charged with, a life threatening felony and when all other reasonable efforts to terminate the pursuit have failed.

#### USE OF DEADLY FORCE AGAINST FLEEING MOTOR VEHICLES

Refer to Policy 20.02(V1)(A) – Response to Resistance/Aggression

#### PURSUIT TERMINATION

A pursuit will be terminated for the following reason(s):

1. The suspect(s) identity has been established to the point that a later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
2. The prevailing traffic, roadway, and environmental conditions dictate that it would be dangerous and/or futile to continue the pursuit.
3. In the opinion of the primary pursuing officer and/or his/her supervisor, a clear, present, and unreasonable danger to the officer(s), suspect(s), and/or the general public has been created by the pursuit that outweighs the necessity for the immediate apprehension of the suspect.
4. The suspect vehicle's location is no longer known.
5. The primary pursuing officer is ordered to discontinue the pursuit by a supervisor.

Disciplinary action will not be taken against any supervisory personnel who, in good faith, order the termination of a pursuit for any of the reasons listed above.

Disciplinary action for insubordination and/or other violations of internal policies or procedures will be taken against those officers who willfully disregard order(s) to discontinue a pursuit. Officers engaged in pursuits may become emotionally involved in their attempts to apprehend the fleeing violator and may not be aware of all of the circumstances that have caused the supervisor to order the pursuit terminated. Officers ordered to terminate a pursuit will do so immediately.

The termination of a pursuit does not prohibit an officer remaining in an area to re-initiate a pursuit if the opportunity and conditions permit. However, at no time will an officer who has terminated a pursuit attempt to “follow” the vehicle without the use of emergency equipment. Past experience has shown that the operator of the pursued vehicle will continue to flee at high speeds, believing that the officer is still pursuing him/her. In addition, officers engaging in such activities have a tendency to violate traffic laws and, in effect, engage in “pseudo” pursuits.

#### **MULTIPLE AGENCY INVOLVEMENT**

In the event that another law enforcement agency initiates a pursuit that enters this agency’s primary area of jurisdiction, officers will communicate with members of that law enforcement agency in plain English, if a common radio frequency is available. Members of this agency – with approval of the supervisor – will render appropriate aid to members of the initiating agency, including – if necessary – joining in the pursuit and/or employing roadspike devices.

In the event that a pursuit initiated by officers enters into another county, members of this agency will immediately act as back-up officers or terminate the pursuit once members of law enforcement agencies in that county become engaged in the pursuit. If the pursuit enters a municipality in this county, and the primary pursuing officer wished to relinquish the primary position of the pursuit due to unfamiliarity with the area, it is absolutely appropriate to do so and this should be done as soon as a member of that municipality’s law enforcement agency engages in the pursuit.

### **23.01 LAW ENFORCEMENT VESSELS; OPERATION AND STAFFING**

The purpose of this policy is to define guidelines for the operation and staffing of law enforcement vessels by members of this agency.

Operation of any watercraft, and particularly a law enforcement vessel, is a complex task requiring the full time and attention of the vessel operator and crew. Due to the increased visibility to the public of law enforcement vessels, and the fact that law enforcement officers are – and should be – held to a higher standard of conduct by the boating public, it is imperative that the operators and crew members of such vessels be vigilant in their operation at all times. This policy is promulgated to provide standardization in the operational and maintenance responsibilities of members of this agency while operating or crewing law enforcement vessels owned or controlled by this agency and/or any other law enforcement agency.

Reference: Ohio Revised Code Chapter 1547

Applicable United States Coast Guard Regulations.

#### **GENERAL OPERATION OF LAW ENFORCEMENT VESSELS**

1. Law enforcement vessels operated or crewed by members of this agency assigned to marine patrol duties shall comply with all requirements as listed in Chapter 1547 of the Ohio Revised Code, any applicable federal laws.
2. Only those members of this agency having completed a course of instruction approved by the agency will participate in the operation or crewing of law enforcement vessels.
3. Compliance with applicable statutes.
  - a. All personnel operating or crewing law enforcement vessel will comply with all applicable federal or state laws and/or local ordinances pertaining to the operation of watercraft.
  - b. In accordance with the above, personal flotation devices will be worn at all times by any member of this agency while operating or crewing a law enforcement vessel.
4. The use of tobacco products of any sort while operating or crewing any law enforcement vessel is prohibited.
5. The use of cellular telephones, texting devices, or other communications equipment (other than the agency

2-way radio(s)) by an employee while operating or crewing a law enforcement vessel while under way will be kept to a minimum, so that full time and attention can be devoted to the operation of the vessel. Agency owned mobile data computers (MDC) may be utilized while the vessel is moving at the discretion of the operator for registration checks or other brief uses where the employee's attention is not unduly distracted from the operation of the vessel. If there is any concern on the part of the employee that the use of the MDC would not be safe at a particular time or place, the employee will not utilize the device until the vessel has been stopped.

6. Those deputies who are operating or crewing law enforcement vessels will utilize the vessels for agency business only. Law enforcement vessels will not be utilized to conduct personal business.
7. Unauthorized passengers on law enforcement vessels are hereby prohibited. Unauthorized passengers are those individuals that are not being transported in a law enforcement vessel for official purposes (i.e.: prisoners, stranded boaters, or others who may need to be transported in an emergency situation).
8. Certain individuals may be authorized by the Sheriff or the Sheriff's designee to participate in ride-along programs wherein the citizen rides with a member of the agency while the employee is performing his or her duties on a law enforcement vessel. Such individuals must have executed a waiver of liability prior to being transported in an agency vehicle. This definition includes members of other law enforcement agencies that wish to ride with members of this agency while the rider is not working in an official capacity for his/her agency.

#### SPECIFIC RESPONSIBILITIES

1. Employees of this agency will not operate or crew any law enforcement vessel without first receiving approval to do so from a supervisor.
2. Employees of this agency operating a law enforcement vessel are responsible to examine the vessel prior to use to insure that the vessel is seaworthy and in satisfactory condition to operate on the water. Lights, fluid levels, cleanliness, required equipment, and general operability shall be checked to ensure the seaworthiness of the craft and its suitability for use on a law enforcement mission. Any damage noted beyond what would be considered wear from normal use will be reported in writing to the Operations Officer.
3. In the event that a vessel is found to be soiled or filthy – inside or out – by an employee preparing to use it, such condition will be reported in writing to the Operations Officer detailing the problem. The employee operating the vessel will make arrangements for the vessel to be cleaned as soon as possible. Employees leaving vessels in such condition will be subject to the disciplinary process.
4. Vessel operators will routinely check their vessels, particularly prisoner transport compartments, to ensure that contraband that could be dangerous to personnel is not concealed in those areas. It is not unreasonable for deputies to inspect these areas at the conclusion of any prisoner transport to ensure that contraband or weapons have not been concealed by the transported prisoner.
5. No member of this agency will tamper with or modify the engine(s) drive train, hull, electrical system, emissions or exhaust systems, or any other part of any law enforcement vessel in any fashion without the consent of the Sheriff or Operations Officer.
6. Each employee of this agency will, at all times, exercise due diligence and care while operating or crewing any law enforcement vessel. Failure to do so may subject the employee to the disciplinary process as well as to criminal and/or civil liability.
7. Regardless of the rank or employing agency of other crew members, the operator of any law enforcement vessel being operated by or crewed by a member of this agency shall be considered the supervisor of the vessel concerning the operation of the vessel, and all other crew members will defer to the operator. The operator is, therefore, responsible for all decisions concerning the operation and maintenance of the vessel and shall be held responsible in the event of any issues regarding the vessel's operation.
8. At no time will members of this agency participate in the operation or crewing of a law enforcement

vessel when weather or sea conditions would be unfavorable, or in the event of the issuance of a small craft advisor on Lake Erie. If there is any doubt by the operator of the vessel about the safety of a scheduled mission due to sea or weather conditions, the mission will be canceled.

#### **COLLISIONS INVOLVING DAMAGE TO LAW ENFORCEMENT OR OTHER VESSELS; POCEURES.**

1. **Any** damage caused by the operation of a law enforcement vessel by an agency employee will be promptly and immediately reported to the employee's supervisor.
2. The employee operating the vessel at the time the damage occurs will submit an internal report to the Operations Officer containing sufficient and detailed information pertaining to the incident as soon as possible after the damage has occurred.
3. Any collision involving property damage or injury that occurs involving a law enforcement vessel operated or crewed by a member of this agency shall be immediately reported to the Ohio Department of Natural Resources, Division of Watercraft and the United States Coast Guard. All reporting requirements of these agencies will be followed.

#### **EXECPTIONS**

Due to the complex nature of law enforcement activities in general, and water borne law enforcement activities in particular, this policy cannot address all situations that may arise during a law enforcement patrol mission on the water. Employees will be expected to refer to other policies that may apply to a given situation and/or use sound discretion to solve any problems that may arise.

#### **EMERGENCY OPERATIONS OF LAW ENFORMCENT VESSELS; PURSUITS.**

1. Any employee of this agency responding to an emergency situation while operating a law enforcement vessel will utilize due caution to prevent, as much as practicable, endangering the safety of other vessels or persons. Emergency lights and siren will be utilized when responding to emergencies. All applicable sections of Policy 22.01 (Emergency Operation of Vehicles) are hereby incorporated into this policy and shall be followed.
2. When pursuing another vessel, any employee operating a law enforcement vessel will utilize due caution. All applicable sections of Policy 22.01 (Motor Vehicle Pursuits) are hereby incorporated into this policy and shall be followed.

### **23.02 UNMANNED AIRCRAFT SYSTEMS (UAS)/DRONE OPERATION**

The Erie County Sheriff's Office (ECSO) owns and operates a drone to provide for the protection and safety of the citizens served by the agency, and for the protection and safety of public safety personnel, by providing a safe and efficient aerial observation perspective during public safety incidents and/or law enforcement operations. Drone operations will be conducted in a safe, professional fashion.

*Drone* - includes any unmanned aircraft system and its accessories.

1. Drone pilots will be selected at the discretion of the Sheriff and may be sworn or non-sworn, full- or part-time employees of the Sheriff's Office. Pilots will possess and maintain a valid Federal Aviation Administration (FAA) Remote Pilot Certificate; will be knowledgeable of and will follow all applicable FAA regulations relating to drone usage; will be knowledgeable of and will follow the drone manufacturer's operating guidelines for any particular drone assigned to the pilot to utilize; will be knowledgeable of and will follow any other applicable ECSO policies regulating his/her duties; and will complete any necessary agency required training.

2. A chief drone pilot may be selected at the discretion of the Sheriff. This chief drone pilot will oversee the general operation of this agency's drone program; will ensure that all pilots meet the

requirements listed above and receive any needed training; and will be responsible to brief the Sheriff regarding any issues, topics, or needed policy amendments concerning the drone program.

3. Drone(s) used by this agency shall be selected based upon suitability to perform needed tasks balanced by cost.

4. Suitable observer or other assistance, as requested by the pilot, will be provided during a drone flight. The pilot will not fly the drone if, in his/her professional opinion, conditions are not safe to do so.

5. All known legal guidelines will be followed when a drone is used to avoid the potential for violations of civil rights.

6. Drones operated by this agency are available to be used in support of Sheriff's Office personnel during the performance of their duties, to likewise support public safety personnel from other agencies throughout Erie County, and to also support public safety personnel from any other agency upon request. The final determination as to the suitability for the use of a drone in any given situation will be made by the Sheriff or his/her designee and the drone pilot.

7. Drone(s) will be used primarily for aerial observation only. A drone used by this agency will not be equipped with any type of firearm, chemical agent, or other lethal or less-lethal weapon or device.

## **24.01 EVIDENCE AND PROPERTY CONTROL**

### **EVIDENCE CUSTODIAN**

1. The Sheriff will designate an officer who will serve as evidence custodian.

This person will be charged with keeping secure, all evidence and property obtained by members of the department as the results of their duties, and the records thereof.

2. The evidence custodian shall be issued one of the two keys for the evidence storage room as well as the holding lockers. All other keys for the evidence room and lockers shall be retained by the Sheriff or his designee.

3. The evidence custodian will insure the following:

- a. All items of property or evidence kept in the possession of the Erie County Sheriff's Office shall be recorded either manually or electronically in the property log.
- b. Such entries shall list and include all items in the possession of the department evidence custodian, the correct case or CR number, date the item came into possession, manner of disposition, and, if applicable, the name of the person who received the article.
- c. Proper documentation will be maintained for all acceptance and transfers of property leaving or coming into possession of the Erie County Sheriff's Office.

### **RECOVERY AND RETENTIONS**

1. All evidence or property recovered or seized by members of the department will be properly identified, packaged and tagged, as soon as possible after being taken into custody.

- a. All items taken into custody will be accurately described in the initial written report.
- b. Packaging of items will be done in such a manner as to preserve the evidential value and prevent contamination or damage of the item.
- c. Tags and labels will be filled out COMPLETELY and include: date and time of incident, report number, description of item, recovery location, and assigned officer's signature.
- d. All evidence and property which does not require special handling will be temporarily stored in the designed lockers (21 through 25) in the male locker room. A padlock will be obtained from the dispatcher, and applied securely to the appropriate locker after the item has been placed inside.
- e. Special circumstances and certain incidents may require additional attention to detail in the collections, processing and storage of evidence or investigation oversight. In these cases, an investigator from the department's Detective Bureau shall be contacted for assistance.



## INVENTORY AND CONTROL

1. The evidence storage room will only be entered under the direct supervision of the evidence custodian or the Sheriff.
2. Items such as cash, gemstones, drugs, etc., will be secured in separate containers within the evidence room itself.
3. Inspections will be conducted on a periodic basis of the evidence room, its contents and records to insure that proper inventory control and storage procedures are maintained.
  - a. Transition inspections will be conducted whenever the evidence custodian is replaced by another individual.
  - b. The evidence custodian will conduct a quarterly inventory of all property and report such, in writing, to the Sheriff.

## RETURN OF PROPERTY

1. Property retained by the department of an evidential nature will only be released at the direction of the appropriate court, prosecutor or the Sheriff.
2. Property that has been recovered or found by members of the department may be returned to the rightful owner when proper identification and proof of ownership is supplied.
3. All articles returned must have a Property Release Form properly completed and signed by the person receiving the property.
4. The evidence custodian will amend the records to show that the property is no longer in the custody of the department. The record will reflect the name of the person to whom the articles were released and other stipulated information.
5. Evidence and property which proves to not be able to be returned to the owner shall be disposed of in accordance with the applicable sections of the Ohio Revised Code.

### **24.01A PRESCRIPTION MEDICATION COLLECTION RECEPTACLES**

The Erie County Sheriff's Office is engaged in an ongoing, collaborative effort with other local law enforcement agencies within Erie County and the Erie County Health Department to collect unwanted prescription medications to prevent the diversion of those medications to those who would use the medications illegally. The purpose of this policy is to provide guidance to agency employees and to clarify this agency's role in the collaborative effort.

Prescription medication collection receptacles provided by the Erie County Health Department have been placed in the lobby of the Sheriff's Office, and are also currently installed in the lobbies of the Sandusky, Huron, and Vermilion Police Departments. The Erie County Health Department is responsible for the proper marking of the receptacles.

It is this agency's responsibility to regularly remove from and properly dispose of any collected medications from all of the locations listed above, and from any locations that may be added in the future, under this collaborative program. To accomplish that commitment, the following procedures will be followed:

1. The supervisor of the Detective Bureau will designate a detective responsible for the collection and disposal of prescription medications. In the event that a detective is not available to perform this duty, the Chief Deputy will designate any other Deputy Sheriff to carry out the collection and disposal duties.
2. The designated Deputy Sheriff will, no less than every forty-five (45) days, remove from all of the listed collection receptacles – and from any that may be added in the future – all collected prescription medications. The collected medications will be properly packaged so as to maintain the confidentiality of the individual who disposed of the medications, or to whom the medications were initially dispensed. The designated deputy sheriff will package separately medications collected from each collection receptacle.

3. The designated Deputy Sheriff will, as soon as possible after the collection of the prescription medications has been completed, transport the collected medications to the Erie County Health Department and properly weigh them. Medications collected from each receptacle will be separately weighed.
4. The designated Deputy Sheriff, after weighing the collected medications as outlined above, will secure the medications in the designated area at the Erie County Health Department. The Erie County Health Department will be responsible for the ultimate destruction of the collected medications by incineration, either by Health Department employees or by a contractor. At least one other individual, along with the designated Deputy Sheriff, will witness the medications being placed in the properly secured area at the Erie County Health Department. Only the Sheriff or Chief Deputy may authorize the destruction of any collected medications by any method other than the procedure outlined above.
5. The designated Deputy Sheriff, after the medications are properly weighed and stored at the Erie County Health Department, will generate a report listing at least the following information:
  - a. The date of the collection of the medication;
  - b. The total weight of the medication collected from each individual collection receptacle;
  - c. The date and time that the collected medications were weighed and stored at the Erie County Health Department; and
  - d. The names of any and all witnesses to the destruction.

The same process listed above will be followed at the conclusion of any prescription drug take-back events that occur on an irregular basis throughout the community that are sponsored or coordinated by this agency.

REFERENCE Ohio Administrative Code 4729-8-02.

#### **24.02 ABUSE OF PROCESS/WITHHOLDING EVIDENCE**

Property or evidence which has been discovered, gathered or received in connections with department responsibilities will be handled and processed in accordance with established department procedures and professional training. Members of this department shall not; convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other agency activity. No evidence, recovered property or contraband will be stored, or for any other reason, kept in personal lockers or other unauthorized areas.

#### **24.03 IMPOUNDING VEHICLES**

1. The impounded property – motor vehicle inventory form will be completed on all vehicles impounded for any reason by members of the Erie County Sheriff's Office. The original copy is to be placed in the detective's box to be properly logged and filed.
2. Rotating wrecker lists and authorized storage area should be utilized in all impounding to insure the security of all vehicles and personal property.

#### **24.04 TOWING OF VEHICLES**

The Erie County Sheriff's Office routinely utilizes towing services to remove disabled, evidentiary, or illegally operated motor vehicles from public and/or private property. This policy provides guidelines to be followed by members of the Erie County Sheriff's Office when towing services are needed.

Towing Services Utilized by the Sheriff's Office

1. Only those towing services receiving approval by the Sheriff or Chief will be utilized by the Sheriff's

Office. Towing services may be removed from the list at the discretion of the Sheriff or Chief Deputy for reasonable cause. The Sheriff reserves the right to limit the number of towing services approved for use by the Sheriff's Office.

#### Approval for utilization of towing services.

1. Approval for utilization of towing services may be granted only after a written request has been received from the company requesting to be utilized. Those towing services currently providing service to the Sheriff's Office as of the effective date of this policy are exempt from this requirement.
2. Approved towing services are required, at all times, to maintain current insurance policies – both for vehicles in the service's care and custody and for liability while the vehicle is being towed, and must be certified and/or licensed by the Public Utilities Commission of Ohio (PUCO). In addition, each approved service will maintain a secure vehicle impound area. The Sheriff's Office reserves the right to randomly request current proof of insurance from any approved towing service.
3. Approved towing services will be able to respond to calls for tows in a reasonable amount of time. What is reasonable at any given time will be determined based upon weather conditions, traffic congestion, and any other factors that may be present at that time. Concerns regarding a particular towing service's response time shall be forwarded to the Sheriff or Operations Officer for review. Repeated lack of timely response for wrecker calls could result in that particular service being removed from the Sheriff's Office list of approved towing service providers.

#### Calls for towing services

1. Due to the large geographical area in which the Sheriff's Office handles calls for service, the priority for this agency when utilizing a towing service is the prompt removal of the vehicle and the return of the Sheriff or Deputy Sheriff to patrol. The Sheriff's Office uses a rotating list for tow calls as determined by the Sheriff, unless one of the exceptions listed below applies.
2. If the vehicle involved is not the subject of an enforcement tow-i.e.: disabled, involved in a traffic crash, etc.—then the employee handling the incident will determine if the driver or owner has a preference for a towing service. The use of the driver or owner's preferred towing service will be accommodated if possible if the use of such service will not unnecessarily delay the removal of the vehicle from the roadway and will not unnecessarily delay the deputy sheriff's return to patrol, rather than utilizing the rotating list.
3. In the event that the driver or owner's preferred towing service cannot be contacted, or cannot otherwise be utilized due to unnecessary delay in the vehicle, then the next available towing service off of the rotating list will be requested.
4. If the vehicle is being towed due to enforcement activities, the employee involved will use the next available towing service off of the rotating list.
5. If an incident occurs directly in front of an approved towing service's business, and the owner/operator of the vehicle has no preference for a towing service, the Sheriff or Deputy Sheriff investigating the incident has the discretion of utilizing that towing service, as opposed to using a service off of the rotating list. Deviation from the rotating list requires documentation by the investigating employee.

#### Completion of administrative vehicle inventory form

1. An agency administrative vehicle inventory form will be completed in all instances in which a vehicle is towed, except in situations involving traffic crashes or disabled vehicles when the owner operator is present at the scene.
2. Administrative vehicle inventory forms shall be attached to the report (incident or traffic crash) generated as a result of the employee's activity.
3. The completion of the administrative vehicle inventory form protects the agency from unwarranted

complaints of missing property. For this reason, the towing service representative is required to co-sign the form along with the employee conducting the inventory. The towing service representative's signature acknowledges agreement with the property listed on the vehicles inventory form.

## **25.01 CHILD ABDUCTION POLICY (AMBER ALERT)**

The Erie County Sheriff's Office considers the suspected abduction of a child to be an investigative priority. Statistics have shown that the no-family abduction of a child will, and very likely, result in the infliction of injury, perpetration of sexual assault, and/or death of the abducted child.

The purpose of this policy is to establish procedures to be followed in the event that the abduction of a child is reported to this agency. The proper and prompt dissemination of information to the public in such an instance has proven vital to ensuring the safe return of the child and has proven to be of great assistance in the identification, apprehension, and prosecution of the involved person(s). The experience in the law enforcement community in this country has been that there exists a "window of opportunity" lasting only a few hours in which the abducted child is likely to be located unharmed.

For the purpose of this policy, the following definitions are applicable

**AMBER ALERT** – the word AMBER is an acronym for Americans Missing Broadcast Emergency Response. In 1996, nine year old Amber Hagerman was abducted and killed in the Dallas, Texas area. The Dallas Police Department's Amber Plan was initiated in 1997 to help safely recover missing children that are believed to have been abducted. The Amber Alert utilizes electronic media and other resources to disseminate information pertaining to the abducted child and/or the suspect as quickly as possible throughout the general geographical area surround the location from which the child was abducted.

**CHILD** – a person who is under the age of eighteen (18) years of age.

**CECOMS** – Cuyahoga Emergency Communications System.

In the event that a report of a child abduction is received by this agency, the communications officer receiving the report will obtain as much pertinent information as possible from the reporting person. This information will include a description of the child and the child's clothing, a description of the suspect(s) and clothing, and a description of the involved vehicle, if applicable. This information will then be immediately broadcast to the deputy sheriff in whose assigned patrol zone the reported abduction has occurred. That deputy will immediately respond to meet directly with the reporting person. The shift supervisor will also be notified by the communications officer and will respond to the area to supervise the initial investigative efforts. At the discretion of the shift supervisor, other deputies may also be advised to respond to the general area of the reported abduction in an attempt to locate the child. The shift supervisor will ensure that the communications officer(s) have disseminated the initially obtained information to any other law enforcement agencies in the immediate area of the reported abduction. The Sheriff, Operations Officer, and a member of the Detective Bureau will also be notified as soon as possible after the above steps have been taken.

The deputy investigating the incident will determine as soon as possible, based upon interviews with the reporting person and/or any witnesses, if the following criteria are present for activation of the Amber Alert:

1. The abducted individual is a child; and
2. There is credible information that suggests that the child was forcibly or intentionally removed or lured away from his/her location and the child remains missing; and
3. The deputy believes that the child is in danger of serious bodily harm or death; and
4. There is enough descriptive information about the child, alleged abductor(s), and/or alleged abductor(s) vehicle to believe an immediate broadcast alert will assist in locating the child.

In evaluating whether all of the listed criteria are present, the following circumstances should be considered:

1. The age of the child; health and condition of the missing child;
2. The time, place, and manner of the abduction or circumstances related to the child's disappearance including timeliness of the report;
3. Reliability of eyewitness accounts of the circumstances surrounding the abduction, including information describing the child victim, the perpetrator, vehicle, license plate number, and/or description of the location of the abduction;
4. Danger presented to the child;
5. Review of any convincing, circumstantial evidence of foul play; and
6. Determination by the investigating deputy upon credible evidence that an Amber Alert may enhance the recovery of the child.

In the event that the listed four (4) mandatory criteria are met, the investigating deputy and/or his/her shift supervisor will notify the Sheriff or Operations Officer in that order. Authority to activate an Amber Alert for the abducted child will be obtained from either the Sheriff or Operations Officer. In the event that neither may be contacted in a timely fashion, utilizing all available means, the shift supervisor will authorize the Amber Alert activation.

Once a decision is made to activate the Amber Alert, the following steps will be taken:

1. The Sheriff or Operations Officer will ensure that sufficient personnel are assigned to investigate the abduction.
2. The investigating deputy's supervisor will ensure that a parent of the abducted child executes a Liability Agreement (Appendix A), and an authorization for Release of Juvenile Information (Appendix B). Once completed, these forms will be placed in the investigative case file for later reference. The information on these forms is to be printed legibly.
3. The investigating deputy's supervisor will ensure that an Amber Alert Information sheet, and an Amber Alert Alleged Abductor(s) information sheet (Appendix C, pages 1 and 2), are completed as thoroughly as possible. The information on these sheets should be printed legibly.
4. The Sheriff or Operations Officer, with input from the investigating deputy and his/her supervisor, will compose a message to be transmitted by CECOMS via the National Weather Service and electronic media. The message will be composed – exactly as it should be read – on the exact message to be Transmitted form (Appendix C, Page 3). The information on this should be printed legibly.
5. The communications officer will contact CECOMS, the agency designated to disseminate Amber Alert information for Erie County, at the telephone number(s) on file in the Communications Office.
6. All of the above listed forms will be faxed to CECOMS at the telephone number(s) on file in the Communications Office.
7. Upon receiving the faxed information, and after verifying it by telephone, CECOMS will activate the Emergency Alert System via the National Weather Services and will also notify all other participating electronic media outlets.
8. The communications officer will enter the abducted child into LEADS/NCIC, and also enter the abducted child into the LEADS Amber Alert file.
9. The communications officer will contact the National Center for Missing and Exploited Children at the telephone number on file in the Communications Office to report the missing child(ren) case.

#### **ASSISTANCE TO OTHER LAW ENFORCEMENT AGENCIES**

The Erie County Sheriff's Office has been designated as the central dissemination point for information regarding any child abduction in Erie County that requires the dissemination of information to the various agencies listed above. In the event that another law enforcement agency contacts the Erie County Sheriff's Office and requests activation of the Amber Alert system, the following steps will be taken:

1. The Sheriff or Operations Officer will be contacted to review the investigation with the investigating agency to ensure that the criteria for an Amber Alert are met.
2. Communications Officers will forward the forms contained in the appendix to the investigating agency to complete. Personnel from this agency will cooperate with personnel from the investigating agency, if requested to do so, to assist in proper completion of the forms.
3. Communications Officers will the contact CECOMS and fax the forms to that agency, following the procedures previously outlined in this policy.
4. Other assistance will be rendered as needed to the investigating agency.

### LIABILITY AGREEMENT

I hereby acknowledge that the information that I have provided, or will provide, to the Erie County Sheriff's Office or any other law enforcement agency is truthful, factual, and correct.

As the parent or legal guardian, I am aware that in order for the Erie County Sheriff's Office to enter a child as being abducted and endangered, the following criteria must be met:

1. The child is under eighteen (18) years of age;
2. There is credible information that suggests that the child was forcibly or intentionally removed or lured away from his/her location and remains missing;
3. The law enforcement agency believes that the child is in danger of serious bodily harm or death; and
4. There is enough descriptive information about the child, and/or alleged abductors, and/or alleged abductor's vehicle to believe that an immediate broadcast alert will assist in locating the child.

I am also aware that I may be charged criminally for committing the crime of Obstructing Official Business, Ohio Revised Code Section 2921.31, and/or other criminal offenses if I knowingly provide false information to the Erie County Sheriff's Office or to any other law enforcement authorities.

My signature below is my acknowledgement that I have read and fully understand this document.

PLEASE PRINT OR TYPE

---

Last name	First name	Middle name
-----------	------------	-------------

---

Current address, including apartment number (if any), city, state, and zip

---

Signature of parent/legal guardian	Date
------------------------------------	------

### AUTHORIZATION FOR RELEASE OF JUVENILE INFORMATION

For a period of one year from the execution of this document, the undersigned authorized full disclosure of all records concerning the below listed juvenile to the Erie County Sheriff's Office and/or any agent of any municipal, township, county, state, or federal law enforcement agency, or of the State of Ohio, whether the records are of a public, private, internal, or confidential nature. I direct the release of such information regardless of any agreement I may have made to the contrary with any entity or individual to whom the juvenile's information is released or presented.

The intent of this authorization is to give my consent for full and complete disclosure of confidential juvenile information. Additionally, I understand the duty of the Erie County Sheriff's Office to release any information to the proper authorities and make other reports as may be mandated by law. I also certify that any person(s) who may furnish such information concerning the below listed juvenile shall not be held liable for giving this information; and I do hereby release such person(s) from any and all liability which may be incurred as a result of furnishing such information. I further release the Erie County Sheriff's Office, the Ohio Emergency Management Agency, the Ohio Broadcasters Association and its agents and designees, under this release, from any and all liability which may be incurred as a result of furnishing such information. I further release Cuyahoga County and CECOMS and their agents, officers, employees, administrators, representatives, and servants from any and all liability that may be incurred as a result of furnishing such juvenile information, and waive any restrictions imposed by law in disseminating such information.

A photocopy of this release document will be valid as an original thereof.

PLEASE PRINT OR TYPE

Juvenile for which information release is authorized;

Name: \_\_\_\_\_

DOB: \_\_\_\_\_ SSAN: \_\_\_\_\_

Parent/legal guardian authorizing release of information:

\_\_\_\_\_  
Last name First name Middle name

\_\_\_\_\_  
Current address, including apartment number (if any), city, state, and zip

\_\_\_\_\_  
Signature of parent/legal guardian Date



**URGENT FAX  
THE NORTHEAST OHIO AMBER ALERT URGENT FAX**

REQUESTING AGENCY:\_\_\_\_\_

DATE:\_\_\_\_\_ TIME:\_\_\_\_\_

AUTHORIZED BY:\_\_\_\_\_

CALL BACK NUMBER:\_\_\_\_\_

PUBLIC INFORMATION OFFICER (PIO):\_\_\_\_\_

MISSING CHILD'S NAME:\_\_\_\_\_

DOB:\_\_\_\_\_ AGE:\_\_\_\_\_ RACE\_\_\_\_\_

HEIGHT:\_\_\_\_\_ WEIGHT:\_\_\_\_\_ EYES:\_\_\_\_\_ HAIR:\_\_\_\_\_ SEX:\_\_\_\_\_

SCARS, MARKS, TATOOS OR ADDITIONAL PHYSICAL OR MEDICAL CONDITION  
INFORMATION:\_\_\_\_\_

\_\_\_\_\_  
CLOTHING DESCRIPTION:\_\_\_\_\_

\_\_\_\_\_  
PLACE OF OCCURRENCE (IF KNOWN) OR LOCATION LAST SEEN:\_\_\_\_\_

\_\_\_\_\_  
TIME:\_\_\_\_\_ DATE:\_\_\_\_\_

PHOTOGRAPH AVAILABLE:      YES                      NO

**AMBER ALERT  
ALLEGED ABDUCTOR(S) INFORMATION SHEET**

NAME OF ALLEGED ABDUCTOR INVOLVED (IF KNOWN): \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

RELATIONSHIP TO VICTIM OR FAMILY (CIRCLE ONE):    YES    NO

IF RELEASED, HOW? \_\_\_\_\_

DESCRIPTION OF OTHER ALLEGED ABDUCTOR: \_\_\_\_\_

DESCRIPTION OF VEHICLE(S): YEAR: \_\_\_\_\_ MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_

PLATE NUMBER AND STATE: \_\_\_\_\_ COLOR: \_\_\_\_\_

OTHER PERTINENT INFORMATION OF VEHICLE: \_\_\_\_\_

OTHER MEANS OF TRANSPORTATION USED: \_\_\_\_\_

DIRECTION OF TRAVEL IF KNOWN: \_\_\_\_\_

DESTINATION IF KNOWN: \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

PLEASE CONTACT THE **ERIE COUNTY SHERIFF'S OFFICE** WITH INFORMATION AT:

TELEPHONE: 419-625-7951    FAX: 419-627-7547    EMAIL ADDRESS: [sheriff@eriecounty.oh.gov](mailto:sheriff@eriecounty.oh.gov)

EXACT MESSAGE TO BE TRANSMITTED

“The Erie County Sheriff’s Office in Sandusky, Erie County, Ohio, has issued an Amber Alert.

Anyone having any information on this abduction please call the Erie County Sheriff's Office at (419)625-7951."

CECOMS will transmit this message to WTAM and the National Weather Service.

CECOMS will receive media alert information via fax that will need to be refaxed to all media outlets.

Upon the confirmed recovery of the child by any law enforcement agency, the initiating agency will immediately send the **CANCELLATION FAX** to **CECOMS**. CECOMS will then fax the cancellation to all participating media outlets.

NOTE: CECOMS will only fax CANCELLATION; it **will not** activate the emergency alert system for cancellation.

The on call CMEIMS Commander must be paged on all Amber Alerts.

## AMBER ALERT CANCELLATION

PLEASE CANCEL THE AMBER ALERT REGARDING (MISSING CHILD'S NAME): \_\_\_\_\_

\_\_\_\_\_

REASON FOR CANCELLATION (i.e.: child located uninjured, ect.): \_\_\_\_\_

\_\_\_\_\_

CONCLUSION (i.e.: alleged abductor arrested, etc.): \_\_\_\_\_

\_\_\_\_\_

AUTHORIZED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

## 25.02 MISSING CHILDREN POLICY

The Erie County Sheriff's Office considers the report of a missing minor child to be an investigative priority. Such reports will be investigated expeditiously to provide for the safe return of the missing child as soon as possible.

For the purposes of this policy, the following definitions are applicable:

*Minor*-a person under eighteen (18) years of age [Ohio Revised Code Section 2901.30(A)(2)].

*Missing children or missing child* – a minor who has run away from or otherwise is missing from the home of, or the care, custody, and control of, the minor's parents, parent who is the residential parent and legal custodian, guardian, legal custodian, or other person having responsibility for the care of the minor [Ohio Revised Code Section 2901.30(A)(3)(a)].

A minor who is missing and about whom there is reason to believe the minor could be the victim of a violation of Sections(s) 2905.01, 2905.02, 2905.03, or 2919.23 of the Ohio Revised Code, or of a violation of Section 2905.04 of the Ohio Revised Code as it existed prior to the effective date of the amendment [Ohio Revised Code Section 2901.30(A)(3)(b)].

*Jurisdiction* – includes all areas within Erie County not provided law enforcement services by a local law enforcement agency; and those areas that are provided law enforcement services by a local law enforcement agency that, at the time of the report, has no officer on duty or available to respond to investigate the report of a missing child.

### PROCEDURES

Complaints of missing children will be accepted from a parent or legal guardian of the child. Upon the receipt of a report from a parent or legal guardian of a child missing from any area within this agency's area of jurisdiction, the dispatcher receiving the report will immediately forward the information to a deputy sheriff so that the complaint may be investigated. In the event that the child has been noticed missing immediately prior to the call, and the reporting party has reason to believe that the child could still be in the area where the child was last seen, the dispatcher will obtain a physical description of the child as well as a clothing description. This information will be relayed to the deputy sheriff(s) responding to investigate the matter, in the event that the child may be observed in the area.

The deputy sheriff assigned to investigate the complaint will be responsible for obtaining detailed information regarding the child, including a complete physical and clothing description (if known), a photograph, fingerprints or other identifying items (i.e.: DNA samples that the parents may possess) and all other information that may be pertinent to the child's disappearance. Immediately after the receipt of this information, the deputy sheriff will forward appropriate information to the dispatcher and the child will be entered into the National Crime Information Center (NCIC) through the Ohio Law Enforcement Automated Data System (LEADS) as soon as possible by the dispatcher on duty.

It is mandatory that an NCIC entry of any missing child whose disappearance is being investigated by this agency will be made immediately after the receipt of the report of the missing child. It is the responsibility of the deputy sheriff investigating the child's disappearance to provide the necessary information to the dispatcher on duty so that such an entry may be made. Immediately after the receipt of the information, the dispatcher receiving the information from the investigating deputy sheriff will cause the information to be entered into NCIC. The only exception to this requirement would be if the missing child is recovered prior to the NCIC entry being made. [Ohio Revised Code Section 2901.30(C)].

As soon as possible after the information is obtained, the dispatcher on duty will notify all law enforcement agencies in this county, and surrounding counties, of pertinent information pertaining to the missing child through the use of the LEADS system and/or radio broadcast(s). All law enforcement agencies in Erie County who do not have a LEADS terminal will be notified of the missing child via a facsimile transmittal of the LEADS message. [Ohio Revised Code Section 2901.30(D)].

In the event that the parent or legal custodian is reasonably certain the child is a runaway, the investigating deputy sheriff should – in most cases – make arrangements with the parent for the filing of an unruly child complaint through the Erie County Juvenile Court. In the event that the investigating deputy sheriff determines that such a charge would not be warranted, the reason(s) for a charge not being filed should be documented in the report.

Subsequent to the original report regarding the missing child, any additional information received by a dispatcher regarding the child's disappearance will be forwarded to a deputy sheriff for further investigation. The information received and the steps taken to investigate that information will be documented in a supplemental report. The deputy sheriff investigating this supplemental information will, if the information did not originate from the parent or legal guardian, communicate the information received to that individual and the outcome of the investigation that was done pursuant to the receipt of the supplemental information.

In the event that information is received regarding the missing child's location or destination, the law enforcement agency having jurisdiction at the particular location or locations will be notified to be on the lookout for the child and/or to take the child into custody.

When the child is located, the NCIC entry will be canceled immediately by the dispatcher receiving such information. A LEADS message advising the agencies in this and surrounding counties of the child's recovery will also be sent. A deputy sheriff will be assigned to investigate the circumstances surrounding the child's recovery by interviewing the parent(s) and/or child. The information regarding the child's recovery will be documented in a supplemental report.

In the event that a missing child is not located within thirty (30) days, it will be the responsibility of the Detective Bureau to make arrangements to obtain the child's dental records from the child's dentist. The dentist is responsible to encode the records in such form so that the records may be entered into the NCIC database. Once received from the dentist, the Detective Bureau will forward the records to the dispatcher on duty and that dispatcher will make arrangements to have the records entered into the NCIC database. The dental records will be stored in this agency's files for further reference, if needed. The entry of the dental records into the NCIC database will be documented in a supplemental report. [Ohio Revised Code Section 2901.30(F)].

In the event that this agency is contacted by another law enforcement agency with information that a missing child, whose disappearance is being investigated by that agency, is or may be within our jurisdiction, all assistance necessary will be extended to that law enforcement agency in an attempt to locate the missing child. Appropriate action based upon the circumstance, including relay of the missing child to another law enforcement agency, the child's parents, or incarceration in the Erie County Juvenile detention Center, will be taken if the child is located.

To assist in locating a missing child and/or an abducted child as defined in Policy 25.01, the following agencies and/or services may be utilized in addition to the procedures outlined above:

1. A Child is Missing (ACIM) program. Information regarding this program will be maintained in the dispatch office. Through this program, multiple telephone calls are made to telephone subscribers in the immediate area where the child disappeared. The Sheriff or Operations Officer is to be

- contacted for approval prior to implementation of this program. If neither the Sheriff nor the Operations Officer is available, the shift supervisor will make the determination.
2. National Center for Missing and Exploited Children, telephone 800-843-5678. This organization operates a 24 hour hot-line and may assist by providing nationwide dissemination regarding the missing child.
  3. Contact may be made with local print and electronic news media with a request to disseminate information to readers, listeners, or viewers concerning the missing child.
  4. Any other organization, group, or individual that may possibly assist in locating the missing child.

### **25.03 DOMESTIC VIOLENCE POLICY**

This policy is implemented to comply with the requirements of Ohio Revised Code Sections 2935.03 and 2935.032, et. al. By following this policy, employees will ensure that the legally mandated response occurs after this agency receives a report of an alleged incident of the offense of domestic violence or a report of an alleged incident of the offense of violating a protection order. This policy also exists to ensure compliance with and proper enforcement of all applicable Ohio Revised Code statutes; to intercede in situations that involve the infliction of physical harm; and to prevent the escalation of violence that—in so many situations involving domestic violence or protection order violations - eventually can lead to the commission of homicide. Ohio Revised Code statutes that are applicable, whole or in part, to a particular portion of this policy are noted in parentheses after the text of that particular portion.

Domestic violence and protection order violations have received widespread public attention as a serious social problem affecting persons in all economic, social, and ethnic groups. Many law enforcement agencies consider violence within the family or household to be the most frequent and under-reported violent crime in the United States. Law enforcement officers have found physical abuse perpetrated by family or household members to be a difficult and sometimes frustrating problem for the criminal justice system to effectively address. Some individuals throughout society become frustrated, indifferent, or hostile after encountering domestic violence or protection order violation victims who, even though repeatedly abused, do not agree to the filing of criminal charges and return to their batterer. Other individuals hold to faulty beliefs that domestic violence or protection order violation victims provoke an attack and masochistically enjoy being beaten.

Persons who engage in domestic violence and/or protection order violations do not lack self-control; rather, they engage in such conduct to dominate their family or household member(s). Research into domestic violence has identified a cycle involving three phases:

- A. During the tension-building phase, the victim attempts to keep the peace with his/her batterer but is subjected to an increasing number of verbal intimidation and threats.
- B. During the acute battering phase, the abuser physically assaults the victim.
- C. During the loving/respite phase, the abuser changes behavior and acts remorseful and loving.

Both the abuser and the victim may believe that the abuse will never recur. However, as the domestic violence cycle continues, this phase becomes shorter and may become non-existent.

This cycle can also be applicable to protection order violations as well.

Employees should be familiar with this cycle and may find the persons involved in a domestic violence incident to be in the midst of any of these phases.

Domestic violence often begins as a threat or shove but then escalates over time into repeated beatings or other forms of violence that can cause serious injury or death.

While giving due consideration to their personal safety, the Sheriff and any Deputy Sheriff, upon being assigned to or being made aware of a potential domestic dispute, domestic violence situation, or

allegation of a protection order violation shall respond without undue delay to the location where the situation is occurring; shall intervene in and end any physical conflict that may be occurring; shall arrest any person that the Sheriff or Deputy Sheriff has reason to believe has violated the law; shall summon medical aid for any victim of a criminal assault, if necessary; and shall refer if necessary any of the involved parties to appropriate agencies in an attempt to prevent any future similar acts. [Ohio Revised Code Sections 2935.032(A)(2)(a)].

***Domestic violence***—any act(s) committed by an offender during which the offender knowingly caused or attempted to cause physical harm to a family or household member; or during which the offender recklessly caused serious physical harm to a family or household member; or during which the offender by using threat of force, knowingly caused a family or household member to believe that the offender would cause imminent physical harm to that family or household member. [Ohio Revised Code Sections 2919.25(A) through (C)].

***Family or household member***—any of the following who are or have resided with the offender: spouse; person living as a spouse; former spouse; parent; foster parent; child; person related by consanguinity to the offender; person related by affinity to the offender; parent or child of a spouse; parent or child of a person living as a spouse; parent or child of a former spouse; person related by consanguinity or affinity to a spouse; person related by consanguinity or affinity to a person living as a spouse; person related by consanguinity or affinity to a person who is a former spouse; and the natural parent of any child of whom the offender is the other natural parent or who is the putative other natural parent. [Ohio Revised Code Section 2919.25(F)(1)].

***Person living as a spouse***—person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question. [Ohio Revised Code Section 2919.25(F)(2)].

***Putative***—commonly regarded as such; supposed.

***Consanguinity***—related by descent from a common ancestor; blood relationship.

***Affinity***—relationship by marriage or by ties other than those of blood.

***Temporary Protection Order (TPO)***—an order issued by a municipal court pursuant to Ohio Revised Code Section 2919.26 in this or any other county in the State of Ohio, or a consent agreement issued under the authority of that same statute, or a temporary protection issued in another state, that prohibits certain conduct by an alleged offender after the filing of a criminal complaint of domestic violence has been filed in that court against the alleged offender.

***Civil Protection Order (CPO)***—an order issued by the Common Pleas Court pursuant to Ohio Revised Code Section 3113.31 in this or any other county in the State of Ohio, or a consent agreement issued under the authority of that same statute, or a civil protection order issued in any other state, that prohibits certain conduct by an alleged offender after the filing of an affidavit stating that the alleged offender has committed certain acts of domestic violence. A CPO can be issued without the filing of any criminal charges against the alleged offender.

***Deputy***—for purposes of this policy includes any Deputy Sheriff and the Sheriff if he/she responds to any of the calls covered by this policy.



## DISPATCHING GUIDELINES AND PROCEDURES

Because a dispatcher is likely to be the first person to speak with an individual seeking assistance as the result of a domestic violence incident and/or a protection order violation complaint, the dispatcher is instrumental in ensuring this agency's effective response to these types of calls. Dispatchers will ensure that the below listed procedures are followed so that as much information as possible can be gathered to assist the responding law enforcement officers.

1. In most cases and due to the violent and unpredictable nature of domestic violence and/or protection order calls, at least two deputies should be dispatched to the call if that number is available to respond at the time of the call. If only one deputy is available to respond, the shift supervisor will be consulted about the possibility of obtaining mutual aid assistance from another law enforcement agency. Even if the caller indicates that the alleged offender has fled the scene, two deputies should be dispatched in the event the offender returns to the location of the alleged incident.

Due to their unique nature, in certain specific cases involving an alleged violation of a protection order, it may be necessary to dispatch only one deputy- particularly if the individual who has allegedly violated the protection order is no longer in the presence of the caller and the caller has no reason to believe that the individual will return to the location of the caller.

2. Along with obtaining standard information as listed elsewhere in this agency's policies and procedures, dispatchers should also strive to gather any additional information related to the domestic violence or protection order violation complaint, including:
  - a. Involvement of any deadly weapons in the assault or violation, presence of any deadly weapons at the location of the incident, possession of deadly weapons by any of the involved parties; and
  - b. Necessity for the dispatch of an ambulance due to any reported physical injuries; and
  - c. Presence of the alleged perpetrator at the scene. If the suspect is no longer at the scene, what means of transportation did the suspect use to leave the scene—on foot, in a vehicle?
  - d. If a vehicle was used, what is the vehicle description? If the suspect is on foot, what is his/her clothing description?
3. During volatile incidents in which the caller is reporting an act of domestic violence or protection order violation in progress, or in any other case in which it may be necessary to continue dialogue with the caller to report an ongoing situation to responding employees, the dispatcher will keep the caller on the line and will immediately relay all pertinent information to the responding deputies. If the caller wishes to leave the area to prevent further violence, have the responding deputies meet the caller at a secure area.
4. When possible, and if the names of the involved parties have been received from the caller, check warrant and protection order files in advance of the arrival of the responding deputies. Relay any information pertaining to active warrants or protection orders to the responding deputies as soon as possible.
5. If a report of a domestic violence or protection order violation incident is received and a subsequent call is received to cancel the response, a deputy is still mandated to respond to the call location to interview any involved parties and to ensure that a crime has not been committed, and the caller will be notified of this requirement by the dispatcher. Notify the responding employees that such a call has been received and that the caller has been advised that response will not be canceled.
6. When dispatching other law enforcement agency personnel to domestic violence or protection order violation calls within their respective jurisdictions, dispatchers will utilize the above basic guidelines and procedures.

## INITIAL APPROACH AND CONTACT--DEPUTY GUIDELINES AND PROCEDURES.

Due to the potentially volatile nature of domestic violence or protection order violation calls, deputies responding to these calls should use caution during their initial response and approach to the involved location and at all times while in contact with any of the involved parties. Deputies will follow the below guidelines and procedures:

1. When possible, deputies should simultaneously time their arrival if there will not be an unnecessary delay in response by the closer deputy.
2. If the call is of such a nature that the use of emergency equipment (lights/siren) is justified, the use of such equipment will be discontinued upon reaching the immediate vicinity of the call location and the speed of the cruiser will be appropriately adjusted.
3. Cruisers should be parked a short distance from the location of the call if at all possible and, after dark, all lights will be extinguished before exiting the cruiser if practical and if the vehicle's lights are not needed to warn other vehicles of the cruiser's presence. Remember that it is not uncommon for law enforcement officers responding to domestic violence calls, particularly in rural areas, to be subjected to ambush attempts as they arrive or are approaching the involved location.
4. If the location of the call is indoors, if applicable and prior to making contact with anyone inside the location of the call, deputies should take time to listen at a door for any type of disturbance or arguing that may give some insight into what is occurring inside and may provide indicator(s) of potential danger to the deputies. As with all other approaches to calls for service, stand to the side of the door when knocking, to avoid potential injury from any type of attack.
5. In the event that there is no answer at the door nor any other contact with any individual(s) inside the residence after plain and distinct announcement of the presence of deputies has been made, responding deputies will need to determine the possibility of making a warrantless entry into the home for the purpose of preventing any (further) harm to any victims that may be present inside. In making that decision, deputies will consider the following:
  - a. The emergent nature of the call based upon the information relayed to the dispatcher by the caller. If necessary, deputies can request that the dispatcher replay the call for them over a cell phone or other communications device so that the deputies have critical knowledge of the caller's information—i.e.: assault in progress, involvement of weapons, etc..
  - b. The emergent nature of any facts or circumstances that the responding deputies are able to independently corroborate through their own observations upon arrival at the residence—signs of an obvious disturbance heard or seen; signs that someone has already potentially been injured or that violence has already occurred (i.e.: fresh blood stains, broken windows or doors.
  - c. Hostile demeanor or signs of aggression by person(s) present at the residence who wish to deny the responding deputies the opportunity to speak with the caller or with any other person whom the deputies believe could be injured and is present within the building.
6. Upon gaining entry to the location of the reported domestic violence or protection order violation incident, deputies will immediately establish control of the entire situation and any involved parties by:
  - a. Ensuring that they are aware of all persons present within the area or residence of the reported incident; and
  - b. Determining that there are no unsecured deadly weapons in the possession of, or readily available to, the involved individuals; and
  - c. Separating the parties to ensure any victims are protected from further abuse - including the immediate physical restraint of an assailant, if necessary; and

- d. Immediately summoning necessary medical aid for injured parties requiring such aid.

## INVESTIGATION

Once the scene has been made safe for all parties, assigned deputies will begin the investigation process. The following procedures will be followed as much as possible, given the generally tumultuous and confusing environment that may be present during the on-scene investigation of a domestic violence or protection order violation incident. Deputies are not required to compromise their personal safety if compliance with these procedures would result in such compromise to occur.

1. As practicable, the involved parties—including any witnesses—will be separated and will be interviewed privately and separately concerning the incident. Take note of any potentially incriminating statements made by any of the parties.
2. When interviewing the parties, it is especially imperative to interview the alleged victim—if at all possible given the totality of the circumstances—out of sight and hearing of the alleged abuser. Many victims will be reluctant to be truthful about an alleged act of domestic violence committed against them, especially if the victim is aware that the alleged abuser is aware in real time of the victim's statement [Ohio Revised Code Section 2935.032(A)(2)(c)].

Victims shall be advised of the availability of a temporary protection order pursuant to Section 2919.26 of the Ohio Revised Code—if a domestic violence charge is going to be filed as a result of the incident—and the availability of a protection order or consent agreement pursuant to Section 3113.31 of the Ohio Revised Code, whether or not a criminal charge is filed [Ohio Revised Code Section 2935.032(C)(2)].

3. All persons interviewed should be questioned about the details of any previous domestic violence or protection order violation incidents—whether those incidents were reported to law enforcement officials or not; the total number of such calls and their dispositions, if known; and should also be questioned about the frequency and severity of any previous assaults or protection order violations. The victim should be encouraged to place all of this information in the form of a written statement [Ohio Revised Code Section 2935.032(A)(2)(c)].
4. If the alleged offender has been arrested prior to being interviewed, the Miranda warnings are required to be given to the alleged offender and those warnings must be waived prior to the commencement of any interview or interrogation.
5. Children who are victims of, or witnesses to, domestic violence or protection order violations should be interviewed in a manner appropriate for their age. In any incident in which a child is so involved, the Children's Services Division of the Erie County Department of Job and Family Services will always be notified.

A Children's Services caseworker may be utilized to conduct the initial interview of a child if required or appropriate. Children's Services representatives will be immediately provided with specific details of any observable or claimed injuries on a child's person when contacted by the deputy investigating the incident.

As with children, the elderly may also be victims of domestic violence or protection Order violations. In the event that an elderly individual is so victimized, the Adult Protective Services Division of the Erie County Department of Job and Family Services will always be notified. If there is any question about contacting Adult Protective Services due to the age or condition of the involved individual, contact the agency and they will determine the extent to which they can become involved.

Adult Protective Services representatives will be immediately provided with specific details of any observable or claimed injuries on an elderly individual's person when contacted by the deputy investigating the incident.

6. Critical to the success of any interview(s) conducted during the investigation of a domestic violence or protection order violation incident is the demeanor of the investigating deputy. While it is acknowledged that the investigation of such incidents can be frustrating and challenging due to the common-place lack of cooperation of alleged victims, deputies will engage in interview techniques during the investigation of domestic violence and protection order violation incidents that will encourage the disclosure of truthful and accurate information from all involved parties. Deputies will engage in active listening techniques by being attentive and empathetic to the person being interviewed and shall maintain a low-key and relaxed attitude while conducting such interviews to attempt to counter the intense emotions that are usually present during such incidents.
7. Any and all injuries observed on the persons of any individuals involved in a domestic violence or protection order violation incident—whether that person is the alleged victim or the alleged offender—will be photographed in detail. Make specific inquiries about any injuries that may be concealed by clothing. If applicable, have another deputy or other trustworthy individual of the same sex, photograph any injuries hidden by clothing. In addition, any property that was broken or damaged during an alleged domestic violence or protection order violation incident, or any items that were reportedly used as weapons against the alleged victim during the incident will also be photographed in detail. It is proper and may be necessary to meet with any person injured during a domestic violence incident at a later time if any bruising or other injuries sustained during the incident have become visible or more pronounced with the passage of time.
8. Any and all pertinent physical evidence, including any item reportedly used as a weapon to inflict physical harm on the alleged victim, will be collected and preserved. If a deputy, while investigating an alleged incident of domestic violence or protection order violation is made aware of circumstances indicating that the incident involved the use of, or threatened use of, a deadly weapon—or if any person involved in the incident brandished a deadly weapon during or in relation to the incident—the deadly weapon that was used, threatened to be used, or brandished constitutes contraband and to the extent possible the deputy shall seize the deadly weapon as contraband pursuant to Chapter 2981 of the Ohio Revised Code. [Ohio Revised Code Section 2935.03(B)(3)(h)].
9. The deputy investigating a reported domestic violence or protection order violation incident is required to provide the victim with the following information before ending contact with the victim during the initial interview:
  - a. The deputy's name and business address; and
  - b. The deputy's badge number—our personnel will utilize their assigned unit number beginning with the numerals 22; and
  - c. The report number for that particular incident; and
  - d. The telephone number—and the deputy's voice mail extension number, if applicable—that the victim can call to re-contact the investigating deputy if further information regarding the case is needed; and
  - e. The telephone number of a domestic violence shelter in the area. All such victims shall be referred to the Safe Harbour Domestic Violence Shelter; telephone 419-626-2200; and
  - f. The telephone number of a local victim advocate program. All such victims shall be referred to the Victims Assistance Program at the Erie County Prosecutor's Office; telephone 419-627-7699; and
  - g. An agency supplied Ohio Crime Victims booklet.

[Ohio Revised Code Section 2935.032(A)(2)(d); Ohio Revised Code Section 935.032(C)(3); Ohio Revised Code Section 2930.04(C)].

## ARREST IS PREFERRED COURSE OF ACTION; DETERMINATION OF PRIMARY AGGRESSOR; PROCEDURAL GUIDELINES

It is the policy of this agency that it is a preferred course of action that an individual be arrested if a deputy has reasonable grounds to believe that an offense of domestic violence or violating a protection order has been committed and also has reasonable cause to believe that individual is guilty of committing the offense. [Ohio Revised Code Section 2935.03(B)(3)(b); Ohio Revised Code Section 2935.032(B)(1)(a); Ohio Revised Code Section 2935.032(B)(2)].

To determine if an arrest should be made pursuant to the above policy, deputies will comply with the following guidelines:

1. When there is reasonable grounds to believe that the offense of domestic violence as defined in Ohio Revised Code Section 2919.25, or the offense of violating a protection order as defined in Ohio Revised Code Section 2919.27 has been committed within Erie County, a deputy may arrest and detain, until a warrant can be obtained, any person who the deputy has reasonable cause to believe is guilty of the violation. [Ohio Revised Code Section 2935.03(B)(1); Ohio Revised Code Section 2935.032(A)(2)(d)].
2. For purposes of Ohio Revised Code Section 2935.03(B)(1), a deputy has reasonable grounds to believe that the offenses of domestic violence or protection order violation have been committed and reasonable cause to believe that an individual is guilty of committing the offense if any of the following occurs:
  - a. A person executes a written statement alleging that the person in question has committed the offense of domestic violence or protection order violation against the person who executes the statement or against a child of the person who executes the statement [Ohio Revised Code Section 2935.03(B)(3)(a)(i); Ohio Revised Code Section 2935.032(A)(2)(c)]; or
  - b. No written statement of the type described above is executed, but the deputy, based upon the deputy's own knowledge and observation of the facts and circumstances of the alleged incident of the offense of domestic violence, or based upon any other information, including, but not limited to, any reasonably trustworthy information given to the deputy by the alleged victim of the alleged incident of the offense or any witness of the alleged incident of the offense, concludes that there are reasonable grounds to believe that the offense of domestic violence has been committed and reasonable cause to believe that the person in question is guilty of committing the offense [Ohio Revised Code Section 2935.03(B)(3)(a)(ii)]; or
  - c. No written statement of the type described in Paragraph "a" is executed, but the deputy witnessed the person in question commit the offense of domestic violence [Ohio Revised Code Section 2935.03(B)(3)(a)(iii)].
3. If, pursuant to the above, a deputy has reasonable grounds to believe that the offense of domestic violence has been committed and reasonable cause to believe that family or household members have committed the offense against each other, it is the policy of this agency that it is the preferred course of action that the investigating deputy arrest the family or household member who committed the offense and whom the deputy has reasonable cause to believe is the primary physical aggressor. In determining for purposes of the preferred course of action section of this policy, and to comply with Ohio Revised Code Section 2935.03(B)(3)(b), the deputy should—in addition to any other relevant circumstances—consider all of the following:
  - a. Any history of domestic violence of any other violent acts by either person involved in the alleged offense that the deputy can reasonably ascertain [Ohio Revised Code Section 2935.03(B)(3)(d)(i)]; and
  - b. If violence is alleged, whether the alleged violence was caused by a person acting in self-defense [Ohio Revised Code Section 2935.03(B)(3)(d)(ii)]; and

- c. Each person's fear of physical harm, if any, resulting from the other person's threatened use of force against any person or resulting from the other person's use or history of the use of force against any person, and the reasonableness of that fear [Ohio Revised Code Section 2935.03(B)(3)(d)(iii)]; and
- d. The comparative severity of any injuries suffered by the persons involved in the alleged offense [Ohio Revised Code Section 2935.03(B)(3)(d)(iv)].

In the event that a deputy cannot reasonably identify the primary aggressor but all other elements listed above are present, a deputy is not relieved from the duty of making an arrest pursuant to the other portions of this policy, and it may be necessary to arrest all parties who the deputy has reasonable cause to believe committed an act of domestic violence.

- 4. A deputy shall not require, as a prerequisite to arresting or charging a person who has committed the offense of domestic violence or violating a protection order, that the victim of the offense specifically consent to the filing of charges against the person who has committed the offense or sign a complaint against the person who has committed the offense. In such cases, the deputy will make the arrest and file the appropriate domestic violence charge. [Ohio Revised Code Section 2935.03(B)(3)(e)(i)].
- 5. If a person is arrested for or charged with committing the offense of domestic violence and if the victim of the offense does not wish to cooperate with the investigating deputy in the prosecution of the offense or, subsequent to the arrest or filing of the charges, informs the deputy, any other member of this agency, that the victim does not wish the prosecution of the offense to continue, or wishes to drop charges against the alleged offender relative to the offense, that individual will be referred to the appropriate prosecutor. The deputy making the arrest is required under this policy to follow through with the arrest and with the filing of the appropriate charge(s) and will not be influenced by the victim's wishes. [Ohio Revised Code Section 2935.03(B)(3)(e)(ii)].
- 6. In determining whether to arrest a person for domestic violence or for violating a protection order based upon this policy, a deputy shall not consider as a factor any possible shortage of cell space at the Erie County Jail or the Erie County Juvenile Justice Center, nor will the deputy consider as a factor any possibility that the person's arrest might cause, contribute to, or exacerbate any overcrowding that may then or in the future exist at the Erie County Jail or at the Erie County Juvenile Justice Center. [Ohio Revised Code Section 2935.03(B)(3)(f)].
- 7. If a deputy determines, based upon this policy, to arrest a person for domestic violence or for violating a protection order and if the deputy is unable to make that arrest because that person is not present and/or has fled, that deputy shall promptly file a criminal complaint with the appropriate court and seek the issuance of a warrant for the arrest of the individual. [Ohio Revised Code Section 2935.03(B)(3)(g)].
- 8. If the deputy determines while investigating a domestic violence incident that there are reasonable grounds to believe that the offender knowingly caused serious physical harm to another or to another's unborn or knowingly caused or attempted to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance then, regardless of whether the victim of the offense was a family or household member of the offender, the deputy shall treat the incident as felonious assault, shall consider the offense that was committed to have been felonious assault in determining the manner in which the offender should be treated, and shall comply with whichever of the following is applicable:
  - a. Unless the deputy has reasonable cause to believe that, during the incident, the offender who committed the felonious assault and one or more persons committed offenses against each other, the deputy shall arrest the offender who committed the felonious assault pursuant to Ohio Revised Code Section 2935.03, and shall detain that offender until a warrant can be obtained, and the arrest shall be for felonious assault [Ohio Revised Code Section 2935.032(A)(1)(a)(i)]; or

- b. If the deputy has reasonable cause to believe that, during the incident, the offender who committed the felonious assault and one or more other persons committed offenses against each other, the deputy shall determine in accordance with Ohio Revised Code Section 2935.03(B)(3)(d) as listed in Paragraph 3 above which of those persons is the primary physical aggressor. If the offender who committed the felonious assault is the primary physical aggressor, the deputy shall arrest that offender pursuant to Ohio Revised Code Section 2935.03 and shall detain that offender pursuant to that section until a warrant can be obtained, and the deputy is not required to arrest, but may arrest, pursuant to Ohio Revised Code Section 2935.03 any other person who committed an offense but who is not the primary physical aggressor. If the offender who committed the felonious assault is not the primary physical aggressor, the deputy is not required to arrest that offender or any other person who committed an offense during the incident but may arrest any of them pursuant to Ohio Revised Code Section 2935.03 and detain them pursuant to that section until a warrant can be obtained. [Ohio Revised Code Section 2935.032(A)(1)(a)(ii)].
- 9. If the deputy determines while investigating a domestic violence incident that there are reasonable grounds to believe that a person, while under the influence of sudden passion or in a sudden fit of rage, either of which is brought on by serious provocation occasioned by the victim that was reasonably sufficient to incite the person into using deadly force, knowingly caused serious physical harm to another or to another's unborn or knowingly caused or attempted to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance, then, regardless of whether the victim of the offense was a family or household member of the offender, the deputy shall treat the incident as aggravated assault, shall consider the offender to have committed and the victim to have been the victim of aggravated assault, shall consider the offense that was committed to have been aggravated assault in determining the manner in which the offender should be treated, and shall comply with whichever of the following is applicable:
  - a. Unless the deputy has reasonable cause to believe that, during the incident, the offender who committed the aggravated assault and one or more persons committed offenses against each other, the deputy shall arrest the offender who committed the aggravated assault pursuant to Ohio Revised Code Section 2935.03, and shall detain that offender until a warrant can be obtained, and the arrest shall be for aggravated assault [Ohio Revised Code Section 2935.032(A)(1)(b)(i)]; or
  - b. If the deputy has reasonable cause to believe that, during the incident, the offender who committed the aggravated assault and one or more other persons committed offenses against each other, the deputy shall determine in accordance with Ohio Revised Code Section 2935.03(B)(3)(d) as listed in Paragraph 3 above which of those persons is the primary physical aggressor. If the offender who committed that offender pursuant to Ohio Revised Code Section 2935.03 and shall detain that offender pursuant to that section until a warrant can be obtained, and the deputy is not required to arrest, but may arrest, pursuant to Ohio Revised Code Section 2935.03 any other person who committed an offense but who is not the primary physical aggressor. If the offender who committed the aggravated assault is not the primary physical aggressor, the deputy is not required to arrest that offender or any other person who committed an offense during the incident but may arrest any of them pursuant to Ohio Revised Code Section 2935.03 and detain them pursuant to that section until a warrant can be obtained. [Ohio Revised Code Section 2935.032(A)(1)(b)(ii)].

## REPORTING REQUIREMENTS

Any deputy who investigates a report of an alleged incident of the offense of domestic violence or an alleged incident of the offense of violating a protection order shall submit a written agency report of the

incident whether or not an arrest is made. The report shall document the deputy's observations of the victim and the alleged offender; any injuries (visible or claimed) of the victim or alleged offender; any weapons involved or at the scene and their dispositions; the actions of the alleged offender; any statements made by the victim or witnesses; details that led to the determination of a primary aggressor (if applicable); and any other applicable facts or circumstances including confirmation that the incident was reported to the Safe Harbour Domestic Violence Shelter by the deputy, and, if applicable, that the Children's Services or the Adult Protective Services Division(s) of the Erie County Department of Job and Family Services were contacted. If the deputy does not arrest and detain until a warrant can be obtained a person who allegedly committed the offense of domestic violence or the offense of violating a protection order when it is the preferred course of action in this state pursuant to Ohio Revised Code Section 2935.03(B)(3)(b) that the alleged offender be arrested, the deputy must articulate in the report a clear statement of the deputy's reasons for not arresting and detaining that alleged offender until a warrant could be obtained. [Ohio Revised Code Section 2935.03(B)(3)(c); Ohio Revised Code Section 2935.032(D)].

The investigating deputy is also required to document in the required report any applicable facts or circumstances if the alleged offender has been granted pre-trial release from custody on a prior charge of the offense of domestic violence or the offense of violating a protection order and has violated one or more conditions of that pretrial release. [Ohio Revised Code Section 2935.032(A)(2)(b)].

Investigating deputies are required to contact the Safe Harbour Domestic Violence Shelter immediately upon the completion of the initial investigation of any incident involving a report of domestic violence or violation of a protection order. That agency may be able to provide valuable and timely assistance to victims in such cases, provided that contact is made in a timely fashion.

#### EXCEPTIONS; PROHIBITIONS

Some examples of reasons that a deputy may consider for not arresting and detaining until a warrant can be obtained a person who allegedly committed the offense of domestic violence or the offense of violating a protection order, when it is the preferred course of action in this state that the deputy arrest the alleged offender, as described in Ohio Revised Code Section 2935.03(B)(3)(b), include, but are not limited to:

1. Lack of reasonable grounds exists to believe that an act of domestic violence or violating a protection order occurred (i.e.: during an act of discipline, a parent his/her child); or
2. The offender has a severe mental disability that precludes him/her from being able to form culpability to know that his/her action was considered a crime; or
3. The offender's young age precludes him/her from being criminally charged due to lack of culpability. [Ohio Revised Code Section 2935.032(A)(4)].

Any employee of this agency who fails to comply with any provision of this policy is subject to progressive disciplinary sanctions as outlined elsewhere in the agency's Policies and Procedures Manual and/or that employee's Collective Bargaining Agreement, if applicable. Any employee is encouraged to direct any questions about this policy and its requirements to his/her immediate supervisor. [Ohio Revised Code Section 2935.032(A)(4)].

#### ACKNOWLEDGEMENT

That portion of Ohio Revised Code Section 2935.032(E) applicable to this agency requires that this policy be adopted in conjunction and consultation with "shelters in the community for victims of domestic violence." The signature below acknowledges that this policy has been reviewed and approved by Linda Mitchell, the Executive Director of the Safe Harbour Domestic Violence Shelter, Inc., Sandusky, Erie County, Ohio.



## 25.04 DESERTED CHILDREN

[In compliance with Ohio Revised Code (ORC) Sections 2125.3515 through 2151.3530, et. al.]

State statutes provide for peace officers employed by a law enforcement agency to take custody of a child seventy-two (72) hours old or younger if the child's parent presents the child to the peace officer and indicates his or her intent to abandon the child. To comply with those statutes, this standard operating guideline is adopted.

For purposes of this standard operating guideline, the following definitions are applicable:

**Deserted child** – a child whose parent has voluntarily delivered the child to a police officer without expressing an intent to return for the child [ORC Section 2151.3515(A)].

**Law Enforcement Agency** – an organization or entity made up of peace officers. [ORC Section 2151.3515(F)].

**Peace Officer** – a sheriff, deputy sheriff, constable, police officer of a township or joint township police district, marshal, deputy marshal, municipal police officer, or a state highway patrol trooper. [ORC Section 2151.3515(I)].

Form(s) designed to gather pertinent medical information concerning a deserted child and the child's parents – a form or forms promulgated by the director of the Ohio Department of Job and Family Services (ODJFS) to aid in the collection of medical information and/or the facilitation of medical care for the deserted child. [ORC Section 2151.3529(A)]. (Copy attached and labeled "Attachment A").

Written materials to be given to the parents of a deserted child – written material promulgated by the director of the ODJFS describing services available to assist parents and newborns and containing information directly relevant to situations causing the desertion of children and information for procedures to follow for parents to reunite with their children. [ORC Section 2151.3529(B)]. (Copy attached and labeled "Attachment B").

### STATUTORY AUTHORITY

ORC Section 2151.3516(A) prescribes that "...a peace officer, acting on behalf of the law enforcement agency that employs the officer...**shall** take possession of a child who is seventy-two (72) hours old or younger if that child's **parent** has voluntarily delivered the child to that person without the parent expressing an intent to return for the child..."(emphasis added).

Pursuant to that statute, the sheriff or a deputy sheriff employed by this agency and presented with a child who appears to be less than seventy-two (72) hours by a person who claims to be the child's parent shall take custody of that child.

### PROCEDURE

Upon taking custody of a child pursuant to ORC Section 2151.3516, the sheriff or deputy sheriff, on behalf of this agency, shall do the following:

1. Immediately perform any act necessary to protect the child's health or safety; [ORC Section 2151.3517(A)(1)].
2. If the child **does not** appear to have suffered any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child, make available – if possible – to the parent who delivered the child the forms as described in the definitions section above; [ORC Section 2151.3517(A)(3)]. The parent is **not** required to complete these forms.
3. As soon as possible, notify the Children's Services Division of the Erie County Department of Job

- and Family Services, of the fact that the child has been deserted, the location of the child, and any additional information that the agency may need at that time. [ORC Section 2151.3517(A)(2)].
4. Upon receipt of this agency's notice of the deserted child, the Children's Services Division of the County Department of Job and Family Services will consider the child to be in need of public care and protective services and will accept and take emergency temporary custody of the child [ORC Section 2151.3518(A) and (B)].
  5. Upon the arrival of a representative from the Children's Services Division of the Erie County Department of Job and Family Services to the site where the child is located, the sheriff or deputy sheriff taking custody of the deserted child on behalf of this agency shall immediately relinquish custody of the child to that representative. All pertinent information known regarding the child's desertion will also be provided to that representative.

## PROHIBITIONS

ORC Section 2151.3527(A)(1) through (A)(5) prohibits the following actions by the Sheriff or a deputy sheriff acting on behalf of this agency while taking custody of a deserted child:

1. Coercing or otherwise trying to force the parent into revealing the identity of the child's parents;
2. Pursuing or following the parent after the parent leaves the place at which the child was delivered;
3. Coercing or otherwise trying to force the parent not to desert the child;
4. Coercing or otherwise trying to force the parent to complete all or part of the medical information forms received pursuant to ORC Section 2151.3517(A)(3).
5. Coercing or otherwise trying to force the parent to accept the materials made available pursuant to ORC Section 2151.3517(A)(4).

The Sheriff or deputy sheriff will not engage in any of these prohibited acts while acting on behalf of this agency when taking into custody a deserted child.

## EXCEPTIONS

ORC Section 2151.3524(A) prescribes that a parent who voluntarily surrenders a deserted child "...has the absolute right to remain anonymous...". In addition, this section further prescribes that, "A parent who voluntarily delivers a child may leave the place at which the parent delivers the child at any time after the delivery of the child." The Sheriff or a deputy sheriff acting on behalf of this agency, in accepting custody of a deserted child pursuant to this standard operating guideline, when there is no indication that the child has suffered any physical or mental wound, injury, disability, or other condition that could indicate abuse or neglect, shall comply with this statute.

**However**, ORC Section 2151.3524(B) prescribes that "...a parent who delivers or attempts to deliver a child who has suffered any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child **does not** have the right to remain anonymous and may be subject to arrest pursuant to Chapter 2935 of the Revised Code...".

Therefore, if a parent presents a child for desertion that appears to have been abused or neglected, the parent **shall be** detained for investigative purposes and/or arrested, and the majority of the information contained in this policy does not apply.

Also, it must be emphasized that this policy only applies to an individual who identifies himself or herself as a parent of the child in question. Other individuals who present a child for desertion are not subject to the same anonymity protections, and are subject to investigation.

## INTERNAL REPORTING REQUIREMENT

The Sheriff or a deputy sheriff, acting on behalf of this agency, and taking into custody a deserted child, is required to complete a detailed, written incident report on the matter as soon as practicable after the child's custody is released to the Children's Services Division of the Erie County Department of Job and Family Services.

ECSO Policy 25.04 Attachment A (click link below)

<http://www.odjfs.state.oh.us/forms/file.asp?id=516&type=application/pdf>

ECSO Policy 25.04 Attachment B (click link below)

<http://www.odjfs.state.oh.us/forms/file.asp?id=1736&type=application/pdf>

## 25.05 MISSING PERSONS

The Erie County Sheriff's Office considers the report of a missing person to be an investigative priority. As with reports of missing children, as many agency resources as practicable will be utilized to determine the facts and circumstances of the individual's disappearance in an attempt to provide for the safe return of the missing person. This policy is also promulgated to comply with Ohio Revised Code (ORC) Sections 2901.41 and 2901.42. All peace officers employed by the Erie County Sheriff's Office – to include the Sheriff and Deputy Sheriffs – shall make a good faith effort to follow the procedures contained in this policy if the peace officer is informed that a person is or may be a missing person [ORC Sections 2901.14(B) and 2901.41(C)].

For purposes of this standard operating guideline, the following definitions are applicable:

**Missing person** – an individual who is eighteen (18) years of age or older, whose temporary or permanent residence is in Ohio, and who meets one of the following characteristics.

1. the individual has a physical or mental disability; or
2. the individual is missing under circumstances indicating that the individual's safety may be in danger; or
3. the individual is missing under circumstances indicating that
4. the individual's disappearance was not voluntary. [ORC Sections 2901.14(A)(1), (2) and (3)].

**Foul Play** – includes – but is not limited to – evidence that the missing person home or car is in disarray, evidence of a struggle between the missing person and another person, or other evidence developed by members of this agency while complying with this policy. [ORC Section 2901.42(D)].

**Jurisdiction** – includes all political subdivisions within Erie County not provided law enforcement services by a local law enforcement agency; and those political subdivisions that provide services through a local law enforcement agency, but that agency has no peace officers on duty or has no peace officers available to respond to investigate the report of a missing person.

**Employee** – includes any member of this agency; particularly the Sheriff, a deputy sheriff, and/or a communications officer.

## PROCEDURES

Complaints from our jurisdiction regarding missing persons as defined in this policy will be taken from a parent, family member, or any other individual that the employee deems credible. In the event that an individual wishes to file such a report, the investigating Sheriff or deputy sheriff will consider the following:

1. Is the situation a missing person case or could it be another type of situation? Some factors for the to consider when attempting to reach this investigative conclusion include, but are not limited to, the missing person's age, the missing person's mental, physical, and emotional well-being as relayed by the complainant, and the missing person's known social environment.
2. Is foul play or some other type of criminal activity suspected?

3. Is the missing person at risk?
4. Is a detailed description and photograph of the missing person available?
5. What steps can the employee conducting the investigation take, at the time of the receipt of the report of the missing person, to attempt to locate the missing person?
6. What assistance from outside agencies – if any – may be needed?
7. Has all necessary paperwork been completed and – if applicable – has a DNA standard of the missing person been obtained?

Once the employee has determined any applicable information as listed above, the investigating employee will document all known information – and investigative steps taken – utilizing the standard agency report.

Based upon the age of the missing person, the following steps will also be taken by the investigating employee:

1. If the missing person is at least eighteen(18) but less than twenty-one (21) years of age, the information contained in the initial missing persons report will be immediately entered into the National Crime Information Center (NCIC) database immediately. If additional information is received regarding the report on the person, that information must also be immediately entered into the NCIC database. [ORC Section 2901.42(A)].
2. If the missing person is twenty-one (21) years of age or older and if foul play is suspected, any information available will be immediately entered into the NCIC database. If no foul play is suspected and the person has not returned, the information contained in the report will be entered into NCIC within four (4) hours. If no foul play was indicated initially but subsequent investigation indicates evidence of foul play within a seven (7) day period after the original report was taken, the missing person's information will be entered into NCIC within four (4) hours of receipt of the supplemental information indicating foul play. If no foul play was indicated initially but subsequent investigation indicates evidence of foul play after seven (7) days have passed since the initial report was taken, the missing person's information will be entered into NCIC within four (4) hours of receipt of the supplemental information indicating foul play.[ORC Section 2901.42(B)].

Any information entered into NCIC or into the statewide Law Enforcement Automated Data System (LEADS) will be promptly removed once the missing person is located [ORC Section 2901.42©].

In the event that the missing person is sixty-five (65) years of age or older, or has a mental impairment, and the disappearance of the missing person poses a credible threat of immediate danger or serious bodily harm or death to the missing person, activation of the Ohio Missing Adult Alert Program – similar to the AMBER alert program for children – will be considered. This activation is started by entering the missing person's information into the NCIC. Assistance will then be received from the Ohio Attorney General's Office.

This policy has been developed partially through the use of "Best Practices Protocol for Law Enforcement in Missing persons Cases," published by the Ohio Peace Officer Training Commission pursuant to Ohio House Bill 571, effective April 5, 2007 and amended on June 20, 2008. While employees are required to utilize this agency's standard report format when documenting any investigative steps taken in conjunction with the receipt of a report of a missing person, attached is a "Uniform Missing Person Report Form" which may be utilized by employees to ensure that all pertinent information is gathered during such an investigation.

Clink below to view “Best Practices Protocol for Law Enforcement in Missing Persons Cases” along with the Uniform Missing Person Report Form.

<http://www.ohioattorneygeneral.gov/getattachment/d8432bdb-4c7e-4d94-b8da-6db976699ca2/Best-Practices-Protocol-for-Law-Enforcement-in-Mis.aspx>

## **25.06 PROJECT LIFESAVER**

The Erie County Sheriff’s Office, through a partnership with Lions Clubs throughout Erie County, participates in Project Lifesaver. Project Lifesaver is a program that allows for the issuance of radio transmitters to participating clients afflicted with various cognitive disorders (Alzheimer’s Disease, Dementia, and/or Autism) that have caused or are likely to cause—pursuant to a documented medical diagnosis—those clients to wander from their loved ones and/or caregivers without conscious knowledge of any associated dangers. If a Project Lifesaver client is reported missing, suitably trained individuals (including Erie County Sheriff’s Office personnel) who are equipped with Project Lifesaver radio receivers can track the signal being emitted by the transmitter worn by the client, potentially greatly reducing the time needed to locate that wandering client.

The purpose of this policy is to define specific agency guidelines regarding Project Lifesaver.

1. This agency participates in Project Lifesaver.
2. All finances for Project Lifesaver are managed by collaborating Erie County Lions Clubs through their Project Lifesaver program.
3. Support for and participation in Project Lifesaver is received from Lions Clubs members throughout Erie County.
4. Certain employees of this agency will be designated as voluntary Project lifesaver Coordinators (PLCs).

The primary responsibilities of a PLC are as follows:

- a. To service and maintain any Project Lifesaver equipment in this agency’s possession so as to ensure the equipment’s serviceability if and when needed; and;
  - b. To coordinate with Lions Club member(s) the screening of any potential Project Lifesaver clients to ensure that the potential client’s medically diagnosed conditions meet the criteria listed above; and;
  - c. To meet with and to equip Project Lifesaver clients with appropriate transmitting equipment, and to educate the client’s caregiver in the proper routine maintenance of that equipment; and;
  - d. To ensure that batteries in the client’s transmitter are changed as necessary to ensure the serviceability of the device; and;
  - e. To coordinate proper Project Lifesaver assistance to any agency requesting that assistance; and;
  - f. To ensure that updated records regarding any Project Lifesaver client are available to other agency personnel, particularly Communications Officers.
5. In the event that a Project Lifesaver client is reported missing, the Communications Officer receiving that report will immediately dispatch the local law enforcement agency. Communications Officers on duty will ensure that this agency’s PLCs are notified as soon as possible in the event that the Project Lifesaver tracking equipment is needed in the search.
  6. Officers from other local law enforcement agencies in Erie County have been, or may be, trained in the use of Project Lifesaver tracking equipment that is stored at the Sheriff’s Office. PLCs will ensure that Communications Officers are aware of the storage location for that equipment, in the event that it needs to be made available to an officer from another agency on short notice.
  7. It is imperative that the notifications listed above are made as soon as possible after a Project Lifesaver client is reported missing. Also, this policy does not supersede the requirements listed

in Policies 25.02—Missing Children and 25.05—Missing Persons. Rather, this policy sets forth the additional responsibilities to be followed by agency employees for those individuals who are Project Lifesaver clients.

## **26.01 INTERVENTION IN CIVIL MATTERS**

The Erie County Sheriff's Office is routinely contacted by individuals requesting agency intervention in disputes concerning child custody, child visitation, property disputes, and other issues that - while vitally important to the parties involved - generally require non-criminal (civil) court intervention to resolve. This policy has been developed to provide direction to agency employees requested to assist an individual involved in such a dispute. Employees who act outside the scope of this policy could subject the agency and individual employee(s) to unnecessary liability.

1. The Erie County Sheriff's Office will intervene in civil matters only as ordered in writing by a court of competent jurisdiction. Court orders will only be enforced by sworn personnel of this agency. Absent any such order, parties requesting intervention in such matters should be referred to their legal counsel to petition the proper court in an attempt to obtain such an order.
2. The Sheriff or any deputy sheriff will specifically follow any written court order. Care will be taken to ensure that the court's order is followed as specifically as possible. To be acted upon by an employee, such orders must be applicable directly to this agency.
3. Issues involving child custody matters will be handled with extreme caution. Absent any known court order or potential criminal conduct, the Sheriff or any deputy sheriff will be guided by Ohio Revised Code Section 3109.042, which reads, "An unmarried female who gives birth to a child is the sole residential parent and legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent and legal custodian. A court designating the residential parent and legal custodian of a child described in this section shall treat the mother and father as standing upon equality when making the designation".
4. If a sworn member of this agency - at any time - has a concern regarding any action to be taken pursuant to a court order, the concern(s) will be discussed with the employee's supervisor through the chain of command. If question(s) still exist, the matter will be referred to this agency's legal counsel - the county prosecutor's office - for clarification.
5. The service of civil protection orders, temporary protection orders, and/or civil anti-stalking orders will be given the highest priority by all agency employees - including initial processing and attempts for service.
6. This policy supersedes any and all policies previously issued under the same policy number.

Reference: Ohio Revised Code Section 3109.042

## **27.01 COURT APPEARANCE AND COMPENSATION**

- A. Overtime compensation for Court appearances in a Court of Records, Prosecutor's Pre-Trial Conference where the appearance is required and not the report, or any court-related appearance arising out of employee's official duties will be paid to employees where attendance is required by subpoena or other official Court documentation and when said appearance is not during regular duty hours. Overtime compensation will be paid in accordance with bargaining unit agreements.
- B. When a subpoena or other official Court documentation is received by our agency, the subpoena or official Court documentation will be placed in the employee's mail slot providing notification that attendance is required. It will be the responsibility of the employee to make contact with the Court to verify that the presence of the employee is still requested for the scheduled appearance the day before the appearance. If said contact results in a long distance call by the employee, the employee shall contact the payroll clerk or administrative captain via toll free lines to make the long distance call for the employee. The payroll clerk or administrative captain will contact the Court for the employee and make a return

phone call to the employee notifying him or her of the appearance status. It is understood that call in pay will not be paid for these phone calls. All cancellations received by our agency will be communicated to employees.

- C. When a subpoena or other official Court document is received with less than 24 hours' notice for the appearance or when the employee is on scheduled time off, the payroll clerk will attempt to contact the employee to notify him or her of the order to appear. If contact cannot be made with the employee, the payroll clerk or administrative captain will advise the Court.
- D. Compensation will only be paid for attendance that is required. Cases where files may be left with the Prosecutor or Judge of the Court will not be considered mandatory attendance situations.
- E. Deputies shall signal in and out to communications when attending Court appearances. All employees shall mark their Court appearance times on their respective time cards along with the defendants name and have the time card entry initialed by a supervisor.
- F. It is the intent of this revised policy, effective January 25, 2004, to increase ease of administration and lessen the burden on the employee to obtain court signatures to prove appearance. Quality control will be maintained. Common Sense should prevail.

## **28.01 PUBLIC APPEARANCES - SPEECHES**

An employee shall not address a public gathering, appear on radio or television, prepare any article for publication, act as a correspondent to a newspaper or a periodical, release or divulge investigative information or any other matters of departmental information while holding him/herself out as having an official capacity in such matters without official sanction or proper authorization. An employee may lecture on police or other Erie County Sheriff's Office related subjects only with the approval of the Sheriff.

## **29.01 PUBLIC RECORDS POLICY**

It is the policy of the Erie County Sheriff's Office that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Erie County Sheriff's Office to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

### **I. Public Records**

- A. This office, in accordance with Ohio Revised Code, defines records as including the following:  
Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organizations, functions, policies, decisions, procedures, operations, or other activities of the office. All records of the Erie county Sheriff's Office are public unless they are specifically exempt from disclosure under the Ohio Revised Code.
  - 1. It is the policy of the Erie County Sheriff's Office that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4, for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

### **II. Records Requests**

- A. Each request for public records should be evaluated for a response using the following guidelines:
  - 1. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requester in revising the request by informing the requestor of the manner in which the office keeps its records.

2. The requestor does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not to be requested.
3. Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.
4. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows. If more copies are requested, an appointment should be made with the requester on when the copies or computer files can be picked up. All requests for public records must either be satisfied or acknowledged in writing by the Erie County Sheriff's Office within three business days following the office's receipt of the request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgment must include the following:
  - a. An estimated number of business days it will take to satisfy the request.
  - b. An estimated cost if copies are requested.
  - c. Any times within the request that may be exempt from disclosure.
5. Any denial of public records requested must include an explanation including legal authority. If portions of a record are public and portions are exempt, the exempted portions are to be redacted and the rest released. If there are redactions, each redaction must be redacted and the rest released. If there are redactions, each accompanied by a supporting explanation, including legal authority.

### III. Costs for Public Records

- A. Those seeking public records will not be charged.

### IV. Failure to respond to a public records request.

- A. The Erie County Sheriff's Office recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the Erie County Sheriff's Office failure to comply with a request may result in a court ordering the Erie County Sheriff's Office to comply with the law and to pay the requester attorney's fees and damages.



## SCHEDULE OF RECORDS RETENTION AND DISPOSITION

Schedule Number	Record Title and Description	Retention Period	Media Type
15-1	Accident Reports	3 years	Paper/Electronic
15-2	Annual Budgets and Budget Working Papers	4 year	Paper/Electronic
15-3	Annual reports	*Permanent	Paper/Electronic
15-4	Bank Statements, Bank Receipts, Copies of Cancelled Checks and Check Register	4 years after fiscal year	Paper/Electronic
15-5	Body Cameras	6 months if no action pending	Electronic
15-6	Concealed Handgun License Applications	7 years	Paper/Electronic
15-7	Claims & Litigation Records	5 years after case closed and appeals exhausted	Paper/Electronic
15-8	Complaint Reports (Supplements)	5 years after end of fiscal year	Paper/Electronic
15-9	Daily Assignment Roster	3 years	Paper/Electronic
15-10	Delivery/Packing Slips	2 years	Paper/Electronic
15-11	Federal/State/Local Grant Files, Supporting Financial Records and Documents	Length of time required by granting agency: 3 years minimum, or as grant requires	Paper/Electronic
15-12	Foreign Executions Docket	*Permanent	Paper/Electronic
15-13	Furtherance of Justice Account Records/Cancelled Checks	*Permanent	Paper/Electronic
15-14	In-Car Video Cameras	30 days unless Investigation pending	Electronic
15-15	Inventory	3 fiscal years	Paper/Electronic
15-16	Invoices (Paid) and Purchase Orders	2 years	Paper/Electronic
15-17	Job Descriptions	Until superseded or classification abolished	Paper/Electronic
15-18	Law Enforcement Trust Fund: Bank Statements, Checking Accounts, Deposits, List of Donations	*Permanent	Paper/Electronic
15-19	Leave Requests (Sick/Vacation/Attendance Accrual)	2 years	Paper/Electronic

15-20	Pay-Ins to Treasury Records	4 fiscal years	Paper/Electronic
15-21	Payroll Records	3 years after end of fiscal year	Paper/Electronic
15-22	Personnel Files	*Permanent	Paper/Electronic
15-23	Receipt Books	4 years	Paper/Electronic
15-24	Records of Writs and summons	2 years	Paper/Electronic
15-25	Residence Checks	1 year	Paper/Electronic
15-26	Security Video Recordings	5 days, unless part of investigation or overwritten due to lack of storage	Paper/Electronic
15-27	Sex Offender Files	1 year after expired registration	Paper/Electronic
15-28	Sheriff's Returns of Sales	2 years after date of filing w/Clerk of Court	Paper/Electronic
15-29	Sheriff's Sale Disbursements	5 years	Paper/Electronic
15-30	Sheriff's Sale Publication Record	5 years after completion of volume	Paper
15-31	Time Cards	3 fiscal years	Paper/Electronic
15-32	Transportation of Prisoners: Bank Statements, Receipts Registers, Yearly Report	5 years	Paper/Electronic
15- 33	Work Jackets (Investigative Case Files)	*Permanent Permanent for adults: until defendant reaches 18 years for juveniles	Paper/Electronic
<b>DISPATCH</b>			
15-34	Citation Copies	2 years from issue date	Paper/Electronic
15-35	Daily Dispatch Log Sheets And 911 Call Logs	1 year	Paper/Electronic
15-36	Dispatch and Communications Logging Tapes	1 year unless preserved for investigation, and If so preserved, until Conclusion of Investigation.	Paper/Electronic
15-37	Law Enforcement Automated Data System Validations	1 year	Paper/Electronic
15-38	Teletypes/LEADS Records: Logs/Printouts/Messages	1 year	Paper/Electronic
15-39	Warrant Jackets and Served/recalled LEADS Entries	1 year	Paper/Electronic
15-40	Warrant Judgment Entries	1 year	Paper/Electronic
<b>JAIL</b>			
15-41	Fingerprint Records	10 years	Paper/Electronic

15-42	Inmate Count Sheets	2 years	Paper/Electronic
15-43	Inmate Files: Arraignment Sheets, Booking Sheets, Commissary Record, Commitments, Criminal History, Incarceration Form, Jail Narratives, Property Screen, Razor Logs	2 years after release	Paper/Electronic
15-44	Inmate Letter Record	2 years	Paper/Electronic
15-45	Inmate Medical and Dental Records	6 years	Paper/Electronic
15-46	Jail Receipt Books	2 years	Paper/Electronic
15-47	Jail Registers	*Permanent	Paper/Electronic
15-48	Meal & Turnkey Fees	2 years	Paper/Electronic
15-49	Medical Co-Pay Receipts	4 Years	Paper/Electronic
15-50	Prisoner Booking Video Recording Disc	30 days providing nothing pending	Electronic
15-51	Professional Visitor's Log (Clergy, Attorney)	2 years	Paper/Electronic
15-52	Visitation Log	1 year	Paper/Electronic

### **30.01 PURCHASE OF EQUIPMENT/MATERIALS**

No employee shall purchase any equipment or material for the Sheriff's Office without following the proper, county approved procedures. Emergency purchases must be authorized by the officer in charge. The OIC shall write a D.R. to the Sheriff outlining the details of each emergency purchase. Kitchen supplies and food will be purchased following the guidelines set up by the Jail Administrator.

### **30.02 USE OF AGENCY CREDIT CARDS**

(Pursuant to Ohio Revised Code Section 301.27)

The following employees of this agency are authorized to use credit cards to pay for work-related expenses:

1. The Sheriff or any Deputy Sheriff of this agency
2. The Jail Administrator
3. Administrative Assistants as determined by the Sheriff
4. Any Deputy Sheriff is authorized to use credit cards to pay for extradition expenses.

Employees are authorized to use the agency credit cards up to an amount of \$1,000.00, unless otherwise approved by the Sheriff or his designee.

Work-related expenses, for the purpose of this policy, are defined as those expenses that are incurred as the result of the performance of official duties for the Erie County Sheriff's Office by the employee. As a further guide to proper expenditures, employees will also abide by the Erie County Commissioners "Out-Of-County Travel/Expense Request and Reimbursement Policy", a copy of which is attached.

Agency credit cards may be used to pay for the following work-related expenses:

1. Food expenses;
2. Transportation expenses;
3. Gasoline and oil expenses;
4. Minor motor vehicle expenses;
5. Emergency motor vehicle repair expenses;

6. Telephone expenses; and
7. Lodging expenses;
8. Office supplies.

Agency credit cards may not be used to purchase the following:

1. Entertainment
2. Alcoholic beverages
3. Personal Services
4. Tips
5. Cash advances

Any employee of this agency who utilizes an agency credit card will, no later than the end of the employee's next regularly scheduled shift, submit all credit card receipts to the Sheriff's designee. The employee will also complete and submit at the same time an Erie County Commissioners Out-of-County Travel/Expense Request and Reimbursement Form to provide an accurate accounting of all expenditures made using the agency credit card.

Any employee who violates this standard operating guideline will be subject to disciplinary action and/or criminal prosecution.

Erie County, Ohio  
OUT OF COUNTY  
TRAVEL/EXPENSE REQUEST AND REIMBURSEMENT FORM

EMPLOYEE NAME:	DEPARTMENT/TITLE:	DATE:
NAME OF MEETING OR FUNCTION: Copy of meeting notice (or affidavit) must be attached.		
NAME OF PLACE MEETING OR FUNCTION BEING HELD (Including City):		
DATE OF MEETING OR FUNCTION:		
NAME OF OTHER EMPLOYEES ATTENDING, IF APPLICABLE: (Others attending)		
CHECK APPROPRIATE ITEMS: COUNTY VEHICLE___ PERSONAL VEHICLE___ OTHER___ CREDIT CARD___ GASOLINE CARD___		

PLEASE PROVIDE ESTIMATED EXPENSES FOR THE FOLLOWING:

ITEM	QUANTITY	RATE	TOTAL
1. MILAGE (Round trip)	miles	@.31 per mile	\$
2. MEALS: Breakfast		\$	\$
Lunch		\$	\$
Dinner		\$	\$
3. MOTEL/HOTEL ACCOMMODATIONS	night(s)	@\$	\$
4. REGISTRATION FEES: (Check one) ___To be paid by employee and reimbursed by county ___To be prepaid by Auditor and presented at registration by employee (allow 7days for check) ___To be prepaid by Auditor and mailed in with registration (completed form attached-allow 7 days for check)			\$
5. PARKING FEES			\$
6. OTHER EXPENSES (List)			\$
APPROPRIATION ACCOUNT NO. _____ PURCHASE ORDER NO. _____			\$
			TOTAL ESTIMATED EXPENSE

AUTHORIZATION	APPROVAL	DISAPPROVAL	DATE
Supervisor or Director/Department Head			
Elected Official			
Erie County Commissioner			
Erie County Commissioner			
Erie County Commissioner			
County Administrator as to Policy			

\*\*\*\*\*

EXPENSE VOUCHER

RECEIPTS ATTACHED FOR:

1. ACTUAL MILAGE _____ @ \$.31/mile	\$ _____	
2. MEALS	\$ _____	EXPENSES ARE APPROVED _____ DISAPPROVED _____
3. MOTEL/HOTEL	\$ _____	ELECTED OFFICIAL(S) OR DEPARTMENT HEAD SIGNATURE(S)
4. REGISTRATION FEES	\$ _____	
5. PARKING FEES	\$ _____	
6. OTHER	\$ _____	

GRAND TOTAL CLAIMED TO BE \_\_\_\_\_  
 REIMBURSED \$ \_\_\_\_\_

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_  
 DATE \_\_\_\_\_

### **31.01 NO SOLICITATION/NO DISTRIBUTION POLICY**

In order to maintain a productive and safe working environment, it is the policy of the Erie County Sheriff's Office to govern solicitation and distribution by employees and non-employees on County premises. This policy will separately address three specific areas.

1. Employees
2. Non-Employees
3. Bulletin boards

#### **EMPLOYEE NO-SOLICITATION RULE**

Solicitation by an employee of another employee is prohibited while either person is on his or her working time.\*

- A. Management and supervisory personnel will report any violation of this policy to the employee's supervisor.
- B. Violators of this policy shall be subject to disciplinary action.
- C. For the purpose of this policy, working areas include any area that is used for conducting county business and is not normally accessible to the general public except for conducting county business, e.g., office areas, jail, etc.
- D. For the purpose of this policy, non-working areas include all areas which are not primarily used for conducting county business and which are normally accessible to the general public. These areas will be specifically designated.

\*Working time is all time when an employee's duties require that he/she be engaged in work tasks, but does not include an employee's own time, such as meal periods, scheduled breaks, time before or after a shift.

#### **EMPLOYEE NO-DISTRIBUTION RULE**

Employees are not permitted to distribute advertising material, handbills, printed or written literature of any kind during working or non-working time in work areas

#### **NON-EMPLOYEE NO-SOLICITATION AND NO DISTRIBUTION POLICY**

Persons who are not employed by Erie County shall not be permitted to solicit or distribute leaflets, advertising notices, tickets, cards of any kind, at any time, on county premises. The Erie county Sheriff may authorize exceptions to this policy for non-employees engaged in work-related activities to assist the County in carrying out its statutory or community functions and responsibilities.

### **32.01 BULLETIN BOARDS POLICY**

All materials appearing on Office bulletin boards will be posted and removed by the Erie County Sheriff or his designated representative. All court notices, State or Federal required notices, and required legal notices shall be posted in an area that is visible to all employees. Information of a general interest to the public may be posted by the Erie County Sheriff or his designated representative, provided the material to be posted does not contain:

1. Personal attacks upon any employee or public official.
2. Scandalous or derogatory attacks upon any employee, public official, or governmental unit/agency.
3. Attacks on and/or unfavorable comments regarding a candidate for public office.

Employees wishing to have materials posted on the bulletin board shall submit a written request to the Erie County Sheriff for approval. The request shall include: name(s) of person(s) or group making the request, a copy of the material to be posted, and the period of time the material is to be posted.

Materials posted without prior approval will be removed from the bulletin board. Any employee violating this policy shall be subject to disciplinary action. For purposes of this policy, bulletin boards refer to all bulletin boards under the jurisdiction of the Erie County Sheriff.

Bargaining unit employees please refer to the current contract regarding bulletin boards.

### **33.01 PUBLIC SAFETY COMMUNICATIONS**

Public safety communication--especially during emergency situations--must be organized, clear, and efficient, so that messages are effectively and professionally conveyed between agency personnel and other law enforcement, fire, and/or emergency medical service (EMS) personnel. This policy defines the manner in which public safety communication will be managed and conducted by agency employees.

*Radio traffic*—a radio transmission to or from any public safety employee.

*Public safety employee*—any employee of a public safety agency (law enforcement, fire, and/or EMS) that this agency has interaction with via telephone or radio.

*Communications Officer*—includes any employee who is employed solely in that job description, or any other agency employee acting in place of a Communications Officer, either on a permanent or temporary basis. For purposes of this policy, and to ensure compliance with the Ohio Police-Community Collaborative, Communications Officers are also considered Telecommunicators as defined in Ohio Revised Code Section 4742.01

*Emergency call* – any type of communication reporting a situation that involves the possibility of serious physical harm or a life threatening event.

*Non-emergency call* – any type of communication reporting an incident which is not life-threatening in nature, or does not involve the possibility of serious physical harm.

Agency employees employed as, or acting as, Communications Officers will follow the below listed guidelines.

### **BASIC COMMUNICATION PROCEDURES**

The Communications Officer may be an individual's first and only contact with the Erie County Sheriff's Office. Therefore, the responsibility for presenting an initial positive, favorable image on behalf of this agency is properly placed upon Communications Officers. Accordingly, the members of the Communications Division are tasked with communicating, and will at all times communicate, any and all necessary information in a courteous and professional manner.

The manner in which radio traffic and telephone messages are handled is a measure of the overall efficiency of a public safety organization, and also reflects directly on the overall proficiency and professionalism of its individual members. Radio transmissions are being made over publicly accessed radio frequencies and members of the public routinely monitor such transmissions. Both radio transmissions and telephone conversations are routinely recorded. Any and all radio transmissions and telephonic communications are public records and are subject to future intense scrutiny. Following the guidelines listed below will lead to efficient public safety communication, professional performance, and a positive public image leading to public confidence in the agency.

1. Communications Officers will listen before making any radio transmission to make certain that the radio channel is clear. They will organize their thoughts before transmitting any radio traffic to ensure that their transmitted message is clear and professional.

2. Communications Officers will keep all radio transmissions brief and to the point. Avoid any long-winded descriptions and unnecessary repetition. Accuracy of the information, brevity and quick but clear pace of information delivery are equally important and are the signs of a professional. Brevity is vital to ensure a radio channel is clear in the event that it is needed for priority radio transmissions, either from a Communications Officer or from a public safety employee in the field. Rather than using terminology such as the words “Clear,” “Okay,” etc., Communications Officers will broadcast the time at the conclusion of routine radio transmissions to signify that the broadcast, or exchange of radio transmissions, is completed from the Communications Officer’s perspective.
3. Communications Officers will speak distinctly and pronounce words carefully when transmitting on the radio. Speech will be at a moderate speed using a conversational tone of voice with natural emphasis and rhythm. Volume of speech will be maintained at a level such that it may be heard clearly by public safety employees operating vehicles in the field. Communications Officers will not yell or scream on the radio, but are responsible to adjust the volume of their voice accordingly if they are advised that their transmission cannot be heard due to voice volume. Keeping in mind the importance of how the information they communicate is received by callers or by public safety officers in the field, Communications Officers may also be required to adjust the tone of their voice if it appears to be blunt, cynical, or otherwise unprofessional when engaging in radio or telephone communication.
4. When dispatching public safety personnel to a specific address, articulate the numeric. For instance, the address of 1925 Main Street will be dispatched as “One-Nine-Two-Five Main Street” and not “Nineteen Twenty-Five Main Street.” In addition, any letters will be dispatched phonetically. The use of plain language, rather than any codes or signals, will be used for any and all radio transmissions.
5. When answering a call received on any business line, the Communications Officer answering the call will greet the caller by stating - “Erie County Sheriff’s Office, Dispatcher (Last Name)” and will then begin to converse with the caller.
6. When answering a 911 call, the Communications Officer will greet the caller by stating “911” and will then begin to converse with the caller.
7. It is this agency’s policy that radio traffic will be given ultimate priority, due to the dangers that public safety employees in the field constantly face. Radio transmissions from public safety employees in the field will always be answered as soon as possible, and any and all Communications Officers on duty at any given time are equally responsible to answer any radio traffic directed to the Communications Center.
8. Communications received via 911 will be answered immediately, but may be prioritized based upon the type of information being received—this policy acknowledges that many calls received via the 911 system are not emergency in nature, and Communications Officers will need to prioritize those communications. Communications received via business telephone lines will be answered as quickly as possible, but will be answered secondarily to 911 calls. If at some point radio traffic and emergency 911 communications are received at essentially the same time as a non-emergency call, the radio traffic and/or emergency call(s) will take precedence over the non-emergency communication. Communications Officers must be prepared at all times to



satisfactorily articulate the reasoning behind a decision to not answer a radio transmission immediately.

9. After receiving the emergency or non-emergency communication, Communications Officers will dispatch the appropriate agency to the incident without delay, as outlined above and without delay. If a call for service is received to be dispatched to a public safety agency, and the members of that agency are all handling other calls for service, the Communications Officer responsible for dispatching that call will immediately notify the officer-in-charge of that public safety agency of the pending call for service via radio transmission. That officer-in-charge will then determine how, and/or when, the pending call for service will be handled.

## **RECEIPT AND TRANSMISSION OF PERTINENT INFORMATION**

A vital function of any Communications Officer is to obtain the necessary background information relating to any form of communication engaged in by that Communications Officer. Communications Officers will attempt to obtain as much information as possible from a telephone caller or other complainant. Communications Officers must obtain the address or location of the incident, along with the caller's name and phone number if possible. While it is understood that there are circumstances when this information is not able to be obtained, it is the responsibility of the Communications Officer speaking with the caller or complainant to ask for this information. It is also the responsibility of a Communications Officer to immediately utilize any and all electronic or other means available in an attempt to determine the exact location of a complaint, if the complainant is not able to articulate that information, prior to dispatching a call for service. Communications Officers should always ask the caller information that would be prudent for responding public safety personnel to be aware of while responding to the call in question, as outlined in this agency's training protocol—i.e.: presence or use of any weapons and descriptions of those weapons, descriptions of involved individuals and/or vehicles, direction of travel of individuals and/or vehicles fleeing from the scene. All of the information obtained will be then communicated to the public safety employee assigned to handle that call for service, either via radio or, if practical, via mobile data terminal transmission.

## **EMERGENCY MEDICAL DISPATCH**

Properly trained and certified Communications Officers will provide pre-arrival emergency medical dispatch (EMD) instructions to callers reporting certain medical emergencies after the appropriate emergency medical service has been dispatched. Those instructions will be provided using the situation-based instructional guide cards that have been purchased from the Association of Public Safety Communications Officials International (APCO); use of those guide cards has been approved by the local physician acting as EMS medical director. The guide cards are present throughout the Sheriff's Office Communications Center. Pre-arrival instructions will be provided to the caller pursuant to training through APCO governing the delivery of those instructions and the use of the guide cards.

Pre-arrival instructions will be provided directly from the text found on the guide cards; Communications Officers are not permitted to deviate from that text due to liability concerns and to maintain the integrity of the pre-arrival system. Pre-arrival instructions will be offered in all cases when applicable; the only exception to this policy would be during extreme emergency situations that would result in other 911 calls going unanswered during the delivery of those pre-arrival instructions.

## **INTERACTION BETWEEN COMMUNICATIONS OFFICERS**

The operation of this agency's Communications Center is a 24/7/365 undertaking, and information must flow seamlessly during each shift—and from shift-to-shift—to ensure efficient and proper service to the public. Ongoing interaction between Communications Officers is an absolute necessity; no disciplinary tolerance will be shown to those who cannot or will not communicate with each other while working in the Communications Center. A Communications Officer is not properly relieved from duty

(either for a break or at the end of that officer's shift) until that officer has relayed any information pertaining to pending calls for service or unusual/major events to the Communications Officer(s) providing break relief or of the oncoming shift. The responsibility for that communication rests solely with the officer going being relieved.

## **INTERACTION WITH THE PUBLIC**

It must be understood that many of the individuals who call this agency for assistance are in the midst of a crisis. Communications Officers will keep this thought in mind and will assist all callers with patience and empathy.

## **TRAINING (FOR COMPLIANCE WITH OHIO COMMUNITY – POLICE COLLABORATIVE)**

Training for Communications Officers shall meet and support minimum standards as established in Ohio Administrative Code Section 5507-1 for 911 call centers and public safety answering points (PSAPs). Communications Officers are required to complete basic and/or advanced training through APCO.

Communications Officers are trained to be proficient in numerous disciplines, to include:

1. Obtaining complete and accurate information from callers requesting law enforcement assistance; and
2. Accurately classifying and prioritizing requests for assistance; and
3. Accurately relaying information which may affect responder and/or citizen safety; and
4. A training checklist, incorporated into and made part of this policy as attachment A, documents requirements to be met for successful completion of training.

## **33.02 STAGING OF EMS AND FIRE PERSONNEL**

Agency employees routinely field calls for—and respond to—situations involving potential or confirmed acts of interpersonal or self-inflicted violence (to include domestic violence, assault, homicide, suicide, suicide attempts or threats) and/or other offenses involving violence or weapons. EMS and fire personnel are also simultaneously dispatched to these calls to provide medical aid and transport for those that are potentially injured and/or mentally ill, and to mitigate any applicable hazardous conditions that may exist.

The locations of these events cannot be deemed to be safe for the response of dispatched EMS and fire personnel until employee(s) who arrive at the scene are able to control any persons who may be violent or armed and who could be a threat to the safety of the arriving EMS and fire personnel.

This policy provides procedural guidelines to all affected employees whose positions require their response to, or other involvement with, such situations.

*Employee*—for purposes of this policy, “employee” means the Sheriff, any Deputy Sheriff, and any Sheriff’s Office Dispatcher. “Employee” does not include members of an EMS and/or fire department.

*Staging*—the temporary standby in the general vicinity of an event by dispatched EMS and fire personnel who will respond immediately to the event location when instructed to do so after the scene has been deemed safe for their response by an agency employee.

*Vehicle*—includes any mode of transportation (motor vehicles, aircraft, watercraft) used by EMS and fire personnel to respond to calls for service.

1. If a call is received of the type noted above that would require the staging of EMS and fire personnel, the Sheriff or Deputy Sheriff(s) assigned to the call will notify the Dispatcher to have the EMS and fire personnel stage.
2. The Dispatcher advised to do so will ensure that EMS and fire personnel are advised to stage and will also ensure that the stage advisory is acknowledged by a representative of the agency so advised.
3. It will be expected that EMS and fire personnel advised to stage will do so as follows:
  - a. EMS and fire personnel will place their vehicle(s) a minimum of 1000 yards from the location of the event due to the effective range of common firearms that could be used against those personnel and/or their vehicle(s); and
  - b. The vehicle(s) will be placed out of vision of the location of the event; and while so staged, EMS and fire personnel will remain in their vehicles awaiting further instruction.
4. Once the scene is deemed safe for response by EMS and fire personnel, it is the responsibility of the senior employee at the scene—if practicable—to ensure that contact is made with the responding EMS and fire personnel directly by radio to notify them that they may respond to the scene. That senior employee is also responsible to provide the responding EMS and fire personnel with any additional information or instructions that would be useful to those personnel or that would assist in avoiding the destruction of any evidence at the scene. If it is not practicable for the senior employee at the scene to so advise EMS and fire personnel to respond, the senior employee will cause for a Dispatcher to do so.
5. Employees—particularly the senior employee at the scene of an event that requires the staging of EMS and fire personnel—are cautioned to avoid becoming unnecessarily involved in extraneous activities that could cause that senior employee from being distracted from his/her primary supervisory responsibilities—one of which is to provide a safe environment for EMS and fire personnel to perform their duties without being interfered with and/or being subjected to the potential for or actual physical harm.

The procedures listed that relate to EMS and fire personnel are meant to be general guidelines. This policy cannot and does not provide for compliance by members of any public safety agency other than the Sheriff's Office, but does provide for guidelines that have been agreed upon with input from EMS and fire administrators from agencies throughout Erie County. For instance, in certain residential or municipal settings the minimum 1000 yard distance requirement may not be practical; in those settings responding personnel will determine the appropriate distance given the potential proximity of numerous other buildings between the scene and the staging location.

### **34.01 WARRANTS**

The purpose of this policy is to outline specific guidelines to be followed by employees of the Erie County Sheriff's Office responsible for receiving or serving arrest warrants.

Under both common and codified law, one of the primary responsibilities of the Sheriff is the service of all writs and orders issued to the Sheriff for service by the various courts, including arrest warrants. Prompt service of arrest warrants is necessary to ensure that the interests of justice are served efficiently and effectively.

**LEADS** – an acronym for the Law Enforcement Automated Data System, a computer database administered by the Ohio State Highway Patrol linking most law enforcement agencies in the State of Ohio.

**NCIC** – an acronym for the National Crime Information Center, a computer database administered by the United States Department of Justice linking most law enforcement agencies in the United States. NCIC is accessed by this agency through LEADS.

**Pick-up radius (PUR)** – a pre-determined distance – generally set by the court issuing an arrest warrant or by the attorney required to prosecute the case on behalf of the State of Ohio or a political subdivision – this agency will travel to arrest an individual pursuant to a warrant.

**Return** – that portion of the warrant document that requires the Sheriff or deputy sheriff to endorse the fact that the warrant has been served on the named.

**Supervisor** – the Sheriff or a deputy sheriff with the rank of Sergeant or above.

**Warrant** – a written order issued by any court of competent jurisdiction, or other agency authorized to order the arrest of an individual such as a probation or parole organization, requiring the arrest of the person named in the order.

**Warrant process** – the formalized procedure developed to enter the information regarding a particular warrant into this agency's records and, required, into LEADS and/or NCIC and/or any other law enforcement information database.

**Warrant service** – the taking into physical custody of the individual named in an arrest warrant and the provision of a copy of the warrant to that individual.

**Validation** – the periodic process whereby information contained in an arrest warrant is checked and/or updated through the issuing court or other authority and through various informational databases to ensure that the warrant is still valid.

#### ***WARRANT RECEIPT***

Warrants are generally received in person by an employee directly from the court or authority issuing the warrant. Warrants may also be received by this agency through the mail or by delivery to the agency from a representative of the issuing authority.

The actual delivery of the warrant to the Erie County Sheriff's Office constitutes receipt. As soon as practicable after receipt in the building, the employee receiving the warrant will cause the warrant to be file stamped near, but not over, the return section. This file stamp, consisting of a date and time, is considered the official date and time of the receipt of the warrant by the agency.

Upon receipt of the warrant, the warrant will be forwarded to the employee designated for warrant processing.

#### ***WARRANT PROCESSING***

As soon as practicable after receipt of a warrant, the responsible employee will process the warrant following established agency procedures. That employee will ensure that, based upon all information available through the agency's records and any other information database, the personal identification information for the individual named in the warrant is accurate. Any discrepancies will be noted and the employee processing the warrant will cause for issuing court or other authority to be advised of the apparent discrepancy for further action by that court or authority.

The employee processing the warrant will enter the information regarding the warrant into the appropriate law enforcement information databases to ensure that any law enforcement officer who comes into contact with the individual named in the warrant, within the area of a set pickup radius, may be made aware of the existence of the warrant.

In the event that a warrant is received naming an individual whose address is outside of Erie County, and the address is either within the pick-up radius, may be made aware of the existence of the warrant.

In the event that a warrant is received naming an individual whose address is outside of Erie County, and the address is either within the pick-up radius pre-set by the issuing court or other issuing authority, or falls within the guidelines as noted below, contact will be made with the law enforcement agency having jurisdiction over that address requesting that service of the warrant be attempted. Any such communication will be documented in writing and said documentation will be filed with the warrant.

There will always be two (2) copies of a warrant on file – one to be provided to the person named in the warrant upon service, and one to be returned to the issuing court or other issuing authority for documentation of service.

#### *PICK-UP RADIUS CONSIDERATIONS*

In many instances, a warrant will be received by this agency with a pre-set pick-up radius as determined by court or issuing authority. In the event a pick-up radius is not preset, the following criteria will be utilized unless the employee processing the warrant is advised differently by a superior.

1. Warrant for any felony of the fourth or fifth degree, or any misdemeanor offense; adjacent adjacent county pick-up radius.
2. Warrant for any felony of the second or third degree: State of Ohio pick-up radius.
3. Warrant for a felony of the first degree: nationwide pick-up radius.
4. Warrant for contempt issued by the Domestic Relations Division of the Erie County Common Pleas Court in cases considered civil in origin: adjacent county pick-up radius.

In the event that this agency is requested to enter a warrant into LEADS for a non-terminal LEADS agency, the pick-up radius will be set either by the court issuing the warrant or by the agency requesting the warrant entry. This agency will not determine the pick-up radius in those cases.

#### *WARRANT SERVICE ATTEMPTS*

It is the responsibility of all employees of this agency to cause for the service of an arrest warrant as soon as possible after the warrant has been received. It is a goal of this agency to attempt to serve – within twenty-four (24) hours of the completion of its processing – any warrant that names an individual whose address is listed within Erie County. In the event that service of a warrant cannot be attempted within this time frame, supervisory personnel will ensure that service is attempted as soon as possible.

Only the Erie County Sheriff or an Erie County deputy sheriff is authorized to serve any warrant received by this agency for service. Non-sworn employees are prohibited – by this policy and by the lack of statutory authority – from serving warrants.

Prior to attempting to serve a warrant, the validity of the warrant will be confirmed with the employee responsible for maintaining warrant records either through direct communication or by electronic means.

All warrant service attempts, and the disposition of said attempts, will be noted in writing. This documentation will be filed with the warrant or in such a fashion that it may be readily electronically retrieved.

In the event that the Sheriff or a deputy sheriff, upon attempting service of a warrant, receives information that may assist in the service of the warrant – such as a new address – it is the responsibility of that individual employee with the consent of his/her supervisor to either investigate that information in an attempt to serve the warrant or to cause for such information to be investigated further. All such information and any follow-up investigation shall be properly documented, and said documentation will be filed either with the warrant or in such a fashion that it may be readily electronically retrieved.

#### *WARRANT VALIDATION REQUIREMENTS*

On a periodic basis, but no less than once annually after receipt of a warrant, a designated employee will ensure that the issuing court or other issuing authority still considers the warrant “valid”, i.e.: that authority still desires to have the named individual arrested.

In the event that the information pertaining to a specific warrant has been entered into a law enforcement computer database, all of that information will also be verified as to its accuracy. Any information discovered during this verification process that could lead to the serve of the warrant will be documented and investigated by the employee, or that employee will cause for the information to be investigated, as outlined in paragraph five of the preceding section.

#### ***WARRANT RETURN PROCEDURE***

Upon the arrest of an individual pursuant to a warrant, the Sheriff or deputy sheriff affecting the arrest will physically hand to the arrested individual a copy of the warrant and will explain to the individual the contents of the warrant. In the event that the arrested individual's conduct deems such explanation impractical, the arrestee will still be provided with a copy of the warrant for his/her arrest.

The Sheriff or deputy sheriff affecting the arrest of an individual pursuant to a warrant is responsible to fully complete the return portion of the warrant document. The date and time that the warrant was received by the agency, which is required in the return, is the date and time as noted on the agency file stamp. Service fees and mileage will be noted as set by current statutory language. The employee completing the return will then forward that copy of the warrant containing the documented return to the employee responsible for receiving warrants that have been served. That employee will then cause for information regarding the service of the warrant to be entered into the agency's records; to remove any information pertaining to the warrant's existence from any law enforcement databases, excluding this agency's internal database; and to then forward the warrant back to the issuing court or other authority so that the court or other authority may be formally advised that the warrant has been served.

In the event that the Sheriff or deputy sheriff is called upon to serve a warrant at a court or other facility, and this agency has copies of the warrant on file, the employee serving said warrant is obligated to immediately notify the designated agency employee responsible for the maintenance of warrant records that the warrant has been served.

#### ***EXCEPTIONS***

This policy provides general guidelines for the receipt, service, and return of warrants by this agency to provide for the arrest of wanted individuals in the most efficient fashion possible. Therefore, nothing in this policy is to be construed to prohibit the Sheriff or a deputy sheriff, upon receipt of a warrant form a court or other issuing authority, from arresting the individual named in the warrant immediately without following the receipt procedures as noted above.

In addition, nothing in this policy prohibits the Sheriff or a deputy sheriff from attempting service of a warrant outside of Erie County, provided that the service attempt takes place within the State of Ohio. In the event that service of a warrant will be attempted outside of Erie County, the local law enforcement agency, and/or the county sheriff's office, having jurisdiction at the address will be notified prior to the warrant service attempt and will be permitted to have a representative present – if the agency desires – during said service attempt.

Finally, nothing in this policy is meant to prohibit – under special circumstances and for good cause shown as determined by a supervisor – the omission of parts of this policy in the interest of achieving the stated goal of prompt service of all warrants received by the agency while still providing basic law enforcement services throughout Erie County.

### **35.01 EMERGENCY WARNING SIREN SYSTEM; ACTIVATION**

It is the purpose of this policy to outline guidelines to be followed by employees of the Erie County Sheriff's Office who may be called upon to activate the countywide emergency warning siren system.

Erie County has, installed throughout the county, a number of emergency warning sirens. The purpose of these sirens is to provide a warning to those individuals who may be outdoors of the threat of impending severe weather (i.e.: a tornado) or of a terrorist act or other civil defense emergency. The Erie County Sheriff's Office has been designated as the agency primarily responsible for the activation of this siren system and the equipment to activate the system is contained in the Sheriff's Office Communications Center.

#### SIREN ACTIVATION GUIDELINES

The emergency warning siren system will be activated by any employee of the Erie County Sheriff's Office under any of the following circumstances:

1. When any duly identified public safety employee reports the sighting of a funnel cloud or tornado within Erie County or in an adjacent county and the tornado or funnel cloud is approaching Erie County; and/or
2. When two or more citizens report the sighting of a funnel cloud or tornado within Erie County or in an adjacent county and the tornado or funnel cloud is approaching Erie County; and/or
3. When the National Weather Service issues a tornado warning for Erie County; and/or
4. When so directed by a supervisor due to severe weather conditions or known terrorist act or other civil defense emergency;
5. For periodic testing purposes as determined by the Sheriff or his/her designee.

If there is any doubt concerning the activation of the emergency warning siren system, particularly in the event of a known terrorist act or other civil defense emergency, the Sheriff or his/her designee may be consulted. However, in the case of a weather emergency, the above guidelines should be followed and consultation with the Sheriff or his/her designee should not be necessary. Time is of the essence in such situations to warn the public.

#### SIREN ACTIVATION PROCEDURES

As the technical procedure for the activation of the emergency warning siren system may change from time to time, the specific activation procedure is not contained in this policy. All communications officers, who will be the agency employees primarily responsible for the activation of the emergency warning siren system, are responsible to familiarize themselves with the applicable procedure. Employees liable to relieve communications officers for meal breaks or for other periods of time are also responsible to familiarize themselves with the applicable procedure.

#### ALTERNATE ACTIVATION SITES

In the event that the emergency warning siren system is unable to be activated by the equipment located in the Sheriff's Office Communications Center due to electrical power failure or technical difficulty, the system may be activated by either the Erie County Emergency Management Agency or by the Huron Fire Division. If the failure to activate occurs during normal business hours, the Emergency Management Agency will be immediately contacted via the inter-agency telephone intercom system to activate the warning siren system. In the event that there is no answer at the Emergency Management Agency – or for some reason that agency is unable to activate the warning siren system – then the Huron Fire Division will be immediately contacted, by telephone or alternately by radio, to activate the warning siren system.

#### REPORTING REQUIREMENT

In the event that the emergency warning siren system is activated, the reason for said activation will be noted on this agency's daily log by the individual who activated the system.

#### TESTING

The emergency warning siren system will be tested on the first day of every month at 12:00 noon. The senior Communications Officer on duty will ensure that the test is conducted by activating the siren system and letting it cycle until the system shuts off as programmed. Patrol Division deputies will be notified in advance of the test, and the Patrol Division deputies on duty will confirm that the sirens sounded when activated. If there is a test malfunction, the Chief Deputy will be immediately notified of the malfunction.

All tests, and the results of all tests, will be placed on the agency's daily log.

## **WATERSPOUTS**

Waterspouts frequently form over Lake Erie and/or Sandusky Bay in Erie County. Waterspouts are dangerous to boaters. While waterspouts can pose a danger to person or property on land, the most common forms of waterspouts routinely dissipate as soon as they pass onshore. Accordingly to the National Weather Service, it is estimated that one to two waterspouts out of one hundred may enter onshore. The National Weather Service (NWS) is typically unable to see waterspouts on radar.

In the event that a dispatcher receives what he/she believes is a credible report of a waterspout over Lake Erie or Sandusky Bay, the National Weather Service (NWS) will be immediately contacted by phone and the information concerning the waterspout will be relayed to that agency. Generally, the NWS will issue a special marine warning for marine interests in the area where the waterspout was sighted. If the waterspout is headed for the shoreline, have the caller remain on the phone if possible to confirm that the waterspout dissipated upon reaching shore and relay this information to the NWS as well.

Due to the lack of danger posed to persons or property on shore by the vast majority of waterspouts, emergency warning sirens will not be activated upon the sighting of a waterspout unless confirmation is received that the waterspout has gone ashore and has caused damage to persons or property.

## **36.01 WINTER WEATHER ROAD CONDITION ADVISORIES**

A numerical system of winter weather road condition advisories has been developed for voluntary use by county sheriffs throughout the State of Ohio. This system is utilized to notify the motorists when hazardous traveling conditions may exist on the roadways due to snow or ice. Employees of the Erie County Sheriff's Office will utilize this system when necessary to advise the public of potential travel hazards within Erie County.

*Level 1* – Roadways are snow covered and slippery due to snow or ice buildup. Motorists should use caution if they choose to drive.

*Level 2* – Roadways are hazardous due to blowing and drifting snow. Only those motorists who believe that that it is absolutely necessary should drive. Employees are encouraged to contact their employers concerning work schedules.

*Level 3* – Roadways are closed to all non-emergency travel due to severe winter weather conditions. No one should be traveling on the roadways unless an emergency exists. Employees are encouraged to contact their employers concerning work schedules. Those operating a vehicle on the roadway and/or any passengers in a vehicle being operated on a roadway within the county without sufficient emergency justification may be subject to arrest or issuance of a summons pursuant to Ohio Revised Code Sections 2917.11(A)(5) and/or 2917.13(A)(3).

Shift supervisor – means the senior ranking Patrol Division deputy sheriff on duty.



Only the shift supervisor may determine to cause to be issued, on behalf of the Sheriff, a Level 1 or Level 2 winter weather road conditions advisory. Only the Sheriff or operations Officer may determine to cause to be issued, on behalf of the Sheriff, a Level 3.

If, due to road conditions, the shift supervisor determines that a Level 1 or Level 2 winter weather road condition advisory is necessary based upon the above criteria, the shift supervisor will notify a dispatcher to implement the appropriate advisory level. The dispatcher receiving that request will log the request and will then implement the advisory by following the set notification procedure – to include notifying local media outlets, placing the appropriate message on the Sheriff's Office website, and making any other notifications as directed.

The same procedure as noted above will be followed in the event that a Level 3 winter weather road condition advisory is deemed necessary. In that event, the shift supervisor will notify the Sheriff or Operations Officer of the necessity for the implementation of a Level 3 advisory. A Level 3 advisory will only be issued after consultation with the Erie County Engineer's Office and other state or local highway departments as may be necessary. Once approval is received for that implementation, proper notification will be made as noted above.

As shift supervisors determine that advisories should be downgraded or canceled, the same procedures as noted above will be followed in reverse order, including media advisories and web site postings.

### **37.01 INTERACTION WITH THE MENTALLY ILL - DUTIES AND RESPONSIBILITIES**

All employees of the Erie County Sheriff's Office are required to exhibit empathy toward- and to take appropriate precautionary measures when interacting with – those afflicted with, or those suspected of suffering from, a mental illness. This policy is published to provide employees with agency and statutory guidelines to be followed when in contact with those persons during the course of the employee's duties to provide for general public safety while obtaining proper mental health treatment for the mentally ill. While not all of the directives or procedures contained in this policy are applicable to all agency employees, all employees will follow those portions of this policy that are applicable to their job function. Those applicable portions of this policy also apply to interaction with prisoners confined to the Erie County Jail.

*Employee* - any member of the Erie County Sheriff's Office

*Mental illness* – a substantial disorder of thought, mood, perception, orientation, or memory, that grossly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life. [Ohio Revised Code (ORC) Section 5122.01(A)]

*Mentally ill persons subject to court order* – a mentally ill person who, because of the person's illness:

1. Represents a substantial risk of physical harm to self as manifested by evidence of threats of, or attempts at, suicide or serious self-inflicted bodily harm;
2. Represents a substantial risk of physical harm to others as manifested by evidence of threats of, or attempts at, suicide or serious self-inflicted bodily harm;
3. Represents a substantial and immediate risk of serious physical impairment or injury to self as manifested by evidence that the person is unable to provide for and is not providing for the person's basic physical needs because of the person's mental illness and that appropriate provision for those needs cannot be made immediately available in the community; or
4. Would benefit from treatment for the person's mental illness and is in need of such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or the person;

5. Would benefit from treatment as manifested by evidence of behavior that indicates all of the following...[the remainder of this statute is intentionally omitted as it addresses conditions that do not require emergency hospitalization]. [ORC Section 5122.01(B)(1-5)]

## INDICATORS OF MENTAL ILLNESS

It is understood that agency employees do not have the authority or the knowledge to diagnose any specific mental illness that an individual may be afflicted with. However, the following are indicators that an employee may utilize to assist him/her in determining whether an individual that the employee is in contact with may be suffering from a mental illness;

1. Verbal indicators – the individual exhibits the following:
  - a. Illogical thoughts – paranoia, delusions, obsessive thoughts, and/or grandiose delusions.
  - b. Unusual speech patterns – nonsensical speech or chatter; word repetition; extremely slow or rapid speech.
  - c. Verbal hostility and/or excitement – talking excitedly or loudly; threatening harm; belligerent and argumentative.
  - d. Self-admission of mental illness – when questioned, the individual admits that he/she has been previously diagnosed with a mental illness and/or is prescribed medication primarily used to treat mental illness.
2. Environmental indicators – the individual engages in the following behavior concerning personal property;
  - a. Strange decorations or inappropriate use of household items.
  - b. Hoarding; accumulating large amounts of trash or waste.
  - c. Strange attachment to childish objects or unusually shaped items.
3. Behavioral cues – the individual engages in the following personal behavior;
  - a. Wearing bizarre makeup, clothing, or clothing inappropriate for temperature or weather conditions.
  - b. Strange posture or posture mannerisms – constantly looking over the shoulder; maintaining an unusual position for a long period of time (catatonic).
  - c. Continual pacing, waving of arms or hands; physical exhibition of apparent agitation.
  - d. Repetition of other physical movements.
  - e. Physically responding to delusions.
  - f. Confusion about, or unawareness of, surroundings.
  - g. Lack of emotional response.
  - h. Self-inflicted injury; self-inflicted property damage.
  - i. Facial expressions of sadness or grief.
  - j. Extreme mood swings.

## ASSESSMENT PROCEDURES

Once the employee has determined that the individual is exhibiting symptoms of mental illness – or in an attempt to determine if the individual may be mentally ill – the employee will follow the below guidelines while further assessing the situation:

1. Speak calmly and directly with the individual. Maintain a normal tone of voice.
2. Treat the individual with courtesy and respect to foster the creation of a natural and relaxed atmosphere, while continuing to be alert for and maintaining the ability to immediately react to any imminent threat posed to the employee's physical safety by the individual.
3. Do not threaten, embarrass, aggravate, deceive, or otherwise verbally abuse the individual.
4. Attempt to establish an immediate rapport with any family or friends that are present who may have a positive relationship with the individual, so that detailed information concerning the individual's condition may be obtained.

## VOLUNTARY TREATMENT TRANSPORT PROCEDURES; EMERGENCY HOSPITALIZATION PROCEDURES

If the employee determines that the individual is apparently mentally ill, than the employee should tactfully inform the individual of that determination – if the individual is communicative – and should suggest that the individual voluntarily seek mental health treatment.

1. If the individual agrees to voluntarily seek assistance, the employee will need to determine – based upon the totality of the circumstances – if transport of the individual to a mental health facility by willing family members or acquaintances would be appropriate, or if the individual should be transported by ambulance or in the employee's cruiser.
  - a. If the individual needs to be transported by ambulance, the appropriate EMS service provider will be dispatched to the individual's location as soon as possible.
  - b. If the decision is made that this agency will transport the individual seeking voluntary mental health assistance, he/she may be transported unrestrained (no handcuffs or leg shackles) in an agency vehicle with the approval of the shift supervisor. At no time will an individual suffering from mental illness be transported in an agency vehicle while being restrained, except for a lap/shoulder vehicle occupant restraint belt.
  - c. Any employee transporting a mentally ill individual who is voluntarily seeking mental health treatment will clearly inform the individual that he/she is not under arrest; will notify the individual to what facility the individual is being taken; and will make every reasonable and appropriate effort to transport the individual in the least conspicuous manner possible. (ORC Section 5122.10).
  - d. Prior to leaving the facility to which the individual has been transported, the employee transporting the individual will verbally report to the person the facility deems appropriate to receive such information the facts applicable to this agency's interaction with the individual that caused the individual to be transported.
2. If the individual refuses to seek voluntary mental health assistance, then it may be necessary for the employee to take the individual into custody pursuant to the provisions of ORC Sections 5122.01(B) and 5122.10.
  - a. If the individual's behavior causes the employee to believe that the individual is a mentally ill person subject to court order under ORC Section 5122.01(B), and if the individual's behavior causes the employee to believe that the individual represents a substantial risk of physical harm to self or others if allowed to remain at liberty pending examination, then the employee may take the individual into custody and may immediately transport the individual to a hospital for examination. (ORC Section 5122.10).
  - b. When taking an individual into custody pursuant to the above guidelines for involuntary emergency hospitalizations – and due to the potential for unpredictable and violent behavior – the employee will utilize all caution to protect the physical safety of the individual, any bystanders, and the employee(s) involved. If the individual becomes physically resistant to being taken into custody, appropriate level(s) of force pursuant to the Action Response Continuum will be employed.
  - c. Every reasonable and appropriate effort shall be made to take the individual into custody in the least conspicuous manner possible when that individual is being taken into custody for emergency hospitalization purposes. The employee taking an individual into custody for emergency hospitalization purposes will, if not known to the individual, inform the individual of the employee's name and agency position, and will notify the individual that he/she is not under arrest. The individual will also be clearly notified that he/she is being transported for purposes of a mental health examination, and the individual will be provided with the name of the hospital/mental health facility that he/she is being transported to for examination. (ORC Section 5122.10).

- d. Employees may utilize an agency vehicle or the appropriate emergency medical service ambulance for purposes of transporting an individual for involuntary emergency hospitalization. As the individual has been deemed to be involuntary, family members or acquaintances of the individual will not be permitted to transport an individual in need of involuntary emergency hospitalization to the hospital/mental health facility.
- e. In the case of an individual transported for involuntary emergency hospitalization for mental health examination, the transporting employee is required to provide a written statement to the hospital detailing the circumstances under which the individual was taken into custody and the reason(s) why the employee believes the individual is in need of such hospitalization. (ORC section 5122.10).

Such written statement can be in the form of the Ohio Department of Mental Health Form DMH-0025, Application for Emergency Admission, (commonly formerly referred to as a “pink slip”), attached to and incorporated into this policy as Attachment A, or, preferably, in the form of a standard agency generated report that is forwarded to the hospital to which the individual was transported.

#### JUDICIAL INVOLUNTARY COMMITMENT OF A MENTALLY ILL PERSON (PROBATE COURT ORDERS)

The Probate Courts throughout Ohio, including the Erie County Probate Court, have the legal authority to cause for an alleged mentally ill individual to be involuntarily taken into custody and to be transported to a mental health facility and/or hospital for evaluation and treatment of mental illness. The Sheriff and all deputy Sheriffs are statutorily defined as officers of the Probate Court and are responsible for the execution of judicial involuntary commitment (or Probate Court) orders. (ORC Section 5122.11).

1. Probate Court orders originate with an affidavit completed by an individual seeking court-ordered mental health treatment for those individuals who will not voluntarily seek such treatment. Once the affiant has completed his/her statement, it is evaluated by the Court to determine that probable cause exists for the Court to issue an order requiring the alleged mentally ill individual (known as the respondent in such cases) to be taken into custody and to be transported to a hospital or other place as designated by the Court for evaluation and/or treatment (ORC Section 5122.11).
2. If the Court determines that such cause exists, the court will issue a set of orders directed to the Sheriff for service. Any Deputy Sheriff is obligated to serve such orders as directed by a supervisor. Any and all techniques and precautions previously listed in this policy concerning interaction with the mentally ill will be followed when serving Probate Court orders. Employees serving Probate Court orders will not hesitate to summon additional aid to assist in taking the respondent into custody, either from this agency or from local law enforcement agencies.
3. Once the respondent is taken into custody, he/she will be immediately transported to the medical facility designated in the court order. Unless otherwise relieved, the employee is responsible to remain with the respondent until the respondent is admitted to that medical facility, or to any other medical facility as designated in the court order – unless the court order designates otherwise.
4. Any employee having any question about the terms or conditions of any court order as listed in this section of the policy should immediately forward the question to a supervisor. If the question cannot be answered by a supervisor, the question will be forwarded to the Erie County Probate Court personnel for clarification.

## APPLICATION FOR EMERGENCY ADMISSION

In Accordance with Sections 5122.01 and 5122.10 ORC

TO: Hospital or Community Mental Health Agency \_\_\_\_\_

(Behavioral Healthcare Organization – BHO/Facility Name) (Date)

The undersigned has reason to believe that: \_\_\_\_\_

(Name of Person to be admitted)

1. Is a mentally ill person subject to hospitalization by court order under division B of Section 5122.01, of the Revised Code, i.e., this person? (check all that apply)

- ☐ 1. Represents a substantial risk of physical harm to self as manifested by evidence of \_\_\_\_\_ threats of, or attempts at, suicide or serious self-inflicted bodily harm;
- ☐ 2. Represents a substantial risk of physical harm to others as manifested by evidence of recent homicidal or other violent behavior, evidence of recent threats that place another in reasonable fear of violent behavior and serious physical harm, or other evidence of present dangerousness;
- ☐ 3. Represents a substantial and immediate risk of serious physical impairment or injury to self as manifested by evidence that the person is unable to provide for and is not providing for the person's basic physical needs because of the person's mental illness and that appropriate provision for those needs cannot be made immediately available in the community;
- ☐ 4. Would benefit from treatment in a hospital for his mental illness and is in need of \_\_\_\_\_ such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or of himself.

2. Represents a substantial risk of physical harm to self or others if allowed to remain at liberty pending an examination.

Therefore, it is requested that said person be admitted to the above named facility.

## STATEMENT OF BELIEF

Must be filled out by one of the following: a psychiatrist, licensed clinical psychologist, licensed physician, health or police officer, sheriff, deputy sheriff, or probation officer with his/her judge's approval.

(Statement shall include the circumstances under which the individual was taken into custody and the reason, facts, observations for the person's belief that hospitalization is necessary. The statement shall also include a reference to efforts made to secure the individual's property at his residence if he was taken into custody there. Every reasonable and appropriate effort should be made to take this person into custody in the least conspicuous manner possible.)


APPLICATION FOR EMERGENCY ADMISSION

In Accordance with Sections 5122.01 and 5122.10 ORC

Name of Person to be Admitted \_\_\_\_\_

STATEMENT OF BELIEF (continued)


Signature	
Title/Position/Badge or License No.	Place of Employment

STATEMENT OF OBSERVATION BY PSYCHIATRIST, LICENSED PHYSICIAN,  
OR LICENSED CLINICAL PSYCHOLOGIST, IF APPLICABLE

Place of Observation (e.g., community mental health center, general hospital, office, or emergency facility)

Signature	Title
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Approved <input type="checkbox"/> Yes <input type="checkbox"/> No	Signature of Chief Clinical Officer	Date
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### 38.01 OHIO TURNPIKE

County Sheriffs throughout Ohio have full law enforcement authority on the Ohio Turnpike. The Ohio State Highway Patrol (OSHP) has concurrent jurisdiction on the Turnpike pursuant to state law and a contract with the Ohio Turnpike and Infrastructure Commission (OTIC). Emergency calls for service from individuals and/or motorists on the Ohio Turnpike are routinely received by this agency. The purpose of this policy is to provide direction to agency employees concerning calls for service involving the Ohio Turnpike. Unless otherwise indicated, nothing in this policy is meant to limit this agency's law enforcement responsibilities based solely upon an incident occurring on the Ohio Turnpike.

Employee—including the Sheriff, any Deputy Sheriff, or any Dispatcher.

1. Any call for service involving a situation on the Ohio Turnpike will be immediately forwarded and/or transferred by the employee receiving the call to the dispatch center designated by OSHP. If the call cannot be immediately forwarded or transferred, the employee receiving the call will take the necessary information and will forward that information to OSHP as soon as possible. OSHP will generally handle the situation and no further action will be required on the part of this agency.
2. Any call for service involving a situation adjacent to—but not on—the Ohio Turnpike will be dispatched to the appropriate Sheriff's Office employee and/or other public safety agency that may need to respond based upon the situation. If it appears that the situation may interfere with motorists traveling on the Ohio Turnpike, OSHP will be dispatched as noted above.
3. In the event that a pursuit—either on foot or by vehicle—is initiated by a Sheriff's Office employee, and that pursuit enters the Ohio Turnpike, OSHP will be advised as noted above. Any vehicle pursuit will be continued or terminated based upon this agency's pursuit policy, and will not necessarily be terminated based solely upon the fact that the pursuit has entered the Ohio Turnpike. However, if the responsible supervisor determines that the pursuit will continue and OSHP becomes involved, due consideration will be given by the responsible supervisor to ordering the termination of the pursuit at that point. Foot pursuits will be handled on a case-by-case basis.
4. The Sheriff's Office has received two types of transponders—EZ Pass transponders and non-revenue transponders that allow for access through public toll gates and/or maintenance gates along the Ohio Turnpike. The EZ Pass transponders are white and are generally placed in prisoner transport vans. These transponders allow for entry to and exit from the Ohio Turnpike only through publicly utilized toll gates. The non-revenue transponders are orange, are generally assigned to individual employees assigned to patrol duties, and allow for access through all gates, including maintenance gates that allow access to the Ohio Turnpike from various township/county/state routes throughout the county.
5. Employees will only utilize non-revenue transponders to enter or exit Ohio Turnpike maintenance gates if engaged in a pursuit or response to an emergency situation that was initiated by an employee of this agency, or upon the request of OSHP. Employees are encouraged to periodically test the operation non-revenue transponders at one of the maintenance gates throughout the county, but only to determine if the transponder is functioning properly. Employees testing a transponder in such a fashion will not enter the Ohio Turnpike once the maintenance gate in question is observed to activate.
6. Non-revenue transponders will never be utilized by an agency employee to access the Ohio Turnpike for purposes of prisoner transportation or extradition, travel to or from training events, or any other non-emergent situation. Employees utilizing the Ohio Turnpike for travel for non-emergency situations will either:

- a. Obtain an agency issued EZ pass transponder, or
  - b. Obtain an agency issued Ohio Turnpike tolls credit card, or
  - c. Sign and present the toll ticket to the toll collector upon exiting the Ohio Turnpike and explain to the toll collector that travel was for official agency duties, or
  - d. Pay the toll upon exiting the Ohio Turnpike and submit a receipt for agency reimbursement.
7. All non-revenue transponders contain unique serial numbers and will be issued to individual employees, who will be responsible for their proper use. The receipt to be signed by employees receiving a non-revenue transponder is attached to this policy. Employees should always be aware that the Ohio Turnpike and Infrastructure Commission may audit transponder use at any time.
8. Transponders will be mounted in the center of the front windshields of agency vehicles, either above or directly below the rear view mirror mount.

### **39.01A INFORMATION REQUESTS FROM OTHER LAW ENFORCEMENT AGENCIES**

Inquiries by other law enforcement agencies regarding copies of inmate records (mug shots, fingerprint cards, etc.) or any other record from the Erie County Jail will be processed as follows.

- A. During normal business hours the request will be forwarded to the Sheriff Jail Administrator.
- B. Outside of normal business hours the request will be forwarded to the Jail Supervisor.
  1. The Jail Supervisor will determine if the request is an urgent/emergency nature (escape, be-on-the-lookout, etc.) to where the need for information is imperative without unnecessary delay.
    - a. If the need for the information is urgent, the Jail Supervisor will collect the information and forward it to the requesting agency.
    - b. The Jail Supervisor will document the request and action taken by JNAR, including who requested the information, why the information was needed and how the information was disseminated. This report will be placed in the Jail Administrator's box.
  2. If the Jail Supervisor determines that the request is not urgent, the request will be forwarded to the Sheriff or Jail administrator for normal processing.

### **39.02 RECORDS CHECKS FOR FAMILY COURT**

Recognizing the fact that the Juvenile Division of the Erie County common Pleas Court is recognized as a criminal justice agency by the National Crime Information Center (NCIC) regulations, the following shall apply to requests for records checks from that court:

1. Requests will be made on the form provided by the Erie County Sheriff's Office.
2. The individual requesting the information will fill out and sign the form.
3. Return of the form will be made within a reasonable time. Information relayed to the court will be considered confidential and will only be used in compliance with the NCIC and Ohio LEADS guidelines.

### **39.03 RECORDS CHECK FOR ERIE COUNTY PERSONNEL DEPARTMENT**

In providing criminal history information for the Erie County Personnel Department, the following policy will be adhered to:

1. All requests from the Personnel Department will be made on forms approved by the Sheriff's Office.
2. A minimum of two days' notice will be required for a records check to be completed.
3. Records check requests, to the extent possible, will be kept at a minimum with only finalists for position being screened through the Sheriff's Office.



4. It will be the responsibility of the Personnel Department to obtain and retain written permission for the records check from the applicant.
5. All records checks completed by the Erie County Sheriff's Office will remain on file with the Personnel Department. Only an updated records check for a specific period of time that has elapsed since the original records check will be provided on second request. Distribution of the information received is at the discretion of the Personnel Department.
6. All information from the checks is to remain confidential.

#### **39.04 WEBCHECK/FINGERPRINTING FOR BCI&I AND FBI**

In September of 2002 the Erie County Sheriff's Office will begin utilizing a pilot program called National WebCheck. The pilot program utilized equipment provided by the Ohio Attorney General's Office to capture electronically, demographic and fingerprint information to initiate background checks. WebCheck will replace our earlier program of physically obtaining fingerprints with ink sending the hard copy to BCI&I or the FBI.

The WebCheck station is located at the roll-up window in the Records Department, and will be utilized by those employees authorized by the Sheriff and trained in its proper use. WebCheck "administrators" will be responsible for the WebCheck system functions, adding and deleting users and provider access to enter demographic data and capture fingerprints. WebCheck transactions can be performed during normal business hours, by those authorized.

Effective January 1, 2007, and prior to initiating any WebCheck transaction, a fee of \$20.00 for a BCI&I transaction, or a fee of \$30.00 for an FBI transaction is to be collected (\$50.00 for a combination of BCI&I and FBI). Payment of the fee can be made by cash, money order, or cashier's check. A receipt for the appropriate payment must be written out of the regular station receipt book. Monies collected will be deposited on a daily basis into the Sheriff's Office checking account. On a monthly basis when we are invoiced for the transactions performed, a check must be made out from the Sheriff's Office checking account. This check and a "pay in" document form the Auditor's Office must be deposited with the Treasurer's Office into Account #A013-G06. A warrant will in turn be sent to the BCI&I or FBI by the Auditor's Office.

The identity of the individual requesting the transaction must be verified by photo ID prior to its initiation. The waiver of responsibility allowing this agency to perform the transaction must be accepted by that person requesting the transaction prior to it being performed.

All transactions performed will be of the "mail to transaction" type where the BCI&I will mail by certified letter the results of the check. Results of transactions will not be mailed by the Erie County Sheriff's Office.

#### **40.01 PHONE MESSAGES**

Telephone calls for administrative personnel, detectives, or officers on station, during normal working hours, will be forwarded once to the appropriate office. If the Dispatcher is unable to contact the officer, the Dispatcher will ask to take a message. Message slips will be placed in the Officer's mailbox prior to the end of shift change for the Dispatcher.

All messages for the Sheriff will be forwarded to his extension.

If the employee will be out of the building or unavailable for phone calls for a period of time, the voicemail or call forwarding features of the telephone system will be used to answer calls.

#### **41.01 EMPLOYEE PARKING**

All employees of the Erie County Sheriff's Office will park their vehicles with regard to the public access necessary for the building. Therefore, all Jail Division personnel will park in the lot directly north of the sally port, inside the security perimeter. Office personnel, cooks, intermittent officers, etc. will utilize

the front parking lot, using those spaces in the south end of the lot first. Road Division personnel should park cruisers along the perimeter of the front parking lot.

#### **42.01 BUILDING ACCESS**

In order to insure security and safety in the Erie County Sheriff's Office, proper access to the building must be maintained.

1. The dispatcher on duty will visually identify all persons wishing access to the building. Access will not be granted by the dispatcher until he/she has determined the person's identity and/or nature of business.
2. Employees utilizing the north parking lot will access the building at the door by the vehicular sally port.
3. Employees utilizing the main parking lot will access the building at the south door of the Administrative part of the building.
4. All non-employees and visitors will use the main entrance and be admitted after proper recognition by the dispatcher.

#### **43.01 RESPONSE TO CALLS INVOLVING EXPLOSIVES AND/OR SUSPECTED EXPLOSIVES OR EXPLOSIVE DEVICES**

This policy is published to provide employees with guidelines to be utilized when responding to calls for service involving the presence of explosives and/or suspected explosives or explosive devices. While each situation involving explosive or suspected explosives is unique and requires specific decisions to be made regarding that specific set of circumstances, these general guidelines will be followed in such instances to minimize the danger posed to the community and public safety personnel.

*Explosives* - any substance that meets the common definition of that word, or an item commonly thought of or referred to as the active ingredients contained in a "bomb," whether manufactured commercially or by an individual(s), including: dynamite, TNT, blasting powder, gunpowder, liquid contained in activated bottle (Drano, Works) bombs, flammable liquids fashioned to act as explosive devices, and any other such substance; including military ordnance but excluding commercially manufactured fireworks.

*Explosive device* - Any item containing an explosive and designed to explode or to act as a "bomb" using that word's common definition; including military ordnance but excluding commercially manufactured ordnance.

*Employee* – any agency employee.

*Bomb Squad* – the Lorain County Sheriff's Office Bomb Squad

1. Upon the receipt of the presence of a suspected explosive or explosive device, the dispatcher receiving such report – after obtaining all necessary information, including contact information for the caller – will immediately notify appropriate employees to respond and will also notify the senior Patrol Division employee on duty.

2. Responding employees will utilize all necessary precautions based upon the initial report and will, if at all possible; meet with the complainant(s) prior to taking any further action.

3. Dependent upon the complainant information, it may be appropriate to do nothing other than to determine if the establishment of a perimeter is needed and/or if an evacuation of the area may be required until the arrival of the Bomb Squad. Those decisions will be made after consulting with a supervisor and/or with members of the Bomb Squad.

4. Dependent upon the type of explosive device that may be involved, it may be appropriate for responding employees to limit or ban altogether the use of any type of electronic device that transmits a signal (cell phones, portable radios) in proximity to the device.

5. This agency utilizes the Lorain County Sheriff's Office Bomb Squad for response to all calls that necessitate the response of trained bomb technicians for the proper recovery and disposal of explosives or explosive devices.

6. At no time will any employee handle, transport, or store at the Erie County Sheriff's Office, or in any other building, any recovered suspected explosive or explosive device that has not been identified as, or rendered safe by, a member of the Bomb Squad or other individual competent to make such a judgement. Any explosive or explosive device will only be so handles, transported, or stored if necessary for evidentiary or training purposes.

7. The Sheriff and Chief Deputy will be notified as soon as possible of any calls covered under this policy.

#### **44.01 SMOKING PROHIBITED**

Smoking has been proven to be a health risk. Smoking in public places, including the Erie County Sheriff's Office, is prohibited pursuant to Ohio Revised Code Section 3794. This policy has been developed to recognize the risks associated with smoking and to comply with state law.

Smoking is prohibited within the Sheriff's Office; on the grounds of the Sheriff's Office; and within any building or room under the control of the Erie County Sheriff. This prohibition extends to all Sheriff's Office employees and to any visitors to the Sheriff's Office. The only exception to this policy for employees of the Sheriff's Office who choose to smoke inside their personal vehicles, parked on the grounds of the Sheriff's Office, during uncompensated time-and such conduct is highly discouraged for health reasons. The only other exception to this policy is for visitors to the Sheriff's Office who choose to smoke inside private vehicles parked on the grounds of the Sheriff's Office. Employees of other governmental or private agencies who work at the Sheriff's Office are expected to comply with this policy. Non-compliance will result in the individual's employer being contacted and possible referral to the Erie County Health Department for enforcement action. Failure of the involved individual to comply with this policy may result in further action being taken.

#### **44.02 BREAK ROOMS**

In order to insure that electrical and electronic equipment is not accidentally damaged, and to insure professionalism to the public, all food and liquids are prohibited from the jail control rooms and the communications center.

Break rooms, properly equipped with a microwave oven and refrigerator are provided in both the administrative and security areas of the building. These areas will be used by employees only.

Breaks from assigned duties should be taken in an area away from any duty area, and should not interfere with any other employee's responsibilities or duties.

Employees should not leave assigned areas without proper relief and should be in contact with supervisors in case of emergency.

#### **45.01 INMATE TRANSPORTS**

The following policy will be adhered to when transporting inmates from the Erie County Jail for either court appearances or appointments:

1. All inmates will be handcuffed and additional restraints will be utilized on a needs basis. The transporting officer, prior to departing the jail facility, will discuss with the Sergeant or Corporal any additional security needs.
2. No physical contact or communication with anyone other than an inmate's attorney, medical staff or counselor will be permitted.

3. The inmate will remain in the sight of the transporting officer unless special medical or psychological evaluations call for privacy. All attorney visitations will be made on a private basis. The transporting officer will determine the necessary security needs on an individual basis when dealing with attorneys, medical personnel or counselors.
4. The transporting officer will be responsible for all security of any inmate leaving the Erie County Jail facility.
5. All inmates leaving the Jail facility are under the custody of the Erie County Sheriff and will not be permitted to smoke.
6. The transporting officer will receive a court slip or appointment slip from the Jail staff prior to his/her leaving the Jail facility. The transporting officer will be responsible to see that this slip is completed accurately and in its entirety when the inmate is returned to the Jail facility.
7. An individual arrested and retained in custody will be the responsibility of an arresting officer if the officer is subpoenaed to a later court hearing requiring the inmate's presence. Arresting officers should contact the Jail facility prior to their prescribed appearance to ascertain if the inmate is still in custody.

Arresting officers will be responsible to report to the facility and obtain custody of any inmate within an adequate time period to insure that all appearances are on schedule.

#### **45.02 OUT-OF-COUNTY TRAVEL/EXPENSE REQUEST AND REIMBURSEMENT POLICY**

The following policy applies to all Erie County Sheriff's Office employees, pursuant to Section 325.20 of the Ohio Revised Code, for seminar reimbursement, conferences and transportation of prisoners from PUBLIC money and special fund accounts for out-of-county traveling and personal expenses actually and necessarily incurred by the employee in the performance of PUBLIC business or duty. The standard Travel/Expense Request and Reimbursement Form (see attached) must be utilized.

Intra-county mileage is not reimbursed except by approval of the appointing authority. Intra-county mileage is not addressed in this policy.

##### **I. Request reimbursement for Business/Duty Related Travel Expenses**

- A. The Travel/Expense Request Reimbursement Form is to be pre- approved and submitted by the proper county elected or appointed official to the County Commissioners' Office prior to the meeting/seminar date for Commission action with a copy of the meeting/seminar notice attached. This form must be fully completed detailing names, purpose, dates, appropriation account number, total estimated costs, etc. If no meeting notice is available, a signed affidavit must be attached.

##### **II. Authorization**

- A. The County Commissioners and the County Auditor will approve or disapprove the travel request after carefully considering the adherence to the parameters of this policy and the merits or purpose of the meeting/seminar.
  1. Upon the County Commissioners' approval of the request form, the original shall be returned to the originator with a copy sent to the County Auditor. Disapprovals will be returned to the originator.
  2. When, for reasons of time, prior approval cannot be granted for important or required meetings which comply with these policies, the County Commissioners authorize the County Administrator to grant special verbal approval. Written follow-up shall be required, i.e., the Travel Expense Request and Reimbursement Form.
  3. Any overage to the estimated and approved expense must be re-submitted on a new request form and authorized by proper action of the County Commissioners

##### **III. Reimbursement of Employee Expenses**

- A. The employee shall make request for reimbursement to the appointing authority or proper official within 30 days of expense occurrence by completing the expense voucher portion of the form, along with the original itemized receipts for same. Reimbursement for expenses after the 30-day

filing period will be denied. The appointing authority forwards the form to the County Auditor for payment.

- B. Before reimbursement may be made, evidence must be presented that expenditure was actually incurred. Such evidence would be actual mileage; official original itemized receipts, or in the case of lost or misplaced itemized receipts, a signed affidavit.
  - C. Personal credit cards may be used with reimbursement to be made directly to the employee.
  - D. Mileage – as determined necessary by the appointing authority, mileage may be reimbursed for out-of-county travel.
    - 1. Reimbursement rate for the use of a personal vehicle will be at the mileage rate established by Resolution of the County Commissioners. Employees are required to carry and be able to demonstrate current coverage of liability insurance on the vehicle used by them to carry out their duties. Employees are responsible for paying their own liability insurance.
    - 2. The use of county-owned departmental vehicles is preferred. County vehicles must be only used for official business, pursuant to 307.43 ORC.
    - 3. Carpooling is encouraged to save expenses.
  - E. Meals – as determined necessary by the appointing authority, restaurant meals may be reimbursed for meetings held outside Erie County for overnight travel (unless the meal is included in the seminar fee or an actual working lunch).
    - 1. Reimbursement for breakfast, lunch and dinner shall be at reasonable amounts.
    - 2. Hotel/Motel room service is allowable but not preferred due to cost.
    - 3. Per the IRS meal reimbursements, other than for costs associated with overnight travel, meals shall be considered a taxable fringe benefit and included on an employee's W-2.
  - F. Hotel/Motel Accommodation –as determined necessary by appointing authority.
    - 1. Reimbursement shall be a reasonable available rate for single occupancy.
  - G. Registration Fees – as determined necessary by the appointing authority, the seminar/meeting must be business/duty related.
    - 1. Registration to county or professional associations for conventions, conferences, seminars and committee meetings may be made upon proper application, i.e., Travel Expense Request and Reimbursement Form, and approved by the County Commissioners. Clerk shall send copy of approval with original copy of registration form to County Auditor.
  - H. Other Expenses
    - 1. Travel related expenses such as turnpike or toll fees, parking fees, etc. as determined to be necessary by the appointing authority, may be reimbursed.
- IV. Distance Allowed for Business/Duty – Related Travel
- A. Travel within the State of Ohio is allowable under this policy. The County Commissioners encourage employees to attend meetings within the State.
  - B. Elected or appointed County officials and their employees may request out-of-state travel expense reimbursement. Special consideration of the written request will be discussed and approved or disapproved by the County Commissioners in an open public Commission meeting. If approved, the following limitations apply:
    - 1. Travel outside of State of Ohio must be within the continental United States.
    - 2. One (1) trip per calendar year.
    - 3. All business/duty related expenses, except transportation, to a maximum of \$1000.00 may be reimbursed.
- V. Non-Reimbursable Travel Expenses
- A. Include, but are not limited to the following:
    - 1. Tips
    - 2. In-room movies
    - 3. Personal phone calls
    - 4. Alcoholic beverages

5. Voluntary dinner meetings or civil organizations
6. Spouse/family members or guest expenses
7. Intra-county expenses (for purposes of this policy)
8. Fines for traffic violations

The above policy (45.02) also applies when FOJ or Transportation of Prisoners Account funds are being used.

Erie County, Ohio  
OUT OF COUNTY  
TRAVEL/EXPENSE REQUEST AND REIMBURSEMENT FORM

EMPLOYEE NAME:	DEPARTMENT/TITLE:	DATE:
NAME OF MEETING OR FUNCTION: Copy of meeting notice (or affidavit) must be attached.		
NAME OF PLACE MEETING OR FUNCTION BEING HELD (Including City):		
DATE OF MEETING OR FUNCTION:		
NAME OF OTHER EMPLOYEES ATTENDING, IF APPLICABLE: (Others attending)		
CHECK APPROPRIATE ITEMS: COUNTY VEHICLE____ PERSONAL VEHICLE____ OTHER____ CREDIT CARD____ GASOLINE CARD____		

PLEASE PROVIDE ESTIMATED EXPENSES FOR THE FOLLOWING:

ITEM	QUANTITY	RATE	TOTAL
1. MILAGE (Round trip)	miles	@.31 per mile	\$
2. MEALS: Breakfast		\$	\$
Lunch		\$	\$
Dinner		\$	\$
3. MOTEL/HOTEL ACCOMMODATIONS	night(s)	@\$	\$
4. REGISTRATION FEES: (Check one) ____To be paid by employee and reimbursed by county ____To be prepaid by Auditor and presented at registration by employee (allow 7 days for check) ____To be prepaid by Auditor and mailed in with registration (completed form attached-allow 7 days for check)			\$
5. PARKING FEES			\$
6. OTHER EXPENSES (List)			\$
APPROPRIATION ACCOUNT NO. _____ PURCHASE ORDER NO. _____			\$
			TOTAL ESTIMATED EXPENSE

AUTHORIZATION	APPROVAL	DISAPPROVAL	DATE
Supervisor or Director/Department Head			
Elected Official			
Erie County Commissioner			
Erie County Commissioner			
Erie County Commissioner			
County Administrator as to Policy			

## EXPENSE VOUCHER

RECEIPTS ATTACHED FOR:

1. ACTUAL MILEAGE _____@ \$.31/mile	\$ _____
2. MEALS	\$ _____
3. MOTEL/HOTEL	\$ _____
4. REGISTRATION FEES	\$ _____
5. PARKING FEES	\$ _____
6. OTHER	\$ _____

EXPENSES ARE APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_  
ELECTED OFFICIAL(S) OR DEPARTMENT HEAD SIGNATURE(S)

GRAND TOTAL CLAIMED TO BE REIMBURSED \$ \_\_\_\_\_

SIGNED \_\_\_\_\_  
DATE \_\_\_\_\_

DATE \_\_\_\_\_

#### **46.01 DEATH AND SERIOUS INJURY NOTIFICATION**

One of the most sensitive duties that the Sheriff or a deputy sheriff may be called upon to perform is the notification of next-of-kin in cases of death or serious injury. The delicate nature of such notifications require that they be made with compassion and understanding. The following procedures will be followed to ensure that such notifications are made in a timely and appropriate manner and in compliance with current statutes.

##### ***PROCEURE IN DEATH OR SERIOUS INJURY NOTIFICATION INVOLVING THE GENERAL PUBLIC***

1. It shall be the responsibility of the Sheriff or deputy sheriff(s) conducting the original investigation to make the notification unless instructed otherwise by a supervisor.
2. All death and serious injury notifications shall be made in person if at all possible, with the exception of a serious injury notification where a delay in notification may prevent the next-of-kin from arriving at a hospital before the injured person's anticipated death.
3. Prior to making the notification, the Sheriff or deputy sheriff will gather the essential details concerning the incident and the deceased or seriously injured person, to include the victim's full name, age, race, and home address. The Sheriff or deputy sheriff will also gather details – as many as possible – of the death or serious injury, to include the circumstances, location of the victim or victim's body, and any other pertinent information.
4. The Sheriff or deputy sheriff will determine the identity of the next-of-kin to be notified. The descending order of priority for notification of relatives of a victim is as follows: spouse, parents, adult children, and then siblings. Notification need only be made to one of the above, but assistance may be rendered to the notified family member in contacting additional family members. Only when substantial delays would be required to make contact with next-of-kin should notification be made out of the above listed order.
5. The Sheriff or deputy sheriff will attempt to determine, to the best of their abilities at the time, if the survivor to be notified is elderly, disable, suffers from health problems that may be exacerbated by such notification, is visually or hearing impaired, and speaks the English language.
6. It may be appropriate for the Sheriff or deputy sheriff(s) to enlist the services of an interpreter, medical personnel, member of the clergy, or an acquaintance of the survivor to assist in making the notification.
7. Every reasonable effort will be made to make such notification in the privacy of the next-of-kin's home or in another location away from public scrutiny.
8. Upon arrival at the residence or place of business where the notification is to be made, the Sheriff or deputy sheriff will identify himself or herself by name and agency to the next-of-kin, along with the identities of anyone else that has accompanied the deputy to make the notification. The Sheriff or deputy sheriff will verify the relationship of the next-of-kin of privacy.
9. The Sheriff or deputy sheriff will address the next-of-kin in a straight-forward manner and will use easily understood language to briefly explain the incident and that fact that the individual involved is seriously injured or dead. The Sheriff or deputy sheriff will not use phrases such as "pass on" or "no longer with us" in an effort to avoid using the word "dead" as such phrases could cause confusion or create false hope on the part of the next-of-kin. The Sheriff or deputy sheriff will refer to the deceased by his/her first name. The Sheriff or deputy sheriff will avoid providing graphic details of the incident but should provide basic details of the incident and will, at the deceased and the apparent cause of death. If circumstances dictate, next-of-kin will be cautioned that any information – particularly the cause of death – will be ruled on by the county coroner.
10. The Sheriff or deputy sheriff should be prepared for unexpected responses from the next-of-kin, to include hysteria, verbal outburst, and physical attack. Medical attention will be requested immediately for any next-of-kin who appear to be in need of such assistance.
11. The Sheriff or deputy sheriff will, if the situation warrants, provide with written information,



- including disposition of the victim, location of personal effects, appropriate contact numbers, and the notification deputy's name, agency, and telephone numbers.
12. The Sheriff or deputy sheriff will not leave next-of-kin unattended until all reasonable efforts been made to obtain someone to respond and provide support to the next-of-kin.
  13. If another agency is requested to make the notification, that agency will be requested to make such notification in person. A report detailing the circumstances of the notification will be requested from that agency.

***PROCEDURE IN DEATH OR SERIOUS INJURY NOTIFICATION INVOLVING A MEMBER OF THIS AGENCY***

1. The Sheriff, or any deputy sheriff, who becomes aware of the death or serious injury of a member of this agency, while in the line of duty, will obtain as much information as possible concerning the circumstances. The highest ranking member of this agency on duty at the time will be contacted and advised of the situation. That person will immediately respond to the scene of the incident, if it has occurred in this county, and will coordinate any and all activities.
2. As soon as possible, the supervisor will immediately contact the Sheriff and advise the circumstances of the incident. If the Sheriff is unavailable, the Patrol Division Operations Officer or the Jail Administrator –dependent upon which division the involved employee is assigned to – will be notified.
3. The supervisor will coordinate with command level staff the notification of next-of-kin. Personal notification of next-of-kin in such a situation will be given priority.
4. When contacting the next-of-kin of a member of this agency who has died or has been seriously injured, the same general procedures outlined in Division A of this policy, will be followed. However, if it appears that death may be imminent for a member who has been seriously injured, next-of-kin may be transported to the hospital by the personnel making the notification. This transport may require the use of the cruiser's emergency equipment, if it is felt to be necessary by the involved deputy or his/her supervisor.
5. The senior ranking deputy at the hospital will be notified, by telephone, if possible, that the family is enroute. The names of seriously injured or deceased members of this agency will not be broadcast through a medium (i.e.: unscrambled police radio channels) whereby the general public could monitor the transmission.
6. All efforts will be made to ensure the privacy of the next-of-kin at the hospital. Obviously, the assistance of hospital personnel should be solicited to accomplish this goal. It should be remembered that the on-duty death or serious injury of a member of this agency is a matter of great public interest and there will be intense media attention focused on the victim and his/her family.

**47.01 SEX OFFENDER REGISTRATION PAYMENT POLICY**

It is the policy of the Erie County Sheriff's Office to remain consistent with the Board of County Commissioners of Erie County, Ohio in the collection of maximum revenue amounts where the Ohio Revised Code permits. As provided in Ohio Revised Code Section 311.171, the Sheriff may charge a fee annually to register, register a change of residence address, or verify a residence address of an adult Sex Offender who is required under the Sex Offender Registration and 193 Notification Law. The Erie County Sheriff's Office implemented the policy on January 1, 2005.

The Erie County Sheriff's Office will collect the maximum fee permitted by law for the annual registering of adult Sex Offenders. Payment is not required from a delinquent child until the delinquent child reaches eighteen (18) years of age. Each time a Sex Offender appears before the Sheriff or his designee to provide registration or verification for which the Sheriff charges a fee, the Sheriff or his designee shall determine whether the Sex Offender is able to pay the fee. The Erie County Sheriff's Office will make this determination to be able to pay as follows:

At the time of registration, the Sex Offender should submit proof of income from the prior years reported Federal Adjusted Gross Income as stated in Attachment 1.

1. If the reported income is determined to be less than 125% of the Federal Poverty Level, the Sex Offender will be determined **to not pay** the required fee.
2. If the reported income is determined to be at, or more than 125% of the Federal Poverty Level, the Sex Offender will be determined **to be able to pay** the required fee within sixty (60) days from the time of registration.
3. If the Sex Offender does not show proof of income at the time of registration, the Sex Offender will be invoiced (Attachment 2) the appropriate fee, and shall make remittance in full within sixty (60) days.

A registered Sex Offender will not be refused to register when he/she does not pay a fee required under this Policy. Instead, the inability to pay shall be reported under Section 325.31 of the Revised Code, and the County may recover those fees in a civil action in the same manner as other money due to the County. All fees paid to the Sheriff under this procedure shall be paid into the county treasury to the credit of the county general fund, and shall be allocated to the Sheriff to be used to defray the costs of registering Sex Offenders, and providing community notifications under Revised Code 2950.

## FEES

*Section 1:* For an offender who has been adjudicated a Sexual Predator, Child Victim Predator, Tier III Offender, or who has a duty to register as a result of committing an aggravated sexually oriented offense on or after June 13, 2002, the fee may not exceed a total of One Hundred Dollars (\$100.00) for each registration year.

*Section 2:* For an offender who has been determined to be a Habitual Sexual Offender, a Habitual Child Victim Offender, or a Tier II Offender who is not described in Section 1 of this policy, the fee may not exceed a total of Fifty Dollars (\$50.00) for each registration year.

*Section 3:* For an offender who has been determined to be a Sexually Oriented Offender, or a Tier I Offender, the fee may not exceed a total of Twenty Five (\$25.00) for each registration year.

## RECORDING OF REGISTRATION

To the extent possible, all sex offender registrations will be recorded using the prescribed recording equipment. The recordings shall be periodically saved to CD ROM media. Thereafter these saved recordings will be kept according to the Schedule of Records Retention and Disposition of the Erie County Sheriff's Office.

Date:

Sex Offenders Name

Sex Offenders Address

Sex Offenders City, State and Zip Code

RE: SEX OFFENDER REGISTRATION PAYMENT POLICY

Dear "Sex Offenders Name":

On January 1, 2004, a new Ohio Law took effect that gives Ohio Sheriff's authority to charge adult sex offenders a registration fee. This letter is to inform you that the Erie County Sheriff's Office will begin collecting this registration fee beginning January 1, 2005.

The fee charged will be as follows:

- o Sexual Predator: \$100.00 annually
- o Habitual Sex Offender With or Without Notification: \$50.00 annually
- o Sexually Oriented Offender: \$25.00 annually

At the time of your registration, the law requires the Sheriff to make a determination as to your ability to pay the fee. At the time of registration you should submit proof of income from your prior years reported federal adjusted gross income. If your reported income is determined to be less than 125% of the federal poverty level, you will be determined **to not pay** the required fee. If you're reported income is determined to be at, or more than 125% of the federal poverty level, you will be determined **to be able to pay** the required fee within sixty (60) days from the time of registration. If you do not show proof of income at the time of registration you will be invoiced the appropriate fee and shall make remittance in full within sixty (60) days.

**You will not be refused to register if you do not make payment.** Instead, your inability to pay shall be reported under Section 325.31© of the Revised Code and the county may recover those fees in a civil action in the same manner as other money due to the county.

The fee charged is applicable to those who register under ORC 2950.04 initial registration, ORC 2950.05 change of residence, and ORC 2950.06 to verify a current residence. It is your responsibility to retain the receipts received for payments to establish that the payment of any fee will exceed the maximum annual amount permissible.

If you have registered with a sheriff and subsequently relocate to a different county during a registration year, the annual maximum amounts set shall apply to the sheriff in the new county, and that sheriff shall consider any payments already made by you for purposes of determining when the applicable maximum has been met for your registration year.

Should you have any questions about this new policy that will begin on January 1, 2005, please call me at 419-625-7951.

Sincerely Yours,

ERIE COUNTY SHERIFF'S OFFICE  
2800 Columbus Avenue  
Sandusky, OH 44870  
419-625-7951

INVOICE FOR SEX OFFENDER REGISTRATION

DATE OF SEX OFFENDER REGISTRATION\*\*\*\*\*

TYPE OF SEX OFFENDER REGISTRATION

SEXUAL PREDATOR \$100.00

HABITUAL SEX OFFENDER \$50.00

SEXUALLY ORIENTED OFFENDER \$25.00

AMOUNT DUE BY \*\*\*\*\*

OFFENDER NAME:

OFFENDER STREET:

OFFENDER CITY, STATE, & ZIP:

OFFENDER WATCH NUMBER:

#### **48.01 SEXUAL HARASSMENT**

The Erie County Sheriff believes that all employees have the right to work in an environment that is free from all forms of discrimination including sexual harassment. Therefore, the Sheriff has adopted this policy, which prohibits employees from sexually harassing any other employee, or member of the public.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

Sexual harassment may include a range of subtle or not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to:

1. Unwanted sexual advances or requests for sexual favors;
2. Sexual jokes and innuendoes;
3. Verbal abuse of a sexual nature;
4. Commentary about an individual's body, sexual prowess or deficiencies;
5. Leering, whistling, or touching;
6. Insulting or obscene comments or gestures;
7. Display in the workplace of sexually suggestive objects or pictures;
8. Other physical, verbal, or visual conduct of a sexual nature.

The conduct described above is prohibited in the workplace and in any employment related setting (such as trips conducted as a representative of the agency, meetings attended as a representative of the agency, and agency-sponsored social events), whether or not the event(s) occur during normally scheduled working hours.

##### *Reporting procedure*

1. An employee who experiences or witnesses sexual harassment in the workplace must report it immediately to any supervisory employee. Supervisors are required to immediately notify the Sheriff and his/her designee. The Sheriff will conduct, or order his/her designee to conduct, a thorough investigation. The alleged victim, any witness, or any supervisory personnel may initiate a complaint under this policy.
2. If the Sheriff is the subject of a complaint, the county prosecutor will be asked to conduct the investigation.
3. The complaint will be documented in writing. Any interviews conducted while investigating a sexual harassment complaint will be electronically recorded. To the extent possible, the identity of the alleged victim, witnesses, and the alleged perpetrator will be protected against unnecessary disclosure.
4. Employees who are interviewed as a part of the investigation will not provide false information during the interview. Any employee who provides false information during an interview being conducted as the result of a sexual harassment complaint will be subject to the disciplinary process.
5. If, at the conclusion of the investigation, the Sheriff has reason to believe the reported act(s) did occur, the perpetrator will be advised that such conduct is improper and in violation of federal and state law and that the employee is subject to disciplinary action up to and including discharge.

- The perpetrator will then be subject to the disciplinary process and referrals to any other applicable federal or state agency will be made.
6. Should the results of the investigation prove to be inconclusive, all parties involved will review this policy with the understanding that any violation of the policy in the future will call for immediate disciplinary action.
  7. At the completion of the investigation the complainant and any employee about whom a complaint was filed will be informed of the outcome.
  8. Each employee shall review this policy with his/her supervisor, or attend a training session on sexual harassment at least every two (2) years. Employees shall sign a statement that they have participated in such a familiarization session. The statement shall become part of the employee's personnel file.
  9. New employees shall be familiarized with this policy by their immediate supervisor and sign a statement which will be incorporated into that employee's personnel file indicating that the new employee has been advised of the policy and is obligated as a condition of employment to abide by it.
  10. Employees who believe that a member of the public has sexually harassed them, shall report any such incident to their immediate supervisor, who shall investigate and resolve any situation found to be inappropriate.
  11. Nothing in this policy is intended to deny any employee any rights available by law, including the right to appeal to the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or any court of competent jurisdiction.

#### **49.01 FURTHERANCE OF JUSTICE FUNDS**

The Furtherance of Justice Fund (F.O.J.) is a statutory allowance of discretionary funds provided annually to the Sheriff under [325.071] and [325.06 A,B] of the Ohio Revised Code. It is to provide for expenses the Sheriff may incur in the performance of the Sheriff's official duties and in the furtherance of justice. The following guidelines are hereby established for the use of the F.O.J. funds:

1. The funds may not be used for personal expenses of the Sheriff or any employees of the Sheriff.
2. Monies in the F.O.J. fund may be used for any expenses incurred in the performance of official duties and in the furtherance of justice unless authority exists for the use of appropriated monies for such purpose and money is in fact available to the credit of a proper line-item account, appropriated and unencumbered.

The Sheriff is not required to request funds in his regular budget or at any other time as a condition precedent to the use of F.O.J. funds and disapproval by the County Commissioners is likewise not a condition precedent to the use of F.O.J. funds.

Circumstances may require that the expenditure be made from the F.O.J. fund prior to completion of the procedures necessary for the expenditure of appropriated and unencumbered monies. The reimbursement expenditure from the appropriate account is subject to Section 5705.41 of the Ohio Revised Code.

3. Any use or expenditure of F.O.J. funds must be properly documented and itemized. Documentation of each expenditure would include but not be limited to detailed receipts, invoices, etc. Only the Sheriff or in his absence, his designee may authorize the use of F.O.J. funds.
4. Reimbursement from any F.O.J. funds for expenses pertaining to authorized travel, whether lodging, mileage, meals and/or incidental expenses shall follow the guidelines of the Erie County Travel/Expense Request and Reimbursement Policy, See police 45.02.

The Sheriff may in his discretion, advance travel expense funds to employees from the F.O.J. fund. All such advancements must be accounted for in the manner set forth above. Any unused portions must be promptly returned to the F.O.J. account.

5. Equipment and Personal Property

Any equipment or personal property purchased with F.O.J. funds becomes and remains the property of Erie County.

An inventory of such equipment and property shall be maintained and filed accordingly to 305.18 of the Ohio Revised Code.

6. Confidential Expenditures

The Sheriff may utilize F.O.J. funds for confidential expenditures, investigations, experts, or consultants and witnesses. An expenditure is "confidential" if disclosed of the event or the identity of the recipient or of the nature of the expenditure would tend to frustrate the purpose for which it is made or would tend to expose any person to intimidation or danger of physical harm, to himself or his property. The following methods will be used to properly document such expenditures:

*A. Purchases*

At the conclusion of the investigation, the officer, employee or agent with firsthand knowledge of the necessary information shall furnish a report indicating the item(s) purchased, the date of the report, the date of the purchase, amount expended, check number, the quantity and type of materials purchased and the disposition thereof.

Where practicable, a separate check should be drawn for each transaction payable to the officer, agent or employee who will be making the actual purchase. If for reasons of confidentiality, the check cannot be made payable to the officer, agent or employee making the actual purchase, it will be made payable to the supervisory officer overseeing the investigation who will promptly cash the check and deliver the cash to the individual making the purchase. A signed receipt for the cash will be obtained from the supervisor.

The report referred to in A (1) must be signed by an officer, employee or agent with firsthand knowledge of the necessary information for the transaction and cosigned by either the Prosecuting Attorney or Sheriff.

*B. Payments to Informants*

Where practicable and unless procedures as set forth in Section 6(d) are utilized, a separate check should be drawn for each transaction payable to the officer, employee or agent making the actual payment. If for reasons of confidentiality, the check cannot be made payable to the officer, agent or employee, it will be made payable to the supervisory officer overseeing the investigation. They will promptly cash the check and deliver the cash to the individual making the actual payment. A signed receipt will be obtained from the supervisor from the officer, agent, or employee to whom cash is advanced.

*C. Security*

The extremely sensitive nature of the identity of informants and drug agents, the personal risk to such individuals, and the need for expenditures is clear. Accordingly, to maintain the confidentiality of such expenditures, it should be the policy of the Bureau of Inspection and Supervision of Public Offices that the identity of drug purchasers or informants shall never be included in any of their written notes, work papers, or reports prepared by their representatives. Documentation required in areas determined to be confidential will only be reviewed in the office of the Sheriff and will not be removed or copied unless there is probable cause to believe illegal expenditures have taken place. At that time the Bureau of Inspection and Supervision of Public Offices may apply to the Erie County Court of Common Pleas for an order directing the Sheriff to deposit such documentation with the Court for further review.

#### *D. Affidavit*

Section 6A and 6B shall not apply whenever the Sheriff, in the reasonable exercise of his discretion determines that maintenance of the prescribed documentation would increase the risk of exposure of any person to intimidation or danger of physical harm to himself or his property, or would frustrate the purpose for which a confidential expenditure is made. Whenever the Sheriff makes such a determination, he shall prepare an affidavit (see Exhibit B) setting forth the amount of the expenditure; any check number related to the expenditure and the general nature of the expenditure (e.g., purchase, informant payment, maintenance expense or travel for undercover agent). If such expenditure is made from the imprest cash fund, the receipt number should be substituted for the check number. When such an affidavit is furnished, the state examiner shall not require the check, receipt or other details be produced and will make no further inquiries concerning that expenditure unless there is probable cause to believe the affidavit is false. In which case, the examiner may apply to the Erie County Common Pleas Court for an order to compel disclosure of information supporting the expenditure.

#### *7. Imprest Cash Fund*

Many of the expenditures properly made from the F.O.J. fund are of such a nature that payments must be made in cash and it is impossible to process a check quickly enough to complete the transaction. Accordingly, the establishment of an Imprest Cash Fund may be authorized and administered in the following manner;

- A. The amount of the imprest cash fund must be formally established in the amount as determined by the Sheriff.
- B. The monies in the imprest cash fund must be under the custody and control of the specified supervisory officer at all times. This officer must account for all cash placed in their custody or have properly completed receipts to account for the balance.
- C. Monies in the imprest cash fund may be expended only for confidential expenditures when the proper financial institution is not open to cash checks issued in the prescribed manner.
- D. Any officer or agent requesting a cash advance from the fund must give a dated signed receipt to the supervisory officer in charge of the fund. The receipt will indicate the amount given and amount returned.
- E. Whenever expenditure is made from the imprest cash fund for a confidential purpose or informant, it shall be documented in the manner as described in section 6.

#### *8. Receipts*

All receipts should be pre-numbered, duplicate receipts. They will be turned over the Sheriff or his designee as soon as possible.

#### *9. Accounting*

A general cash book, short form ledger or spread sheet will be maintained by the Sheriff's fiscal secretary for the proper recording of all receipts, reimbursements, deposits and expenditures pertaining to F.O.J. funds. The F.O.J. account shall be reconciled monthly and annually by the fiscal secretary to the bank upon receipt of the monthly bank statement. A copy of such shall be on file and available to state examiners upon request. The fiscal secretary will also prepare an annual record of all transactions of the F.O.J. account for submission to the Erie County Auditor in accordance with 325.071 of the Ohio Revised Code.

### **50.01 INTERNAL CONTROL AND FORFEITURE POLICY**

The Erie County Sheriff's Office, pursuant to Ohio law as required by the "Forfeiture Statutes" in the Ohio Revised Code, including but not limited to Sections 2923.32, 2923.144, 2923.42, 2925.03, and 2981.13, hereby adopts the following as the written internal control policy as to the receipts, use and/or disposition of lost, abandoned, found, seized or forfeited property and proceeds therefrom, as well as the receipt and expenditures of proceeds from court ordered mandatory fines.



## I. Custody of Property

- A. All items of property seized by the Erie County Sheriff's Office that can physically be secured at the Erie County Sheriff's Office (cash, weapons, etc.) shall be secured at the appropriate designated area (evidence room, locker etc.). Other items (i.e. vehicles shall be secured in appropriate areas and such information shall be noted in the respective case files or supplemental reports. Items seized and subsequently to be processed for forfeiture will be listed on an appropriate Search Warrant Inventory/and/or Seizure-Inventory Form.
- B. Deputies shall forward said Inventory Form and/or Seizure-Forfeiture Form to the Assistant Erie County Prosecutor for purposes of meeting forfeiture deadlines and trial preparation.
- C. Written receipts shall be required for all acceptance and/or return of property to the Erie County Sheriff's Office. Receipts shall be kept in the respective case files.
- D. Upon deposit of said forfeited proceeds, the Judgement Entry authorizing said forfeiture and all pertinent information shall be retained in the respective case file.

## II. Erie County Sheriff's Office Contraband Forfeiture Account

- A. Upon order of the Court, monies forfeited and/or proceeds from the sale of forfeited assets (i.e. vehicles etc.) shall be deposited into the Erie County Sheriff's Office Contraband Forfeiture Account (also referred to as the Erie County Sheriff's Office Law Enforcement Trust Fund Account), presently located at the Citizens Banking Company in Sandusky, Ohio.
- B. Each deposit shall be recorded by the Fiscal Secretary in a yearly forfeiture deposit file which should reflect said deposit, the Erie County Sheriff's Office complaint number or the Judgement Entry case number.
- C. All expenditures from the Erie County Sheriff's Office Contraband Forfeiture Account (LETf) shall be expended in the furtherance of investigation and prosecution of criminal cases in Erie County following these general guidelines:
  - 1. Investigation and prosecution of complex cases.
  - 2. Cost of training and providing technical expertise.
  - 3. Any other law enforcement purpose as determined by the Sheriff
  - 4. As designated in the Ohio "Forfeiture Statutes"
  - 5. Federal grant local match.
- D. Expenditures shall be recorded in the Erie County Sheriff's Office Contraband Forfeiture Checking Account register, as well as a yearly expenditure file shall be maintained which shall be maintained and include a copy of the invoice, bill, receipt and the payment check. Computer records will be maintained regarding forfeiture expenditures.
- E. A report of receipts and expenditures of forfeited proceeds in each shall be sent to the Ohio Attorney General's Office by March 1 of each calendar year.

## III. The Erie County Sheriff's Office Mandatory Fine Account

- A. All proceeds from mandatory drug penalty fines imposed by the Court or received by the Erie County Auditor's Office as a result of the Sheriff's Office portion from deposits made by the Erie County Drug Task Force into Erie County Account 24070, shall be deposited into the Erie County Sheriff's Office Contraband Forfeiture Account #62009 (LETf) established at the Citizens Bank.
- B. Each deposit shall be recorded in the checking account registry. Computer records will also be maintained regarding each deposit.
- C. Expenditures from the proceeds shall be expended in the furtherance of investigation and prosecution of crimes involving drugs in Erie County following these general guidelines:
  - 1. Investigation and prosecution of complex cases;
  - 2. Costs of training and providing technical expertise;
  - 3. Special equipment, and;
  - 4. Any other law enforcement purpose as determined by the Sheriff and approved by the Erie County Prosecutor.

#### IV. Community Education Purposes

- A. Ten percent (10%) of the first One Hundred Thousand Dollars [\$100,000.00] and twenty percent (20%) over One Hundred Thousand Dollars [\$100,000.00] of any forfeited or mandatory fines deposited during each calendar year will be used for community education purposes.
- B. Monies designated for community educational purposes will be deposited into the “DARE” program account. The DARE program has been designated the Sheriff’s community preventive education program. Funds from the DARE account will be used to educate adults or children with respect to the dangers associated with the use of drugs of abuse.
- C. The Sheriff’s Fiscal Secretary will keep and maintain adequate financial accounting records of all receipts and expenditures of funds used for the DARE program. All expenditures must receive prior approval of the Sheriff.

#### V. Federal Forfeitures

- A. Any monies obtained from Federal Forfeitures will be deposited into the LETF account and will be dispersed in accordance with all Federal guidelines and statutes.

### 51.01 CHAPLAINS

This policy formalizes guidelines for those serving as Chaplains for the Erie County Sheriff’s Office and outlines those situations when a Chaplain could be utilized by agency employees.

Chaplain—a trained and ordained minister, priest, or rabbi appointed by the Sheriff to voluntarily serve the spiritual and counseling needs of employees of the Sheriff’s Office, family members of the employees, and the general public. A chaplain will serve at the pleasure of the Sheriff.

1. Chaplain(s), upon appointment, shall receive an agency identification card.
2. Chaplains may wear the standard uniform as approved by the Sheriff’s Car Marking and Uniform Commission, with the exception of the shoulder patch, collar brass, and epaulet insignia.
3. Chaplains may be utilized as follows:
  - a. To assist agency personnel with making notifications to families of employees of this agency, or any other, law enforcement agency that are injured or killed in the line of duty.
  - b. To respond to a hospital when an employee of this, or any other, law enforcement agency is injured in the line of duty to assist the officer and his/her family.
  - c. To visit ill or injured agency employees at the hospital or at home during a period of convalescence.
  - d. To attend and assist at funerals of active and retired agency employees.
  - e. To counsel employees, their families, and other personnel who are experiencing personal issues and who may benefit from speaking with a chaplain.
  - f. To attend agency-involved or sponsored events, ceremonies, or other public functions to offer invocations, benedictions, and/or to otherwise represent the Sheriff’s Office.
  - g. To organize and develop voluntary spiritual organizations within the Sheriff’s Office.
  - h. To respond to disaster scenes (natural or man-made) when the service of a chaplain may be considered beneficial.
  - i. To assist law enforcement officers, either from this or another agency as requested, to deliver death notices or notifications of serious injury to immediate family members.
  - j. To establish a liaison relationship with other clergy members in the community, who may be called community, who may be called upon to assist with any of the tasks listed above.
  - k. To make referrals to other professionals who may be able to assist an employee, an employee’s family member, or a citizen.

## **SPIRITUAL AND ETHICAL PROTOCOLS**

Any individual appointed as an Erie County Sheriff's Office chaplain shall:

1. Maintain his/her personal integrity at all times, and shall conduct himself/herself as becoming a member of this agency; and
2. As requested, visit with each employee and the employee's family to ascertain that the individual spiritual needs of the employee and the employee's family members are being met; and
3. Maintain a directory of the religious affiliation of employees who are met with, so that such information is available in any future emergency situation; and
4. Shall provide confidential counseling, consultation, and spiritual support to employees, and the family members of employees, who voluntarily seek chaplaincy services for personal, marital, family, employment, or other issues. Such confidential contact with an employee or an employee's family shall not be reported to an employee's superiors in any fashion, nor shall such contact be documented in an employee's personnel file; unless the employee's conduct causes the chaplain to believe that the matter being discussed could result in physical harm to the employee or other person.

### **52.01 COMMUNITY ENGAGEMENT**

The Sheriff's Office is committed to establishing close ties with community members and organizations by being receptive and responsive to community needs. All agency employees will work to maintain and/or establish positive relationships with community members and organizations.

The Sheriff's Office will interact with community members and organizations in a cooperative, proactive fashion with the ultimate goal being to create a safer community and to encourage community groups and organizations to likewise interact with the Sheriff's Office in a cooperative fashion. To the extent possible, community groups and organizations may be encouraged to be involved with the agency.

#### **PROGRAMS**

The Sheriff's Office, by virtue of this policy, establishes written accountability for its community involvement functions. To effectively implement its community involvement function, the agency at various times engages in the following programs, including but not limited to:

1. Seat belt education and/or enforcement programs.
2. Child passenger safety education and/or enforcement programs.
3. Citizen recognition programs.
4. Citizen ride-along programs.
5. Crime prevention and awareness education programs.
6. Motor vehicle operator education and safety programs.
7. Prescription drug takeback program.
8. Fatal vision demonstrations.
9. Child ID card issuance programs.
10. Internship programs
11. Touch-a-Truck/National Night Out Against Crime programs.
12. Public alerts.
13. Public education programs.
14. Multiple School Resource Deputy programs.
15. School evacuation and lockdown drills in multiple local school districts.

## OTHER COMMUNITY INVOLVEMENT

The Sheriff's Office will participate with community groups as follows:

1. Participate with community group functions as personnel are available, provided that the function and/or goals of the community group do not contradict those of the Sheriff's office; and/or
2. Allow for employees to attend these functions as determined by the Sheriff or his/her designee; and/or
3. Ensure that information forwarded from citizens is considered in an effort to improve agency response to the needs of the community; and/or
4. Utilize information obtained from citizens to identify additional training needs, where applicable; and/or
5. Develop problem oriented community policing strategies as determined by community need balanced by budgeting and staffing considerations.

## USE OF ELECTRONIC AND PRINT MEDIA TO ENSURE COMMUNITY ENGAGEMENT

The Sheriff's Office may utilize various types of media to publicize objectives, problems, and successes in an effort to keep the community informed about highlights during the course of the year as well as to obtain feedback from the community. Media used could include the agency's website, Facebook page, print media, and radio or other electronic media.

## POLICY REVIEW AND TESTING

Employees will be provided with a copy of this policy, either in paper or electronic form, upon initial employment with the agency. In-service employees will be provided with a copy upon the policy's approval. Proficiency training—to include oral testing during an employee's scheduled shift—will be conducted on an annual basis.

## **52.01 JAIL POLICIES AND PROCEDURES**

### **Section 1 – Policy Manuals**

Policy Manuals

### **Section 2 – Reception**

Identification of Officer  
Legally Committed  
Medical Pre-Screen  
Form: Medical Pre-Screen  
Pepper Mace Contamination  
Separation by Gender at Booking  
Identifying Juveniles  
Admitting Juveniles  
Initial Frisk Search at Booking  
Contraband found during Initial Search  
Booking and Identification Record  
Form: Information for Incarceration  
Telephone Calls  
Identified by Photograph  
Preliminary Health (Receiving) Screen  
Suicide Prevention  
Form: Preliminary Health (Receiving)  
Recording Inmate Funds  
Recording Inmate Property  
Form: Property Intake Transaction  
Property Release While in Custody  
Form: Property Release Transaction  
Rules and Regulation Pamphlet  
Form: Rules and Regulation Pamphlet  
Fingerprints  
DNA Collection  
Photo, Fingerprint, DNA Refusal  
Strip and Body Cavity Searches  
Integrated with General Population  
Standard Issue Items

### **Section 3 – Classification**

Classification System  
Special Needs  
Form: Classification Tree  
Inmate Workers  
Form: Kitchen Inmate Workers  
Form: Laundry Inmate Workers  
Form: Cleaning Inmate Workers  
Good Time Credit

### **Section 4 – Housing**

Housing

### **Section 5 – Security**

Security Perimeter  
Weapons in Security Perimeter  
Searches of Inmates Who Left Security Perimeter  
Form: Security Perimeter  
Controlled Movement  
Secure Booking and Release  
Key, Tool, Culinary Equipment Control  
Jail Log  
Jail Incident Report  
Gender Supervision  
Official (Head) Count  
Personal Observation Checks  
Contraband  
Searches (Shake Downs)  
Use of Force  
Less Than Lethal Devices  
Use of Restraints  
Form: Observation Log  
Closed Circuit Televisions  
Two-Way Communication  
Equipment (Generator)  
Toxic, Corrosive, and Flammable Substances

### **Section 6 – Jail Emergencies Plan**

Escape from Jail  
Escape from Outside Jail  
AWOL Escapes  
Hostage Situation  
Fire Plan  
Form: Fire Drill  
Riot / Disturbances  
Food Poisoning  
Civil Disturbances  
Natural Disaster  
Suicide  
Death  
Contagious Disease  
Bomb Threat  
Emergency Medical  
Health Aspects  
Emergency Medical Equipment  
Form: First Aid Kit Inspection List  
Form: NARCAN Inspection List

## Section 7 – Sanitation and Environmental Conditions

Hygiene Articles  
Safe and Sanitary  
Clean Bedding, Linens, and Clothing  
Showers  
Shaving Equipment  
Form: Razor Log  
Hair Cuts  
Form: Haircut Log  
Regular Maintenance and Repairs  
Monthly Sanitation, Vermin, Safety Inspections  
Form: Monthly Jail Inspection  
Annual Health Inspections  
Illuminated Areas  
Interior Lighting

## Section 8 – Communication

Inmate Mail  
Inmate Telephone Services  
Access to Legal Counsel  
Messages for Inmates  
Staff Computer Access  
L.E.A.D.S.

## Section 9 – Visitation

Regular Visitation  
Form: Lobby Sign-In Sheet  
Form: Control Room Visitation Log  
Professional / Clergy Visitation  
Special Visitation

## Section 10 – Medical / Mental Health

Health Authority  
Credentials  
Continuing Education for Health Trained Personnel  
Medical and Mental Health Records  
Confidentiality  
Privacy  
Pharmaceuticals  
Mental Health Services  
Intoxication and Detoxification  
Infectious Disease Control Program  
Informed Consent  
Health Appraisal  
Complaints  
Sick Call  
Personal Physician Treatment  
Pregnant Inmate  
Special and Nutritional Medical Diets  
Dental Care  
Optical Care  
Body Lice  
Inmate Death  
Medical Co-Pay  
Continuous Quality Improvement Program

## Section 11 – Food Service

Food Service

## Section 12 – Recreation and Programming

Exercise  
Dayroom Activities  
Reading Materials  
Inmate Program – Alcohol Treatment  
Inmate Program – Drug Abuse Treatment  
Inmate Program – Academic Training  
Inmate Program – Psychological Services  
Inmate Program – Life Skills  
Inmate Program – Social / Community Services  
Religion  
Commissary

## Section 13 – Inmate Discipline

Rules / Penalties  
Disciplinary Hearings

## Section 14 – Administrative Segregation

Administrative Segregation

## Section 15 – Grievance

Grievance

## Section 16 – Staffing

Pre-Employment Background Checks  
Staff Plan  
Post Orders – Main (A) Control Board Operator  
Post Orders – Main (A) Rover  
Post Orders – Female (B) Control Operator  
Post Orders – General Population (E) Board Op  
Post Orders – General Population (E) Rover  
Post Orders – Court Officer  
Jail Administrator / Shift Supervisor  
Performance Evaluation  
Form: Employee Performance Evaluation  
Code of Ethics

## Section 17 – Staff Training

Support Staff  
Volunteers  
Corrections Officers  
Jail Administrator / Shift Supervisor

## Section 18 – Release

Identification and Release Documentation

Bonds and Fines

Form: Bond

Form: Bond Release Information

Bond Refusal

Commitment Release Time

Releasing Inmate to another Agency

Prison Property Release

Form: Prison Property Release

Releasing Violent/Combative Inmate

Physical Release

## Section 1: Policy Manuals

### Subject: Policy Manuals

Minimum Standard: 5120:1-8-18(E)

Revised: 05/1990, 01/2012, 09/2014, 10/2015

Authorized: \_\_\_\_\_ Effective Date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

### POLICY

It shall be the policy of the Erie County Jail, through the Sheriff and his designee(s) to create, implement and enforce the following policies and procedures concerning the operation of the Erie County Jail. The purpose of this policy and procedure manual is to guide staff members in the safety and secure operation of The Erie County Jail. Erie County Sheriff's Jail Policies and Procedures shall be available at all times to the entire jail staff, shall be reviewed annually by the Jail Administrator, and shall be updated by the Sheriff as necessary.

### PROCEDURE

Section 5120.10 of the Ohio Revised Code requires the Director of the Department of Rehabilitation and Correction to promulgate *Standards for Jails in Ohio* to serve as basic criteria for the establishment of this facility's policies and procedures. This policy should reflect procedures to be the minimum conditions necessary to ensure the safe, efficient, effective and legal operation of this jail. The Erie County Sheriff's Office shall establish rules, regulations, policies and procedures that regulate the personal conduct of employees, where a rational basis exists for restriction and where the regulated conduct has an adverse effect on the Sheriff's Office or the officers ability to effectively perform his/her duties. This policy manual establishes and regulates the methods, processes or means and establishes standards by which an officer carries out this Office's services and programs.

#### A. Priorities

1. The number one priority of this facility is the safe and secure detention of those persons committed by lawful authority. The policies and procedures herein go into great detail in delineating staff responsibility in all areas of jail management.

#### B. Review

1. The Sheriff, Jail Administrator and designated staff personnel will be vigilant to observe new court interpretations effecting the jail operations, legislative enactments that influence jail operations and recommendations by various groups and organizations that address themselves to local jail management. Should a procedure in practice at this facility be affected by judicial or legislative dictates, corrections will be promulgated. These interpretations will be gathered in the form of a Policy & Procedure Manual.

#### C. Maintenance of Manuals

1. Every jail staff member will have computer access to this manual. Every staff person is responsible for review of all information contained therein, not just those areas in individual spheres of responsibility. When changes are made, jail staff will be notified in accordance to the Agreement with the Erie County Sheriff and the FOP/OLC. It will be the responsibility of each staff person to read and understand any policy changes. Any item(s) in question should be immediately presented to a supervisor or jail administrator for clarification. An electronic copy of the manual will be available on the "W" Drive. The Jail Administrator will be responsible for the updating of this manual.



**Section 1: Policy Manuals****Subject: Policy Manuals (Continued)****Minimum Standard: 5120:1-8-18(E)****Revised: 05/1990, 01/2012, 09/2014, 10/2015****D. Suggestions**

1. Should any Employee become aware of documented evidence of a policy or procedure in use at this facility that is in violation of law or legislation, he/she should bring it to the immediate attention of the Jail Administrator. Any policy or procedure that appears to unwieldy violate security, the Agreement between The Erie County Sheriff and The FOP/OLC, or in any way is a hindrance to the performance of assigned duties should be immediately brought to the attention of the Jail Administrator for clarification and possible alteration.

**DEFINITION:**

Employee – For purposes of this policy, “an employee” is defined as the Sheriff, any Deputy Sheriff and/or any Corrections Officer responsible to perform any duties as listed in this policy. The term “Corrections Officer”, as generally used throughout this policy, is to be used interchangeably with the term Sheriff or any Deputy Sheriff if those individuals would be assigned to perform duties prescribed in the policy to be performed by a Corrections Officer.

**SIGNATURES:**

For jail policies filed electronically, the signature line has intentionally been left blank to ensure document quality. Employees are directed to treat any electronically filed unsigned policy as having been signed and approved by the Sheriff. Signed paper originals of each policy are available upon request.

**Section 2: Reception and Release**  
**Subject: Identification of Officer**  
**Minimum Standard: 5120:1-8-01(A)(2)**  
**Revised: 05/90, 01/12, 09/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures, and produce documentation that evidences compliance showing all arresting, transporting, or committing officers are identified by name and department.

**PROCEDURE**

- A. Prior to acceptance into the Erie County Jail, the Corrections Officer may require all arresting, transporting, or committing officers produce a badge and appropriate credentials (preferably photo I.D.) that verifies his or her authority to make the commitment to the jail. Any other such identification as the admitting corrections officer deems necessary to establish positive identification, may be required.
  1. If the arresting, transporting, or committing officer cannot or will not produce proper identification, or if the identification does not confirm the officer's identity, the shift supervisor may refuse to accept custody of the prisoner.
  2. If custody is refused, the admitting corrections officer, along with the shift supervisor, will in a written report note the facts and circumstances surrounding the refusal.

**Section 2: Reception and Release**  
**Subject: Legally Committed**  
**Minimum Standard: 5120:1-8-01(A)(1)**  
**Revised: 05/90, 01/12, 09/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing all inmates are legally committed to the Erie County Jail.

**PROCEDURE**

- A. Prior to acceptance into the Erie County Jail, the Corrections Officer will verify that commitments to the jail shall be accompanied by legal documents authorizing the detention with exception of warrant less arrest done in accordance with Rules of Criminal Procedure, Rule 4.
  1. Such documents may include warrants, signed by the arresting officer or issued by the courts, bond forfeiture papers, court orders or mittimuses, transfer papers or hold orders from the appropriate government agencies.

**Section 2: Reception and Release**  
**Subject: Medical Pre-Screen**  
**Minimum Standard: 5120:1-8-09(B)**  
**Revised: 07/2009, 12/2011, 09/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the policy of the Erie County Sheriff that before acceptance into the Erie County Jail, a health trained personnel shall inquire, but not limited to the following conditions and the health authority shall develop policies for the acceptance or denial of admission for;

1. Suicide Thoughts/Plan
2. Current serious or potentially serious medical or mental health issues needing immediate attention
3. The use of Taser, Pepper Spray, or other less lethal use of force during arrest

The Medical Pre-Screen Form questions are to be asked by health-trained personnel assigned to perform duties in the jail. The Medical Pre-Screen Form questions are to be answered by the individual presenting the arrested person for incarceration. No arrested person will be admitted to the jail that is in an unconscious state. Any evidence of illness or injury will be given prompt attention by medical personnel prior to the acceptance of custody. Any time an arrestee is denied due to medical circumstances, documentation of medical clearance from a local hospital or urgent care to be incarcerated shall be provided. When force is used, vitals should be checked and inmates are decontaminated, when accepted. Trainers deemed as qualified by the agency may provide instruction to all jail staff members in first responder aid, CPR/AED, blood and air borne pathogens, diabetes and communicable disease. This training will include the use of the Medical Pre-Screen and signs that may indicate physical or mental distress. Prior to implementation, this policy will be submitted for review and approval by the jail physician, who shall note his approval in writing at the end of this policy, in accordance with Section 5120:1-8-09 of the Standard for Jails in Ohio (SJO).

**PROCEDURE**

**Medical Pre-Screen Evaluation:** Prior to accepting custody of an arrestee for jail incarceration, the admitting Employee will ascertain if the prisoner is/was, or is/was not:

1. Conscious, or ever lost consciousness, during the prisoner's arrest; and
2. Experiencing any severe physical disorders, or requesting medical attention; and
3. Displaying signs of severe mental disorder, or has made suicidal statements; and
4. Subjected to the effects of a Taser; OC or pepper spray; any other chemical agents; or any use of physical force during the arrest process; and
5. Involved in a deceleration motor vehicle crash immediately prior to the arrest, or during transport to the jail.

If the admitting Employee notes any concerns with answers to questions 1 through 5 on the Medical Pre-Screen Form, or any concerns with answers to any of the questions on the Preliminary Health Evaluation Forms, the shift supervisor shall be notified. The shift supervisor shall evaluate the situation and will utilize the following guidelines to determine the proper course of action:

**Section 2: Reception and Release**  
**Subject: Medical Pre-Screen (Continued)**  
**Minimum Standard: 5120:1-8-09(B)**  
**Revised: 07/2009, 12/2011, 09/2014, 09/2015**

1. If the prisoner is not conscious, the jail shift supervisor shall refuse to admit the arrested person into the jail, and shall immediately direct the individual presenting the arrested person for incarceration to seek immediate medical treatment for the prisoner in his/her custody, and should contact the appropriate emergency medical service to respond to take custody of the individual. Any jail medical staff members that are on duty will also be notified of the situation and will be asked to respond to assist with the care of the unconscious arrested person until the arrival of the emergency medical service.
2. If the arrested person is exhibiting obvious indications of a serious medical or mental disorder, or if the arrested person states that he/she is suicidal, such information shall be documented. The shift supervisor will then refuse to admit the arrested person into the jail and will direct the transporting officer to seek immediate medical attention for the arrested person.
3. If the arrested person has received medical treatment immediately prior to being presented for incarceration, the admitting Employee shall notify the jail shift supervisor. The individual presenting the arrested person for incarceration will provide proper documentation, as deemed proper by the jail shift supervisor, to that supervisor. The jail shift supervisor will ensure that the documentation contains a diagnosis of the arrested person's medical issue(s); an indication of any treatment that was provided for those medical issue(s); and an indication of any follow-up medical care that has been prescribed for those alleged issue(s). The jail supervisor will also ensure that the documentation does not contain a diagnosis of any medical issue(s) that would preclude the arrested person from being admitted as an inmate into the jail.

Any concerns about the suitability of an arrested person's admittance to the jail due to alleged or diagnosed medical issue(s) will be forwarded by the jail supervisor to the jail medical staff (if available), then to the Jail Administrator, then to the Chief Deputy, and then to the Sheriff (in that order), for a decision prior to the arrested person being admitted to the jail as an inmate.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Erie County Jail Physician

**Erie County Sheriff's Office: Information for Incarceration**

Prisoner's Name: \_\_\_\_\_ DOB \_\_\_\_\_ SSN \_\_\_\_\_

Residence: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

Arresting Officer: \_\_\_\_\_ Agency: \_\_\_\_\_ Court Date: \_\_\_\_\_ Time: \_\_\_\_\_

***Document additional charges on a separate form with the prisoner's name only.***

ORC Charge Code:
Offense:
Level:
Bond Amt./ Type:
Agency / Court:

ORC Charge Code:
Offense:
Level:
Bond Amt. / Type
Agency / Court:

ORC Charge Code:
Offense:
Level:
Bond Amt. / Type
Agency / Court:

**Erie County Sheriff's Office: Medical Pre-Screen**

1. Did the inmate ever lose consciousness?  
YES - explain \_\_\_\_\_  
NO
2. Did the inmate make any suicidal statements?  
YES - explain \_\_\_\_\_  
NO
3. Does the inmate have, or potentially have, serious medical or mental health issues that need attention?  
YES - explain \_\_\_\_\_  
NO
4. Was a taser, pepper spray, or any use of force used on inmate?  
YES – explain \_\_\_\_\_  
NO
5. Was the inmate involved in a deceleration motor vehicle crash prior to his/her arrest?  
YES – explain \_\_\_\_\_  
NO
6. Is the inmate being denied incarceration into the Erie County Jail?  
YES – explain \_\_\_\_\_  
NO

**Booking Checklist**

Place of Birth		Phone Number	
Drivers License or ID Number		FBI Number	
Scars, Marks, Tattoos Jamin Logged		Scars, Marks, Tattoos Picture Taken	
Personal Info Screen		Booking Screen	
Charge Screen		Property Screen	
Medical Screen		Emergency Contact	
Housing Screen		Mug Shot	
DNA		Fingerprints	
Money Inventory		Classification Form	
Visitation List		Keep Separates	
LEADS		In-House Warrants	

**SGT / OIC :** \_\_\_\_\_ **Date :** \_\_\_\_\_

**Release Checklist**

LEADS		In-House Warrants	
Charge Screen		Bond	
Appointment Screen		Property Sheet Signed	
Commissary Account Closed		Debit Card Receipt Signed	
	Outdate Screen		

**SGT / OIC :** \_\_\_\_\_ **Date :** \_\_\_\_\_

**Released to Other Agency**

Date		Time	
Agency Released To		Officer Released To	

**Section 2: Reception and Release**  
**Subject: Pepper Mace Contamination**  
**Minimum Standard:**  
**Revised: 7/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

At times arresting officers find it necessary to deploy a pepper mace product in order to subdue a subject prior to incarceration. It is the policy of the Erie County Jail to immediately treat all inmates who have been contaminated with pepper mace in the proper way so that decontamination will occur as soon as possible.

**PROCEDURE**

Oleoresin Capsicum (Pepper Mace or OC) is derived from a naturally occurring plant, cayenne pepper, which is used in foodstuffs and pharmaceutical products. Its usage falls outside many governmental regulatory guidelines that are applicable to synthetic man-made chemical agents, such as CN and CS (tear gasses). There are no long-term health risks related to using OC as a chemical agent.

- A. The physical effects of OC use range from:
  - 1. Severe twitching or spasmodic contraction of the eyes to involuntary closing of the eyes
  - 2. Respiratory inflammation ranges from coughing and shortness of breath to gasping for breath with a gagging sensation in the lungs, nose and throat.
  - 3. Exposed skin inflammation, from a burning sensation to an acute burning sensation and redness of the skin.
  - 4. Some individuals experience a period of nausea and loss of upper body motor skills.
- B. To decontaminate the individual, the following steps should be followed:
  - 1. Have the inmate bend over, standing. Cold-water should be run over the back of prisoner's head. If long hair is involved, the prisoner should allow his/her hair hang in front of them. Caution should be taken that contaminated water does not run down the prisoner's torso.
  - 2. The prisoner should be discouraged from rubbing skin or eyes. This only aggravates the effects of the spray. Washcloths, paper towels, etc. should not be used.
  - 3. The inmate should not shower or use soaps. Warm or hot water will increase the burning sensation. The film left on the skin by soap will tend to "Lock" the oleoresin capsicum on to the surface of the skin. Plain cold water should be used for decontamination.
  - 4. Any clothes which have been contaminated should be properly recorded and sent directly to the laundry to be washed prior to placing them in the property room.
  - 5. The shift supervisor will see that a jail incident report is submitted to proper document the decontamination in writing.
- C. If severe symptoms continue without relief for more than 15 minutes the inmate should be treated by medical personnel.
- D. After decontamination, the inmate may be placed in a holding cell for further observation.



## **Section 2: Reception and Release**

### **Subject: Separation by Gender During Booking**

**Minimum Standard: 5120:1-8-01(A)(11)**

**Revised: 06/2004, 01/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing that during booking, and at all times in jail, male and female inmates shall not be placed in the same cell or unsupervised area together. Jail staff is responsible to prevent physical and verbal contact between male and female inmates at all times.

### **PROCEDURE**

In the event that a male and female booking are brought to the jail at the same time, or are waiting to be processed into jail at the same time, the shift supervisor will determine who is to be processed first. If a female is to be processed first the male inmate will be placed into a holding cell in the holding area or a place separate from female inmates. If the male is to be processed first the female inmate will be placed into the Congregate Holding Cell or a place separate from male inmates.

- A.** At no time shall a male or female be processed at the same time.
- B.** Male and female inmates must be housed completely separated by sight, touch, and out of range of normal conversation.

## **Section 2: Reception**

### **Subject: Admitting Juveniles**

**Minimum Standard: 5120:1-8-01(A)(12) / 5120:1-8-02(B)(4) / 5120:1-8-04(K)**

**Revised: 06/2000, 07/2004, 01/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing Juveniles will only be accepted at the Erie County Jail under court order, when all other alternative placements have been considered and rejected, and after the jail provides the juvenile court with information regarding the conditions under which the youth shall be held in the jail and the jail's ability to comply with juvenile specific standards including 5120:1-8-01(A)(12), 5120:1-8-02(B)(4), and 5120:1-8-04(K) of the Administrative Code. Status Offenders (i.e. runaways, curfew violators) are prohibited from the facility. Every effort shall be made to ensure that juveniles are held in the jail for the minimum amount of time necessary and kept separate from adult inmates. Juvenile and adult inmates are to be separated in a manner pursuant to section 2151.311 and 2152.26 of the Revised Code.

## **PROCEDURE**

1. The booking officer will exercise every available means to determine the age of inmates who may be juveniles, before accepting such inmates into custody. Such means may include, but not limited to:
  - a. Inspection of inmate's personal identification.
  - b. Questioning of inmate and escorting officer.
  - c. Telephone calls to relatives and others, named by the inmate, to determine age.
2. If the inmate is found to be a juvenile and if the commitment documents do not specify that the inmate is a juvenile to be detained at the Erie County Jail, the booking officer will direct the escorting officer to the Juvenile Detention Center.
3. If an inmate is determined to be a Juvenile they:
  - a. Are subject to special requirements because of their age and shall be handled consistent with sections 2151.311, 2151.312, and 2152.26 of the Ohio Revised Code.
  - b. Must be kept out of the sight and sound of adult inmates.
  - c. Shall not be physically secured to any stationary furnishings.
  - d. Are only to remain in the booking area for no more than the length of time it takes to be fingerprinted and photographed.

**Section 2: Reception****Subject: Admitting Juveniles (Continued)****Minimum Standard: 5120:1-8-01(A)(12) / 5120:1-8-02(B)(4) / 5120:1-8-04(K)****Revised: 06/2000, 07/2004, 01/2008, 12/2011, 09/2015**

4. Juvenile inmates shall have access to all care given to adult inmates including but not limited to access to: communication, visitation, medical care, mental health care, dental care, and recreation and programming.
  - a. The jail administration will set a schedule for any inmate housed in the Erie County Jail for visitation, phone access, recreation, and programs.
5. Status Offenders (charged with a crime an adult cannot be) shall not enter the Erie County Jail.
6. The admission of a juvenile for temporary detention will be recorded in a Jail Incident Report in the Jail Management System and forward to the Jail Administrator.

## **Section 2: Reception and Release**

### **Subject: Identifying Juveniles**

**Minimum Standard: 5120:1-8-01(A)(12)**

**Revised: 06/2000, 07/2004, 01/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing the Erie County Jail will make every effort to avoid inadvertent or mistaken detention of juveniles as adult offenders. Every effort will be made by the staff of the Erie County Jail to determine the correct age of all persons incarcerated.

## **PROCEDURE**

When an inmate professes to be a juvenile and is not being held by court order or when an inmate is identified as a juvenile by any credible source, the corrections officer who first hears or receives such information will immediately segregate the inmate from other adult inmates. The officer shall notify the Shift Supervisor and/or the Jail Administrator. The Shift Supervisor will attempt to determine the true age of the inmate by:

1. Questioning the inmate
  - a. Obtaining from the inmate the names, addresses and telephone numbers of parents or relatives who may confirm the inmate's age.
  - b. Contacting the parents or relatives, advise them that the inmate is in custody, and ask them to verify the inmate's age.
  - c. Contacting the Erie County Juvenile Court to determine if the inmate has a juvenile record.
  - d. If the inmate is not determined to be a juvenile, the Shift Supervisor will prepare a jail narrative of all conversations and attempts to determine the true age of the inmate. This written report will contain the following:
    1. Name of the inmate
    2. Name and relationship of each person contacted
    3. The date of the inmate's birth as given by each person contacted
    4. Other pertinent data and aspects of the conversation
    5. The Shift Supervisor will then attach a copy of this narrative to the inmate's paper file and forward a copy to the Jail Administrator. The inmate will be returned to the appropriate housing area as classified.
2. If the person contacted confirms that the inmate is a juvenile, the Shift Supervisor should request that the person bring proof of the inmate's age to the Jail as soon as possible. Proof of age could include any of the following documents:
  - a. A certified copy of the inmate's birth certificate
  - b. School records
  - c. Other official documents

## **Section 2: Reception and Release**

### **Subject: Identifying Juveniles (Continued)**

**Minimum Standard: 5120:1-8-01(A)(12)**

**Revised: 06/2000, 07/2004, 01/2008, 12/2011, 09/2015**

3. If Juvenile Court records indicate the inmate is a juvenile, the Shift Supervisor will advise the Court that the inmate is presently being held in the Erie County Jail and will be transported to the Erie County Juvenile Detention Center as soon as possible by the arresting agency or the Sheriff's Office.
4. The juvenile inmate shall be segregated from all other inmates pending transfer of custody to the Erie County Juvenile Detention Center.
5. Upon receipt of proof of age the shift Supervisor will prepare a jail narrative and include copies of the documents used to prove age.
6. The Shift Supervisor shall:
  - a. Notify the arresting agency that the inmate placed by them in confinement at the Erie County Jail is a juvenile and that they will be transported to the Erie County Juvenile Detention Center. (Note: Determination of whether or not the juvenile subject may be released will be made by the Erie County Juvenile Detention Center).
  - b. Advise the arresting agency to contact the appropriate court, in which charges are pending, of the fact that the defendant is a juvenile.
  - c. Request the arresting agency to obtain and furnish disposition of the case to the Jail.

## **Section 2: Reception and Release**

### **Subject: Searches – Initial Frisk Search at Booking**

**Minimum Standard: 5120:1-8-01(A)(6)**

**Revised: 07/2009, 12/2011, 06/2015, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing upon admission into the Erie County Jail, the booking officer will subject all prisoners to an initial physical search (frisk search) of the prisoner's person and all unauthorized items shall be confiscated. Confiscated items shall be listed in an inventory by objective description and secured. This search will be conducted before any restraining devices are removed from the prisoner. This initial but vitally important search is conducted to maintain the safety and security of any person present in the jail by ensuring that any weapons or other contraband articles concealed on the prisoner's person are properly removed from the prisoner's possession and secured prior to the prisoner's admission into the jail proper as an inmate. Contraband resulting from the search shall be processed, documented, and secured with the inmate's personal property or as evidence.

## **PROCEDURE**

The initial frisk search will be conducted with facility's security first and foremost in mind, but will also be conducted maintaining the greatest degree of personal dignity possible for the prisoner. At no time will a Corrections Officer, or any other agency staff member, make any derogatory remarks or comments regarding the prisoner's attire or physical attributes during this process. Unless documented dire exigent circumstances exist, a Corrections Officer shall not perform an initial frisk search on a prisoner of the opposite sex.

- A.** To prevent the risk of injury, the admitting Corrections Officer will:
  - 1. Wear protective gloves (rubber, vinyl, and/or leather) during the initial frisk search; and
  - 2. Prior to commencing the initial frisk search, ask the prisoner being searched if he/she is in possession of any sharp objects (or any other type of weapon) concealed in their clothing that could cause injury to the admitting Corrections Officer; and
  - 3. Be cautious of any sharp or pointed objects in the person's clothing, even if the prisoner denies possession of same.
- B.** The admitting Corrections Officer will generally conduct the initial frisk search in the designated area on the west wall directly inside of Jail Door #414 in the following manner:
  - 1. Instruct the prisoner to face the wall with feet apart.
  - 2. Carefully examine the shirt or blouse collar.
  - 3. Run hands down in inmate's shirt, blouse, and/or coat front carefully, checking and removing any items from the pockets.
  - 4. Run hands over the prisoner's back and small of the back to the belt line.
  - 5. Carefully examine and check the prisoner's waist and belt line, remembering that most weapons are hidden in an individual's front waistband area.
  - 6. Run hands over the prisoner's shoulders and down the outside of the arms to wrist and carefully examine the shirt or blouse cuffs.
  - 7. Move hands up the inside of the arms to the armpits, then down the prisoner's sides.

**Section 2: Reception and Release****Subject: Searches – Initial Frisk Search at Booking (Continued)****Minimum Standard: 5120:1-8-01(A)(6)****Revised: 07/2009, 12/2011, 06/2015, 09/2015**

8. Recheck the waistband by moving fingers around the inside of the waistband. Feel for any objects, which maybe concealed in or behind the belt. Remove the belt.
  9. Move hands over the prisoner's lower abdomen and crotch carefully to inspect for contraband that may be hidden or taped to these areas.
  10. Instruct the inmate to lift and extend one foot backwards, then remove and inspect each shoe and sock for concealed articles
  11. Place any legally possessed items removed from the prisoner's person in a plastic property box.
- C.** When the initial frisk search is completed, and if the prisoner is subsequently accepted for admission as a jail inmate and it is behaviorally appropriate to do so, the admitting Corrections Officer will remove the prisoner's handcuffs and/or other restraints and will proceed with the prescribed inmate booking process.

## **Section 2: Reception and Release**

### **Subject: Searches – Contraband Found During Initial Frisk Search**

**Minimum Standard: 5120:1-8-01(6)**

**Revised: 07/2009, 12/2011, 06/2015, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing the Erie County Sheriff's Office policy to seize as evidence all items that are suspected to be illegal in nature that are in the possession of a prisoner being presented for admission to the Erie County Jail. Any suspected illegal item(s) found in the possession of a prisoner during the initial frisk search will be deemed as evidence. Suspected illegal items found at the time of the initial frisk search will remain in the custody of the Erie County Sheriff's Office, unless the transporting officer for the arresting agency is present at the time of the discovery of the item(s) and agrees to accept the item(s) into his/her possession as evidence.

### **PROCEDURE**

**A.** In the event that any suspected illegal item is found in the possession of a prisoner being presented for admittance to the Erie County Jail, the employee discovering the item will immediately notify the Jail supervisor and will proceed as follows:

1. The employee will take custody of the evidence. The evidence will remain in the physical custody of the employee who discovered the item at all times, except as listed below. The employee will properly package and label the item(s) using established agency procedures. Evidence suspected of containing blood or other body fluids will always be packaged in paper or other material that "breathes" to prevent putrefaction of the biological substance. Such evidence will not be packaged in plastic or other impervious material.
2. Once the evidence is properly packaged and labeled, it will be secured in an appropriate locker or other location pursuant to current agency procedure. Any questions about the appropriate location to store the evidence should be directed to the Jail supervisor. If the Jail supervisor is unable to provide an answer, the question will be directed through the agency's chain of command.
3. Any evidence seized will be thoroughly described in the appropriate report format. That report will also include a detailed explanation of the facts that led to the discovery of the evidence, the exact location of the evidence at the time that it was discovered, a listing of the employee(s) that discovered the evidence, and the exact storage location of the evidence.

### **B. EXCEPTION**

1. If the transporting officer representing the agency that arrested the prisoner is still in the Jail at the time of the discovery of the evidence, the evidence may be released directly to that officer without



**Section 2: Reception and Release****Subject: Searches – Contraband Found During Initial Frisk Search (Continued)****Minimum Standard: 5120:1-8-01(6)****Revised: 07/2009, 12/2011, 06/2015, 09/2015**

following the packaging, labeling, or storage requirements listed above. An appropriate report will still be completed as described above, and that report will include the name of the officer to whom the evidence was released.

2. If the transporting officer has left the Jail vehicle sally port at the time of the discovery of the evidence, or if the transporting officer refused to accept possession of the evidence, then the item(s) will be handled as listed above and will not be released to the transporting officer.
  - a. The name of any transporting officer refusing to take possession of evidence will be appropriately documented.

**Section 2: Reception and Release**  
**Subject: Booking and Identification Record**  
**Minimum Standard: 5120:1-8-01(A)(3)**  
**Revised: 05/90, 01/12, 09/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance that a booking and identification record shall be made of every commitment that includes:

- A. Time and Date of Commitment
- B. Name and Alias
- C. Official Charges
- D. Authority of Commitment
- E. Date of Birth of Inmate
- F. Sex and Race of Inmate
- G. Height and Weight of Inmate
- H. Marital Status of Inmate
- I. Home Address and Telephone Number of Inmate
- J. Spouse, Next of Kin, or Person to Notify in Case of an Emergency
- K. Social Security Number
- L. Identifying Characteristics (scars or marks)

This information shall be collected on each inmate during the booking process to assist in the identification, classification, and service required by the inmate during confinement in the Erie County Jail. All information will be recorded either on the Erie County Sheriff's Office Information for Incarceration Form (See Forms: A: Incarceration Form) or entered into the Jail Management System (JMS).

**PROCEDURE**

1. The arresting, transporting, or committing officer will complete the Incarceration Form prior to arrival at the Erie County Jail. The Incarceration Form will include:
  - a. Inmate's Name
  - b. Date of Birth
  - c. Social Security Number
  - d. Residence with City and State
  - e. Date, Time and Location of Arrest
  - f. Arresting Officer and Agency
  - g. Court Date and Time
  - h. Charge Code, Offense, and Level
  - i. Bond Amount and Type
  - j. Court and Agency
  - k. The Medical Pre-Screen (To be Completed by Health Trained Corrections Officer)

## **Section 2: Reception and Release**

### **Subject: Booking and Identification Record (Continued)**

**Minimum Standard: 5120:1-8-01(A)(3)**

**Revised: 05/90, 01/12, 09/2014, 09/2015**

2. The booking officer will enter the information from the Incarceration Form into the JMS.
3. The booking officer will enter the following information in the JMS during the booking process:
  - a. Time and Date of Commitment
  - b. Alias (if any)
  - c. Sex and Race of Inmate
  - d. Height and Weight
  - e. Marital Status
  - f. Telephone Number
  - g. Spouse, Next of Kin, or Person to Notify in Case of an Emergency
  - h. Identifying Characteristics (scars or marks)
4. The booking officer should make certain all information on the incarceration form is complete and accurate.
  - a. In the event the form is not completed, the booking officer shall have the arresting, transporting, or committing officer complete the form
  - b. The booking officer shall contact the arresting, transporting, or committing agency in the event information provided is in question.
5. The booking officer will restrict questions to information necessary to complete the booking and identification Record.
  - a. Under no circumstance will the officer question the inmate about the offense for which the inmate is being incarcerated.
6. At no point during the booking and identification process will the inmate be permitted to have the incarceration form in his/her possession.
7. If the booking officer suspects the information given by the inmate is inaccurate, the corrections officer will notify the shift supervisor and attempt to verify the information by:
  - a. Checking LEADS
  - b. Calling other Law Enforcement Agencies
  - c. Calling Probation or Parole Agencies
  - d. Calling family members named by the inmate
  - e. Using on-line resources
8. At the completion of the booking and identification process, the records listed above will be placed into a folder labeled with the inmate's name in the designated file cabinet in the Jail Sergeant's Office.
9. The booking officer will make certain that no retainers, holders, or warrants are pending by Checking through LEADS and Warrant Information at the Erie County Sheriff's Office

**Section 2: Reception and Release****Subject: Booking and Identification Record (Continued)****Minimum Standard: 5120:1-8-01(A)(3)****Revised: 05/90, 01/12, 09/2014, 09/2015**

10. All steps completed during the booking and identification process shall be documented by initialing the Booking and Release Checklist on the back of the incarceration form.
11. The Shift Supervisor shall sign at the bottom of the checklist as verification that all required steps in the booking and identification process have been properly completed.

**Erie County Sheriff's Office: Information for Incarceration**

Prisoner's Name: \_\_\_\_\_ DOB \_\_\_\_\_ SSN \_\_\_\_\_

Residence: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

Arresting Officer: \_\_\_\_\_ Agency: \_\_\_\_\_ Court Date: \_\_\_\_\_ Time: \_\_\_\_\_

***Document additional charges on a separate form with the prisoner's name only.***

ORC Charge Code:
Offense:
Level:
Bond Amt./ Type:
Agency / Court:

ORC Charge Code:
Offense:
Level:
Bond Amt. / Type
Agency / Court:

ORC Charge Code:
Offense:
Level:
Bond Amt. / Type
Agency / Court:

**Erie County Sheriff's Office: Medical Pre-Screen**

1. Did the inmate ever lose consciousness?  
YES - explain \_\_\_\_\_  
NO
2. Did the inmate make any suicidal statements?  
YES - explain \_\_\_\_\_  
NO
3. Does the inmate have, or potentially have, serious medical or mental health issues that need attention?  
YES - explain \_\_\_\_\_  
NO
4. Was a taser, pepper spray, or any use of force used on inmate?  
YES – explain \_\_\_\_\_  
NO
5. Was the inmate involved in a deceleration motor vehicle crash prior to his/her arrest?  
YES – explain \_\_\_\_\_  
NO
6. Is the inmate being denied incarceration into the Erie County Jail?  
YES – explain \_\_\_\_\_  
NO

**Booking Checklist**

Place of Birth		Phone Number	
Drivers License or ID Number		FBI Number	
Scars, Marks, Tattoos Jamin Logged		Scars, Marks, Tattoos Picture Taken	
Personal Info Screen		Booking Screen	
Charge Screen		Property Screen	
Medical Screen		Emergency Contact	
Housing Screen		Mug Shot	
DNA		Fingerprints	
Money Inventory		Classification Form	
Visitation List		Keep Separates	
LEADS		In-House Warrants	

**SGT / OIC :** \_\_\_\_\_ **Date :** \_\_\_\_\_

**Release Checklist**

LEADS		In-House Warrants	
Charge Screen		Bond	
Appointment Screen		Property Sheet Signed	
Commissary Account Closed		Debit Card Receipt Signed	
	Outdate Screen		

**SGT / OIC :** \_\_\_\_\_ **Date :** \_\_\_\_\_

**Released to Other Agency**

Date		Time	
Agency Released To		Officer Released To	

**Section 2: Reception and Release**  
**Subject: Telephone Calls at Booking**  
**Minimum Standard: 5120:1-8-01(A)(5)**  
**Revised: 06/1996, 07/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing all arrested persons shall be provided access to telephones after the reception process to retain an attorney, secure bond, or contact a person of their choice.

**PROCEDURE**

Following the initial pat down, the inmate will be allowed access to the inmate telephone located outside the processing room. The inmate must be secured to the cuff bar while using the telephone. The booking officer may assist the inmate in obtaining phone numbers of those person the inmate wishes to call.

1. During the booking process, all persons to be confined are permitted telephone calls to retain an attorney, secure bond, or contact a person of their choice. Phone calls are not considered completed until the party being contacted is actually reached.
2. If after several attempts the inmate fails to reach their party, the inmate will be permitted to use the phone after the booking process and may have access to the phone in general population.
3. All inmate housing areas have a telephone accessible to inmates
  - a. Inmates are allowed to use the phone in their housing areas between the hours of 0700 – 1900 hours.
4. All phone calls made from inmate housing areas are outgoing collect calls only.
  - a. Inmates may purchase phone time from the jail commissary system.
  - b. Incoming phone calls cannot be received.
5. In the event a citizen advises the jail staff that they do not want to receive any calls from the inmates housed in the Erie County Jail, the citizen should be directed to contact the billing service used by the Erie County Jail. The owner of the phone can request the billing service to block phone calls originating from the Erie County Jail. Citizens who have questions about the phone system used by inmates at our facility will be directed to call the inmate phone billing service.
6. Generally, messages for inmates to call a certain phone number are not accepted. Messages for inmates to call their legal counsel may be delivered with the approval of a shift supervisor.

## **Section 2: Reception and Release**

**Subject: Inmates Identified by Photograph**

**Minimum Standard: 5120:1-8-01(A)(4)**

**Revised: 05/90, 01/12, 09/2014, 09/2015, 07/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall implement policies and procedures, and produce appropriate documentation, that evidences compliance with the requirement that all inmates shall be identified by photograph. Minimally, inmates being detained in excess of twelve hours and/or being placed into general population shall be photographed for identification.

### **PROCEDURE**

The booking officer is responsible for obtaining a photograph that meets the criteria of evidence submission. Keeping in mind that any booking records may be used in a court of law and may be used for future identification purposes, the booking officer will take care to obtain a clear and appropriate photograph of the inmate. As these records may also be used for future criminal investigations, these photographs will be consistent in nature.

1. The Booking Officer will:
  - a. Instruct the inmate to take the proper position in front of the camera
  - b. Have the inmate remove any hats, caps, and/or sunglasses.
  - c. Take full-face photograph of the inmate. For consistency purposes, the prisoner will be instructed not to smile or laugh in the photograph, and the booking officer will not take the photograph until the inmate maintains a proper facial expression.
  - d. Three copies of the photograph will be printed.
    - i. One copy shall be attached to the preliminary health evaluation form and forwarded to Medical Staff.
    - ii. The second copy will be placed into the inmate's ID bracelet and secured on the inmate's wrist. Any inmate not properly wearing their identification bracelet will be disciplined, and issued a new bracelet. Upon release the wrist band is to be removed and disposed of.
    - iii. The third copy will be attached to the incarceration form.
  - e. Photographs must be clear and show the inmate's facial attributes with detail.
  - f. Photographs must be consistent with established criteria (lighting, background, contrast, color).
  - g. In the event the inmate is unable to have his/her photograph taken, the booking officer should enter an uncompleted appointment named PHOT (for Photograph) under the inmate's current record in the Jail Management System. The hold box should be checked on the book screen and in the hold details box, the reason for that hold (photograph needed) will be stated. The corrections officer that takes the photograph at a later date will uncheck the hold box in that record, and will note that the photograph was taken in the hold details box.



## **Section 2: Reception and Release**

### **Subject: Preliminary Health (Receiving) Screen**

**Minimum Standard: 5120:1-8-09(C)**

**Revised: 07/2009, 12/2011, 09/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective Date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Health trained personnel, in accordance with protocols established by the health authority, shall perform a written medical, dental, and mental health Preliminary Health (Receiving) Screen on each inmate upon arrival at the Erie County Jail as soon as possible, and prior to being placed in general population. The corrections officer conducting the preliminary health evaluation will use the Medical Screen in the Jail Management System. The Preliminary Health (Receiving) Screen questions are to be asked by health-trained personnel assigned to perform duties in the jail and questions will be answered by the inmate. Trainers deemed as qualified by the agency may provide instruction to all jail staff members in first responder aid, CPR/AED, blood and air borne pathogens, diabetes and communicable disease. This training will include the Preliminary Health (Receiving) Screen and signs that may indicate physical or mental distress. Prior to implementation, this policy will be submitted for review and approval by the jail physician, who shall note his approval in writing at the end of this policy, in accordance with Section 5120:1-8-09 of the Standard for Jails in Ohio (SJO).

1. The booking officer will inquire as to the inmate's medical history by asking the following (but not limited to) questions:
  - a. Current and past illness and health problems
  - b. Current and past dental problems
  - c. Current and past mental health problems
  - d. Allergies
  - e. Current medications for medical and mental health
  - f. Hospitalization for medical or mental health purposes
  - g. Special health needs
  - h. Serious infection or communicable illness
  - i. Use of alcohol and drugs including types, amounts, and frequency used, date or time of last use and history of any problems after ceasing use, i.e. withdrawal symptoms
  - j. Suicidal risk assessment
  - k. Possibility of pregnancy
  - l. Other health problems as designated by the health authority
2. The booking officer will make the following (but not limited to) observations:
  - a. Behavior including state of consciousness, mental health status, appearance, conduct, tremors and sweating
  - b. Body deformities and ease of movement
  - c. Condition of skin, including trauma markings, bruises, lesions, jaundice, rashes, infestations and needle marks or other indications of drug abuse.
3. The booking officer will note the medical disposition of the inmate
  - a. General Population
  - b. General Population with prompt referral to appropriate health or mental health services

## **Section 2: Reception and Release**

### **Subject: Preliminary Health (Receiving) Screen (Continued)**

**Minimum Standard: 5120:1-8-09(C)**

**Revised: 07/2009, 12/2011, 09/2014, 09/2015**

- c. Referral for emergency treatment
- d. Medical observation/isolation
- e. Mental health observations
- f. Documentation of date, time, and signature and title of person completing screening.

## **PROCEDURE**

1. During the booking process the booking officer will complete the Preliminary Health (Receiving) Screen using the medical screen in the Jail Management System.
  - a. Using the Booking Officer Observations section of the Preliminary Health (Receiving) Screen the booking officer will make note of any medical and/or mental health issues they observe with the inmate
  - b. Using the Inmate Questionnaire section they will ask the listed medical and mental health questions to the inmate.
  - c. Using the Suicide Prevention Observations and Questionnaire section, the booking officer will ask the listed questions and make note of any observations related to suicide with the inmate.
  - d. At the end of the Preliminary Health (Receiving) Screen the booking officer will mark the Disposition/Referral of the inmate based on what was learned of the inmate.
2. If the inmate answers yes to any suicidal, drug withdrawal, or other serious medical or mental issues the booking officer will advise the shift supervisor and/or medical staff to decide if special housing is required.
3. If the inmate is unable to, or refuses to answer any questions they will be placed into a holding cell until the Preliminary Health (Receiving) Screen is completed.
  - a. The booking officer will make a note on the Preliminary Health (Receiving) Screen as to the reason for the form not being completed, and they along with another officer will sign the form.
4. The completed form will be placed in the medical box in Main Control.
  - a. The inmate along with the officer completing the Preliminary Health (Receiving) Screen will sign and date the form.
  - b. A photo of the inmate will be attached to the form.
  - c. Any medical paperwork will be attached to the form.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Erie County Jail Physician

**Section 2: Reception and Release**  
**Subject: Suicide Prevention**  
**Minimum Standard: 5120:1-8-09(N)**  
**Revised: 07/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective Date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the policy of the Erie County Jail to identify potential suicide victims and to take such measures as necessary to prevent suicide attempts. Through training, observation and communication the corrections staff will attempt to identify a potentially suicidal inmate.

**PROCEDURE**

1. Identification
  - a. As part of the admission process the booking officer shall complete the Suicide Prevention Observation and Questionnaire as part of the Preliminary Health (Receiving) Screen.
2. Training
  - a. Corrections Officers will receive yearly training on the Suicide Prevention Screening Form and how to recognize verbal and behavioral cues that indicate potential suicide.
  - b. The training will also include how to respond to a suicide or suicidal inmate.
3. Assessment
  - a. If Correction Staff deems that an inmate needs to be further assessed for possible suicidal risk after completing the Suicide Prevention Observation and Questionnaire, or after an attempted suicide has taken place they will immediately contact Firelands Mental Health at 1-800-826-1306 to conduct a phone interview of the inmate. After that is completed the Mental Health Professional from Firelands Mental Health will make a recommendation on the status of the inmate.
4. Housing
  - a. Prior to an assessment being conducted, if the inmate is determined to be a suicidal risk they will be moved to a Holding Cell or Isolation-Detention Cell.
  - b. If after the assessment is completed and Firelands Mental Health deems the inmate a suicide risk, they will be housed in either a Holding Cell or Isolation-Detention Cell.
  - c. Prior to moving the inmate to an observation cell, the inmate will be changed into a suicidal prevention smock. In the cell the inmate will only be allowed a mattress, the suicidal prevention smock, and a suicidal prevention blanket.
5. Monitoring
  - a. Any inmate that is deemed a suicide risk and moved to a holding or isolation-detention cell will have a 10 minute Suicide Watch initiated on them.
  - b. The Corrections Officer performing the 10 minute observation will log it on a Special Observation Check log sheet. This log will include the date and time of

**Section 2: Reception and Release**  
**Subject: Suicide Prevention (Continued)**  
**Minimum Standard: 5120:1-8-09(N)**  
**Revised: 07/2009, 12/2011, 09/2015**

the check, the officer conducting the check, and the inmate's condition at the time of the check.

- c. Once an inmate is placed on suicide observation, only a Mental Health Professional may remove from for the watch.

**6. Referral**

- a. Corrections Officers who notice a potential suicidal risk inmate, or have an inmate request mental health services will help the inmate fill out a Referral for CDTC assessment.
- b. Using this form the Corrections Officer will determine the priority level.
  - i. If **High** the inmate will be moved to an observation cell, place on watch, and Firelands Mental Health contacted immediately
  - ii. If **Medium** the Corrections Officer will contact Firelands Mental Health to conduct a phone assessment as soon as possible.
  - iii. If **Low** the form will be submitted for follow up with the Jail Adjustment Consultation Services.

**7. Communication**

- a. At the conclusion of any phone assessment conduct by Firelands Mental Health the Mental Health Professional will complete and fax a copy of a Crisis Incident Report to the Erie County Jail
  - i. A Copy of this report will be forwarded to the Medical Staff
  - ii. The officer requesting the phone assessment will document such in a Jail Narrative and attach a copy of the crisis incident report to it.
- b. When an inmate is seen by Jail Adjustment Consultation Services the Mental Health Professional will complete a Jail Adjustment form.
  - i. This form will be forwarded to the Medical Staff.
  - ii. Any recommendation made in this form will be immediately followed by the jail staff.

**8. Intervention**

- a. A Corrections Officer who observes an inmate attempting suicide shall:
  - i. Secure the area and request backup.
  - ii. Notify the Shift Supervisor
  - iii. Talk to the inmate and do not leave him or her alone
  - iv. Offer alternatives until help arrives
  - v. The Shift Supervisor shall:
    - 1. Respond to the area and evaluate the situation
    - 2. Follow procedures as required by the situation such as:
      - a. Contact Dispatch for inmate Transportation to the Hospital
      - b. Contact Firelands Mental Health for Emergency Evaluation
      - c. Move the inmate to an appropriate housing location
      - d. Initiate a suicide watch
  - vi. All Staff involved in the incident shall document the incident as soon as possible.
- b. A Corrections Officer who observes a suicide attempt shall:
  - i. Notify the Shift Supervisor immediately and call for backup
    - 1. Corrections Officers will not enter the housing area until the other inmates

**Section 2: Reception and Release**  
**Subject: Suicide Prevention (Continued)**  
**Minimum Standard: 5120:1-8-09(N)**  
**Revised: 07/2009, 12/2011, 09/2015**

- are have been secured and/or back up arrives
- 2. With assistance, remove the inmate from the threatening situation
- 3. Begin first aid as required
- 4. Document all action as soon as possible
- ii. The Shift Supervisor shall:
  - 1. Secure the area and assign other officers to assist, as needed
  - 2. Determine if the inmate needs immediate medical attention
    - a. If the nurse is on station, ask that he/she responds to the scene
    - b. If the squad is need, contact dispatch for Perkins Fire Department to respond
- c. The Shift Supervisor will do the following if the inmate does not need immediate medical attention:
  - i. Contact Firelands Mental Health Center for an Emergency Evaluation
  - ii. Move inmate to appropriate housing location
  - iii. Notify the Jail Administrator of the situation
  - iv. See that all officers involved complete reports as soon as possible

**9. Notification**

- a. The Shift Supervisor will be responsible for notifying the Jail Administrator of the situation.
- b. The Jail Administrator will then contact the Chief Deputy if the suicide attempt is successful and family notification is required.

**10. Reporting**

- a. All officers involved in the situation will complete a detailed jail narrative of the incident.
- b. The Shift Supervisor will be responsible for entering the event into the Jail Log
  - i. The log code to be used is SASC – Suicide Attempted / Competed
- c. If the suicide is completed, the Erie County Sheriff's Office patrol division will be responsible for contacting the Erie County Coroner.
- d. The Jail Administrator will be responsible for notifying the division of parole and community services of the incident within 30 days.

**11. Review**

- a. In the event of a serious or successfully completed suicide attempt, a review of the incident will take place.
  - i. Jail Administration will review the incident and ensure all Jail Policy and Procedures were followed.
  - ii. The Erie County health department will review the incident to ensure all Medical Policy and Procedures were followed.

**12. Critical Incident Debriefing**

- a. All staff and inmates affected by a serious or successfully completed suicide attempt will be offered services from Firelands Mental Health.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Erie County Jail Physician

# ***Erie County Jail Inmate Observation Log***

***Date:*** \_\_\_\_\_

***Name of Person Being Observed:*** \_\_\_\_\_

***Authority Recommending Observation:*** \_\_\_\_\_

***Reason for Observation:*** \_\_\_\_\_

An officer or corporal of the Erie County Sheriff's Office – Jail Division shall observe the above-mentioned inmate every 10 minutes. Time of observation, signature of the officer, and the inmate's condition shall be recorded below.

## **Observations**

<b><i>Time</i></b>	<b><i>Signature of Officer</i></b>	<b><i>Inmate's Condition</i></b>

If the inmate requires to be restrained longer than 2 hours due to being a threat to themselves or others, the Shift Supervisor must document the reasons in a Jail Incident Report. If possible inmate should be checked by Medical Staff.

## **Section 2: Reception and Release**

### **Subject: Recoding Inmate Funds**

**Minimum Standard: 5120:1-8-01(6)(a)(b)**

**Revised: 07/2001, 07/2004, 12/2008, 07/2009, 12/2011, 10/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing money or any form of currency shall be confiscated and counted in the inmate's presence and secured. No inmate shall be permitted to possess currency in any form during confinement in the Erie County Jail. Currency removed from the inmate at booking and any funds subsequently mailed to the inmate shall be processed and secured in accordance with the procedure of this policy. All forms of currency shall be counted in the inmate's presence when possible. The inmate's signature shall be affixed to the completed inventory. The inmate will sign to acknowledge its accuracy. If the signature cannot be obtained, the inventory shall be witnessed by another officer.

### **DEFINITIONS**

**Funds:** includes United States or foreign currency, checks, money orders, savings bonds, cashier's checks, debit cards, credit cards or any monetary instrument, with the exception of debit or credit cards, issued to allow the inmate to access the jail commissary system.

### **PROCEDURE**

- A. All funds shall be immediately confiscated from Erie County Jail inmates during the initial booking process.
  - 1. All confiscated funds will be counted in the presence of the inmate and the amount will be properly recorded.
- B. United States currency will be recorded utilizing the inmate commissary system.
  - 1. All other funds in the inmate's possession at the time of booking shall be recorded in the appropriate inmate property field.
- C. Procedure for handling United States currency:
  - 1. The officer collecting United States currency from an inmate will feed all paper bills into the commissary bill collector for proper receipt and accounting. All coins will be counted, their total amount logged on the inmate's property sheet, and will be placed in the inmate's property bag; and
  - 2. The officer will provide the inmate with one of two copies of a receipt for the total amount of funds confiscated from the inmate. The second copy of the receipt will be placed in the inmate's file; and
  - 3. The inmate commissary provider will collect and reconcile the deposited funds. The total amount of funds in paper currency in the inmate's custody will then be available for the inmate for his/her use through the jail commissary.

## **Section 2: Reception and Release**

### **Subject: Recoding Inmate Funds (Continued)**

**Minimum Standard: 5120:1-8-01(6)(a)(b)**

**Revised: 07/2001, 07/2004, 12/2008, 07/2009, 12/2011, 10/2014, 09/2015**

#### **D. Procedure for handling money orders:**

1. The employee receiving a money order will ensure that the money order is endorsed by the payee; and
2. The amount of the money order will then be entered into the in-house commissary system as a deposit for the inmate to whom the money order was issued; and
3. The endorsed money order, along with a printed receipt, will be placed in an envelope and will be deposited in the drop safe located in the Inmate Processing Room. The funds from the money order will then be available for the inmate for his/her use through the jail commissary system.

#### **E. Procedure for handling foreign currency:**

The total amount of foreign currency, if such amount can be determined, will be documented and all such currency will be placed in the inmate's property bag. Such funds will not be available for the inmate for his/her use through the jail commissary.

#### **F. Procedure for handling checks:**

Payroll, government issued, or personal checks in the possession of an inmate will not be deposited into the inmate's commissary account until the check has been determined to be legitimate and that sufficient funds are present to cover the amount of the check.



## **Section 2: Reception and Release**

### **Subject: Recording Inmate Property**

#### **Minimum Standard:**

**Revised: 07/2001, 07/2004, 12/2008, 07/2009, 12/2011, 10/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

All inmate property accepted into the Erie County Jail will be treated with respect and handled with care to prevent loss or damage by all agency employees. No inmate shall possess any personal property while incarcerated, except as otherwise authorized by this policy. The jail shift supervisor or Jail Administrator must grant prior written approval for the possession of personal items by an inmate.

## **PROCEDURE**

If it is apparent that an inmate is not going to be released from custody immediately upon being admitted to the jail, and the prisoner will then necessarily be integrated into general population, all of the prisoner's personal property shall be collected, inventoried, and stored in accordance with this policy.

- A. The admitting corrections officer will, during the admissions process, collect, inventory and secure all personal property of the newly admitted inmate, including, but not limited to:
  1. Money in any form; and
  2. Belts, ties, hats, jackets, coats, and any other clothing article(s); and
  3. All contents of an inmate's pockets; and
  4. Contents of purses, wallets, checkbooks; and
  5. Contents of backpacks, suitcases, and any other container or luggage; and
  6. Jewelry and/or watches; and
  7. Keys and key chains; and
  8. Any other personal property not covered by the above.
- B. In the event the inmate is too intoxicated or impaired to the point that he/she poses a danger to self or others, an inventory of the prisoner's property will be conducted at the time of booking. This inventory will be done in the presence of two witnessing Corrections Officers. Both witnessing Corrections Officers will legibly sign the property inventory sheet.
  1. A notation shall be made on the property sheet that the inmate was not present during the inventory, or was intoxicated to the point of impairment.
  2. The impaired inmate's property will be stored in the property room. Any property that cannot be removed from the inmate's possession at the time of booking due to the inmate's condition (i.e.: highly intoxicated) will be removed from the prisoner and properly inventoried and stored at a later time when the inmate can be safely and properly processed.

## **Section 2: Reception and Release**

### **Subject: Recording Inmate Property (Continued)**

#### **Minimum Standard:**

**Revised: 07/2001, 07/2004, 12/2008, 07/2009, 12/2011, 10/2014, 09/2015**

- C. All confiscated property [except American currency or any item that could be potentially used as a weapon, such as pocket knives, tools, etc.] will be secured in a hanging locker bag located in the Inmate Property Room. Any item that could be used as a weapon (pocket knives, tools, etc.) shall be tagged with the inmate's name and secured in Main Control in the prescribed location. To determine if an item could be used as a weapon, Corrections Officers shall utilize their training, experience, and common sense. All property placed in the prescribed location in Main Control shall be properly documented.
- D. In the appropriate records location, the admitting Corrections Officer will list and include an objective description of each item in detail, being careful not to assess any value to an item(s); i.e: "one gold tone colored ring with clear stones" rather than a "gold ring with diamonds" since employees cannot determine the authenticity of purported precious metals or gems.
- E. If a prisoner is unable to remove an item from his/her person, i.e. ring, medical tag, etc., the item will be noted on the property inventory screen along with an indication that it was left on the prisoner's person. A narrative shall be submitted explaining the reason why the prisoner was left wearing the item. All jewelry and small items will be placed in an envelope and sealed. The envelope will then be placed in the inside upper portion of the storage bag.
- F. All newly processed inmates will be assigned a property number. Most property, except Money should be stored in the hanging garment bag on the corresponding number. This property number must be included on the property inventory screen.
- G. In order to expedite the release of prisoners, property hangars #1 thru #25 shall be used exclusively for female prisoners.
- H. The inmate will be asked to sign the "Acknowledgement of Inventory Collected" on the printed copy of the Inmate Property screen. The booking officer shall complete the property number used and the inventorying officer's name. In the event the inmate is unable or refuses to sign, the inventory should be witnessed by another officer. Both officers should sign the sheet to indicate the inventory is accurate.
- I. If the inmate is in possession of personal items that will not fit in the hanging garment bag, the items should be clearly marked with the inmate's name and placed on a shelf in processing. This should be noted on the inmate property screen.
- J. Bicycles or exceptionally large items will not be accepted for storage at the time of a prisoner booking and will be left in the possession of the arresting agency. An exception can be made by the supervisor if it appears the prisoner will be securing his/her release soon after being processed.
- K. Medications in the form of pills or tablets only that are prescribed to a prisoner and that are in properly labeled and currently dated prescription bottles will be accepted, but will not be handled

## **Section 2: Reception and Release**

### **Subject: Recording Inmate Property (Continued)**

#### **Minimum Standard:**

**Revised: 07/2001, 07/2004, 12/2008, 07/2009, 12/2011, 10/2014, 09/2015**

by Corrections Officers. The transporting officer presenting a prisoner for incarceration will be directed to place any such medications in the inmate medication deposit box located in the jail vehicle sallyport prior to the prisoner being admitted into the jail proper. The Corrections Officer, who is made aware of the presence of that medication, will be responsible for properly recording the deposit of this medication such that the jail medical staff will be made aware of the existence of the medication.

In the event that a transporting officer presents a prisoner for incarceration with liquid medication that is not suitable for deposit in the jail vehicle sallyport medication deposit box, a Corrections Officer may accept that medication and immediately report its receipt to any on-duty jail medical staff employee. If no such employee is working, the Corrections Officer is authorized to accept such medication, to properly document its receipt, and to properly store that medication in the refrigerator provided until the medication can be retrieved by a member of the jail medical staff.

The keys for the medication deposit box will be placed on the jail nurse's key chain with an extra set of keys—to be used only in properly documented emergency situations by a Corrections Officer—in the key locker in Main Control. A third set of keys will be placed in the key cabinet in the Dispatch Center, again to be utilized only during a properly documented emergency situation.

At no time will any medications be stored with an inmate's personal property.

- L. Any member of the public wishing to drop off medication for an inmate will be instructed to place the medication in the inmate medication deposit box located in the Sheriff's Office lobby near the jail access door. The deposit of that medication will be properly documented by the Corrections Officer receiving such information so that the jail medical staff will be made aware of the medication's deposit. Keys for this deposit box are identical to the box in the jail sallyport and will be handled in a like fashion.
- M. The following medications discovered in the possession of an inmate upon booking or processing will be considered evidence of a criminal offense:
  - 1. Prescribed to another person; or
  - 2. Unidentifiable or suspicious in nature; or
  - 3. In an unmarked container; or
  - 4. In a container holding various medications; or
  - 5. Any loose medication(s) found in the possession of an inmate.
- N. Perishable/Food items. If it is apparent that a prisoner will not be released within 4 hours, any perishable items will be disposed of. A jail narrative should follow anytime a prisoner's property is disposed. This narrative should include a detailed description, amount and disposition of the item(s).

## **Section 2: Reception and Release**

### **Subject: Recording Inmate Property (Continued)**

#### **Minimum Standard:**

**Revised: 07/2001, 07/2004, 12/2008, 07/2009, 12/2011, 10/2014, 09/2015**

- O. Because it is a violation of policy of the Erie County Sheriff's Office to store or possess any alcoholic beverages in this facility except for evidentiary purposes, alcoholic beverages shall not be accepted from the transporting officer. In the event the alcoholic beverage discovered in the possession of an inmate after the transporting officer has left the jail, the beverage and container will be properly disposed of if the transporting officer or his/her agency representative advise, after being contacted, that the beverage is not needed for evidentiary purposes.
- P. An inmate incarcerated for more than 10 days will not be permitted to store property in an amount deemed excessive by the Jail Administrator or his/her designee.
  - 1. Any inmate who is deemed to have excessive property will be required to release any excessive items to a person of his/her choice.
  - 2. If excessive items need to be shipped by mail, parcel post, or by other method, the Jail Administrator will see that all unnecessary items are shipped at the inmate's expense. If the inmate is determined to be indigent, the County will pay for shipping of excess property.
- Q. Officers should be suspect of any personal property item(s) an inmate possess which may be the fruit(s) of a crime that yet to be discovered or reported. Items such as personal identification documents, credit cards, smart cards, etc. in the name of another person (other than the inmate being booked into the custody of the jail) should be confiscated and treated as evidence.
- R. Electronic items such as cell phones and pagers may hold valuable information and evidence for investigators that can be easily erased and/or altered. A prisoner shall not be allowed access to any such items while in custody unless prior approval has been received from the Jail Administrator.

## **Section 2: Reception and Release**

### **Subject: Inmate Property Release While in Custody**

#### **Minimum Standard:**

**Revised: 12/2008, 07/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

Often an inmate, his/her family, or friends request to receive property that was collected when the inmate was processed in the Erie County Jail. It shall be the policy of the Erie County Jail to release a prisoner's personal property only if certain criterion is met. Under extenuating circumstances the shift supervisor or jail administrator may approve the release of a prisoner's property not met by these criteria.

## **PROCEDURE**

For authorized items to be released from a prisoner's personal property, the inmate must agree to release the items. If the inmate agrees to release the property the officer conducting the transaction must indicate so on the Property Screen in the Jail Management System by creating a Partial Release Property Form. It will indicate what was released, who received the property, and on what date it was released. Inmate, person receiving the property, and the officer releasing the property should sign the form. Officers should verify the identity of the person receiving the property prior to receiving it. The printed copy of this form should be placed in the inmate's jail file in the Sgt's Office.

A. Only the following items are authorized for released from a prisoner's personal property

1. Keys
2. Identifiable credit cards
3. Government issued assistance cards
4. Legal documents

B. Items NOT to be released include but are not limited to

1. Cash
2. Cell Phones, computers or electronic devices
3. Clothing items
4. Jewelry

C. If the prisoner is booked in with items such as identification cards, credit cards or any other instrument bearing the name of another person and such items have been verified as not stolen; the items may be released to the person whose name is on the document. The person claiming the document must provide proper identification prior to receiving the items.

**Section 2: Reception and Release**  
**Subject: Rule & Regulation Pamphlet**  
**Minimum Standard: 5120:1-8-01(A)(10)**  
**Revised: 07/2004, 01/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing the jail shall develop, implement, maintain, and update as necessary a set of generally applicable inmate rules. The rules shall be accessible to all inmates and shall provide information regarding confinement including:

1. Sleep Hours
2. Meal Times
3. Work Assignment
4. Telephone Access
5. Visitation Times
6. Correspondence
7. Medical Care
8. Laundry Service
9. Recreation
10. Programs
11. Rules of Conduct
12. Disciplinary Procedures
13. Grievance Procedures

Every reasonable effort shall be made to translate the rules if the inmate has a literacy or language problem. The jail shall maintain signed acknowledgement from each inmate acknowledging that the rules were received by and/or explained to them.

**PROCEDURE**

The booking officer will;

1. Provide a printed copy of the Erie County Jail Rules and Regulations Pamphlet (See Forms: B: Erie County Jail Rules and Regulations Pamphlet) to the inmate during the booking process.
2. Obtain the signature of the inmate on the property form verifying that he/she has received a copy of the jail rules and can read them and understand them.
3. Ensure that the inmate can read and understand the rules and regulations pamphlet.
  - a. If the booking officer determines the inmate is unable to read the pamphlet, the officer should verbally review the pamphlet and inform the inmate of its contents. This should be noted on the classification form.
  - b. If it is determined that the inmate does not speak or understand English, every reasonable effort shall be made to provide either a translator or a translated version of the rules and regulations. On-line translation web sites are available.

## **Section 2: Reception and Release**

**Subject: Fingerprints**

**Minimum Standard:**

**Revised: 05/90, 01/12, 09/2014, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing all inmates will be fingerprinted in accordance with the following procedure.

### **PROCEDURE**

The booking officer is responsible for obtaining fingerprints that meets the criteria of evidence submission. Keeping in mind that any booking records may be used in a court of law, the booking officer should take care to obtain clear and concise fingerprints. These records may also be used as an investigative tool and should be consistent in nature.

1. The Booking Officer will create a fingerprint record of the following:
  - a. Those booked in on a felony charge.
  - b. Those booked in who are charged with a Reportable Misdemeanor.
    - i. The officer in charge of fingerprints shall maintain a current copy of Reportable Misdemeanors posted by the fingerprint station in processing.
2. The Officer in charge of fingerprints is responsible for proper distribution, storage, and filing fingerprint cards.

## **Section 2: Reception and Release**

### **Subject: DNA Collection**

#### **Minimum Standard:**

**Revised: 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

It shall be the policy of the Erie County Jail that all individuals meeting a qualifying offense pursuant to O.R.C. 2901.07 and O.R.C. 2152.74 submit to a DNA specimen collection. Individuals meeting this criterion whose identity has been verified through fingerprint verification and/or through referencing a government-issued photo identification and whose computerized criminal history is marked "DNA is registered in the Ohio DNA databank", need not resubmit a DNA sample. An individual's computerized criminal history shall be checked each time the individual is identified as having a qualifying offense. This will be done by searching the OHLEG web site. Supervisors will have access to this on line feature.

## **DEFINITION**

The DNA specimen collection duty set forth in this section applies to any person who is eighteen years of age or older and who is arrested on or after July 1, 2011, for any felony offense. Once a subject has provided a DNA sample (possibly on an arrest at an earlier occasion) he/she does not need to re-submit a sample.

## **PROCEDURE**

Officers will follow procedures outlined in the DNA collection kit provided by the Erie County Sheriff's Office. Officers collecting DNA sample should wear rubber gloves to prevent cross contamination of DNA.

- A. Complete the CMP-402-00 enclosed form.
- B. ITN & BCI numbers should be available from the computerized finger scan.
  - 1. In the event an ITN or BCI number is not available, the officer collecting the sample should write the individual's last 4 numbers of the social security number
- C. Obtain the arrestee's signature and a rolled inked right thumb print on this form.
  - 1. Roll from one side of the thumb nail to the complete opposite side. In the event the thumbprint smears, additional prints may be put on the back of the form. If the individual does not have a right thumb, another digit may be used; simply document which digit is being applied. If the individual does not have any fingers, a toe may be used. Write down which toe is being used. A fingerprint ink pad will be available in the processing room of the jail.



**Section 2: Reception and Release****Subject: DNA Collection (Continued)****Minimum Standard:****Revised: 12/2011, 09/2015**

- D. If after sealing the mailing envelope, it is discovered that the Bode buccal collector or Demographic Information Card are not in the envelope, reopen the envelope, make the necessary corrections, and re-seal the envelope. On the outside of the mailing envelope, state why it was reopened, initial and date. The officer's initials and date should be written over half the seal.
- E. A jail narrative should be completed indicating a DNA collection was made for that individual inmate.

## **Section 2: Reception and Release**

**Subject: Photograph, Fingerprints, DNA Collection, Bond Refusal**

**Minimum Standard:**

**Revised: 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Accurate identification is required of all prisoners booked in and out of the Erie County Jail. A detainee shall not be released until complete and verifiable information is provided.

### **PROCEDURE**

Proper Identification may include submitting:

1. Photograph
2. Fingerprints
3. DNA sample if charged with a felony
4. Signature on a bond if required

A. In the event a prisoner refuses to provide corrections staff with complete and proper identification information:

1. The shift supervisor will be notified of the refusal
2. The court of record should be notified as soon as possible
3. A narrative should be submitted, providing details of any incident of refusal
4. The prisoner shall not be released until complete and accurate identification criteria is satisfied (unless otherwise ordered by the court of record)
5. The booking officer should enter an uncompleted appointment named NDNA (for DNA), PHOT (for Photograph), and/or PRNT (for Fingerprints) under the inmate's current record in the Jail Management System. The hold box should be checked on the book screen and in the hold details box, it should state that the reason for the hold (such as DNA needs taken prior to release). The officer that takes the Photograph, Fingerprints, or DNA will uncheck the hold box, and advise that they took the Photograph, Fingerprints, or DNA in the hold details box

**Section 2: Reception and Release**  
**Subject: Strip and Body Cavity Searches**  
**Minimum Standard: 5120-1-08-01(A)(7)**  
**Revised: 07/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the policy of the Erie County Sheriff to conduct reasonable, legally authorized strip searches of newly received jail inmates to insure the safety and security of both the inmates and Sheriff's Office employees, to prevent the introduction of contraband into the Erie County Jail, and to discover contraband that may constitute evidence of criminal activity. It is also the policy of the Erie County Sheriff to conduct legally authorized body cavity searches as necessary. Strip and/or body cavity searches will be conducted under the authority outlined in Ohio Revised Code Section 2933.22 and Standards for Jails in Ohio, using the procedures outlined in this policy and approved by the Erie County Prosecutor.

**REFERENCES**

Ohio Revised Code Section 2933.32  
Standards for Jails in Ohio  
Florence v. Board of Chosen Freeholders; 132 S. Ct. 1510; decided April 2, 2012  
Williams v. City of Cleveland; 771 F. 3d 945; 6<sup>th</sup> Circuit; decided November 10, 2014

**PROCEDURE**

- A. Body Cavity Search - An inspection of the anal or vaginal cavity of a person that is conducted visually, manually, by means of any instrument, apparatus or object, or in any other manner after the person has been accepted for incarceration in and has been admitted as a prisoner to the Erie County Jail.
- B. Strip Search - An inspection of the genitalia, buttocks, breasts, or undergarments of a person that is preceded by the removal or re-arrangement of some or all of the person's clothing that directly covers the person's genitalia, buttocks, breasts or undergarments and that is conducted visually, manually, by means of any instrument, apparatus or object, or in any other manner after the person has been accepted for incarceration in and has been admitted as an inmate to the Erie County Jail.
- C. Employee - includes any member of the Erie County Sheriff's Office assigned to perform inmate intake duties in the Erie County Jail.
- D. Contraband - includes narcotics, drug instruments, weapons, cellular telephones, tobacco products and any other object that is prohibited by law or policy from being possessed by an inmate in the Erie County Jail.

## **Section 2: Reception and Release**

### **Subject: Strip and Body Cavity Searches (Continued)**

**Minimum Standard: 5120-1-08-01(A)(7)**

**Revised: 07/2009, 12/2011, 09/2015**

- A. All Erie County Jail inmates who have been afforded a reasonable opportunity to secure release on bail or recognizance, who have failed to secure such release, and who will be integrated into the general prisoner population of the jail and who are changing into the required jail inmate uniform will be subject to strip search. [Ohio Revised Code Section 2933.32(A)(2); *Florence v. Board of Chosen Freeholders*, 132 S. Ct. 1510].
- B. Only employees of the same sex as the inmate being searched will be in the presence of an inmate being strip searched and will conduct such a search, unless an emergency situation arises during the conduct of said search requiring immediate assistance from other employees regardless of their sex (i.e.: medical emergency involving the inmate, inmate becomes combative, etc.)
- C. All strip searches will be conducted in the inmate processing room, immediately adjacent to the shower stall. Inmates will be strip searched out of sight of any other inmate. (*Williams v. City of Cleveland*, 771 F. 3d 945).
- D. Strip searches will be conducted as follows:
  - 1. The inmate will be advised to remove all of his/her clothing. The clothing will be placed on the floor and the inmate will be advised to step away from the clothing for a sufficient distance such that the inmate cannot reach the clothing during the conduct of the strip search to access any hidden contraband.
  - 2. Once the inmate has removed all of his/her clothing—and if the head hair is of sufficient length—the inmate will be instructed to bend his/her head down and run his/her hands vigorously through the scalp to dislodge or expose any contraband that may be present in the hair.
  - 3. The inmate will then be instructed to open his/her mouth wide and to stick out and lift up his/her tongue. A visual examination will be made of the open mouth and under the tongue to ensure that no contraband is secreted in the mouth.
  - 4. The inmate will then be instructed to face the employee, and show his/her palms to the employee conducting the search while extending the arms above the head to ensure that no contraband was “palmed” during the scalp or oral examinations and that no contraband is concealed under the armpits or inside the arms.
  - 5. If physiologically appropriate, female inmates will be advised to lift their breasts and the underside of the breasts will be visually examined for any contraband that may be taped thereto or otherwise concealed between the breasts and the body.
  - 6. Male inmates will be instructed to lift their genitalia and a visual examination will be made to ensure that no contraband is taped or otherwise affixed to the genitalia.
  - 7. If a female inmate is observed to have a tampon inserted vaginally, the inmate will be instructed to remove the tampon. Once the tampon is removed, it will be visually

## **Section 2: Reception and Release**

### **Subject: Strip and Body Cavity Searches (Continued)**

**Minimum Standard: 5120-1-08-01(A)(7)**

**Revised: 07/2009, 12/2011, 09/2015**

inspected by the employee conducting the search to ensure that no contraband is attached thereto. The inmate will then be advised to properly wrap and place the tampon in a suitable refuse receptacle.

8. Once the inspection of the front of the body is completed, the inmate will be instructed to turn around and face away from the employee conducting the search. The inmate will then be instructed to bend over, grasp the buttocks with the hands, and pull the buttocks apart. A visual inspection will be made to ensure that no contraband is concealed between the buttocks.
9. While the inmate is bent over, he/she will be instructed to cough three times and an observation of the inmate's rectum will occur in an attempt to observe any contraband that may be concealed therein.
10. The inmate will then be instructed to stand back up and will be instructed to show the employee the individual soles of the feet to expose any contraband that may be taped or otherwise hidden there.
11. The inmate will then be instructed to again show the employee conducting the search the palms of the hand. If no contraband is observed, the strip search process is completed.
12. If an inmate is found to be in possession of any contraband during the strip search process, the employee will utilize his/her judgment and training to determine how the contraband should be initially handled. In most cases, it would be appropriate to have the inmate drop the item on the floor and to continue the strip search process. Weapons must be immediately secured prior to the strip search process continuing.
13. In the event that contraband is observed protruding from a body cavity during the strip search process, the inmate will be instructed to remove the contraband, once removed from the body cavity, the contraband will be handled by the employee as listed above. Under no circumstances will an employee remove any contraband from the body cavity of an inmate unless the situation poses a life-threatening risk to the inmate or an employee. If the inmate refuses to remove the contraband from a body cavity, the inmate will be immediately restrained as necessary and the shift supervisor and nurse and/or jail physician will be contacted and a body cavity search will then be conducted.

## **BODY CAVITY SEARCHES**

Unless there is a legitimate medical reason or medical emergency justifying a warrantless search, a body cavity search shall be conducted only after a search warrant is issued that authorizes the search. In any case, a body cavity search shall be conducted under sanitary conditions and only by a physician, or a registered or licensed practical nurse, who is registered or licensed to practice in this state. [Ohio Revised Code Section 2933.32(B)(4)].

**Section 2: Reception and Release****Subject: Strip and Body Cavity Searches (Continued)****Minimum Standard: 5120-1-08-01(A)(7)****Revised: 07/2009, 12/2011, 09/2015**

The procedure for conducting a body cavity search will be prescribed by the medical professional conducting that search.

**DELOUSING**

All inmates, after being strip searched, will be immediately instructed to shower in the facility located in the processing area. All such inmates will be required to be deloused by being issued individual amounts of a liquid delousing product to be used for self-application (Florence v. Board of Chosen Freeholders, 132 S. Ct. 1510).

Reviewed and approved: \_\_\_\_\_  
Jason Hinnars  
Chief, Civil Division  
Erie County Prosecutor's Office  
Date

**Section 2: Reception and Release**  
**Subject: Integrated with General Population**  
**Minimum Standard: 5120:1-8-01(8)(9)**  
**Revised: 06/2000, 07/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing that after all inmates are afforded a reasonable opportunity to secure release on bail or recognizance, they shall be integrated with the general population and shall receive a shower and clean clothing. Inmates with soiled and/or infested clothing shall also receive a shower and clean clothing. Inmates shall not be confined in the holding area for more than twelve hours except when security, health, and/or mental health concerns are being addressed. Newly admitted inmates should be kept separate from the general population during the booking process. Placement into general population shall be a priority expect when immediate security, health, and/or mental health concerns are being addressed in the holding area.

**PROCEDURE**

All inmates who are integrate with the general population and/or whose clothing is soiled or infested shall be provided de-lousing shampoo, soap, and will be required to shower. The inmate will be issued clean uniform clothing, towel, and bedding.

1. The inmate should be allowed to shower and exchange clothing in the processing room.
2. Inmates shall be observed by an officer of the same sex while changing into clothing that is required to be worn by inmates of the Erie County Jail.
  - a. During this observation the booking officer will make note (either on Jail Incident Report and/or the Preliminary Health Evaluation Form) of any abnormalities or unusual findings (i.e. bruises, skin rashes, lesions, trauma markings) and forward such documentation to shift supervisor.
3. The booking officer will instruct the inmate as to what personal items are permitted within the jail. Those items inmates are allowed to keep include;
  - a. Eye Glasses
  - b. Dentures
  - c. Prosthesis
    - i. Any prosthesis must be removed and examined by the booking corrections officer. Should the prosthesis have any type of attachment that could be used as a weapon the shift supervisor will be notified prior to the prisoner being integrated into general population.
4. All clothing items and personal property will be inventoried and secured in a hanging locker.
5. Inmates who are not changed into jail issued clothing shall be kept separate from those who have been dressed in jail issued clothing.
6. The Shift Supervisor may elect to have the inmate's personal clothing laundered (prior to being stored) if it is soiled or infested condition presents and unsanitary condition.

## **Section 2: Reception**

### **Subject: Standard Issue Items**

**Minimum Standard: 5120:1-8-02(D)**

**Revised: 07/2004, 01/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

The Erie County Jail shall have written policies and procedures, and practices which evidence compliance that any inmate who is confined for more than twelve hours, and prior to being placed in general population (except when security, health, and mental health concerns are being addressed) will be:

1. Assigned a bed
2. Issued a clean mattress, blanket, bed linens, and towels
3. Provide with articles to maintain personal hygiene (toothbrush, toothpaste, feminine hygiene items and soap)

## **PROCEDURE**

After being admitted to the custody of the Erie County Jail and confined for longer than twelve hours, the booking officer will provide the prisoner with standard issue items

- A. Standard Issue uniform items include one of each item. Inmates may also receive gym clothing at time of classification.
  1. Uniform shirt
  2. Uniform Pants
  3. Two pairs of underwear
  4. Shower shoes
  5. Towel
- B. Standard issue bedding items (one each unless otherwise indicated)
  1. Mattress
  2. Blanket
  3. Two Sheets
- C. Standard hygiene items issued, one each
  1. Toothbrush
  2. Toothpaste
  3. Bath soap
  4. Comb
  5. Females shall be provided with feminine hygiene items as needed
- D. Standard issue gym clothing (one each unless otherwise indicated)
  1. Two orange T-Shirts
  2. Gym Shorts
  3. Tennis shoes



### Section 3: Classification

#### Subject: Classification System

Minimum Standard: 5120:1-8-02(A) / 5120:1-8-02(B)(1)(2)(3)(4)

Revised: 09/2007, 06/2008, 12/2011

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

### POLICY

Inmates housed at the Erie County Jail will be classified to determine the level of custody required, special needs, housing assignment, and participation in programming in order to provide the inmate and staff with the maximum amount of safety and security. The NIC Decision Tree Classification form (Section 4 Page 9) will be used. All classifications shall be objective and non-discriminatory. Non-discriminatory classification is required by law and shall be practiced at the Erie County Jail. Housing will not be determined on the basis of race, creed, color of skin, national origin or religion. Any classification action that deprives an inmate of privileges afforded to others must be documented as outlined in 5120:1-8-15 of the Standards for Jails in Ohio. The Erie County Jail shall have written policies and procedures, and practices which evidence compliance with male and female inmates are housed separately by sight, touch, and out of the range of normal conversation, violent and non-violent inmates are not placed in the same cell or unsupervised areas together, male and female are supervised if placed together for purposes of programming, transportation or other similar activities, and juvenile and adult inmates are separated in a manner pursuant to sections 2151.311 and 2152.26 of Revised Code.

### PROCEDURE

1. The booking officer who processes the inmate will collect and record any and all information regarding the immediate medical, mental, or emotional needs of the inmate. The booking officer will use this information to ensure that the inmate is housed in an area that is safe and secure for the inmate.
2. The Classification criteria shall be implemented to the maximum extent consistent with the design and capability of the Erie County Jail. Criteria used to classify an inmate will include, but not limited to;
  1. **Sex** – Male and Female inmates are housed separately by sight, touch, and out of range of normal conversation with each other. Male and female prisoners must be directly supervised if placed together for purposes of programming, transportation or other similar activities.
  2. **Behavior** – Violent and non-violent inmates are not to be placed in the same cell or unsupervised area together.
  3. **Age** – Juvenile and adult inmates are separated in a manner pursuant to sections 2151.311 and 2152.26 of Revised Code.
  4. **Special Needs** - Physical and/or Mental Handicaps
  5. **Case Status** – Sentenced/non-sentenced
3. All inmates will be classified within 72 hours of incarceration.

### **Section 3: Classification**

#### **Subject: Classification System (Continued)**

**Minimum Standard: 5120:1-8-02(A) / 5120:1-8-02(B)(1)(2)(3)(4)**

**Revised: 09/2007, 06/2008, 12/2011**

4. **Classification** - During the classification process the booking officer will:
  1. Obtain as much information as possible from the following sources;
    - a. CCH
    - b. LEADS
    - c. OHLEG
    - d. Previous Booking Records at Erie County Jail
    - e. Initial Medical Observations
    - f. Other online sources
  2. Interview the inmate to obtain further information and verify the information obtained
  3. Use the Classification Tree to determine the inmate's custody status
  4. Determine the following information from the inmate:
    - a. Does the inmate have questions about the rules and regulations of the jail
    - b. Complete the inmate's Approved Visitor List
    - c. Instruct the inmate to complete an Inmate Request Form to apply for participation in any jail programs.
  5. Check the available housing and assign the inmate to a cell.
    - a. The booking officer will place the housing assignment in the Jail Management System Housing Screen.
  6. All documentation relating to the classification of an inmate will be placed into the inmate's jail file by the booking officer.
5. **Juvenile** – Juveniles will only remain in the booking area for the amount of time it takes to fingerprint, photograph, and complete the booking process. Once the booking process is completed, the juvenile inmate will be housed in a medical cell. Prior to this, any adult inmate housed in the medical area will be moved to a holding cell. Any time an inmate is moved from one area to another, the escorting officer will make certain that adult inmates are not in the area the inmate is being moved through and too.
6. **Jail Uniforms** – After a custody status is determined the inmate should be changed in to a jail uniform that corresponds to the inmate's classification status;
  1. Orange Uniforms – Maximum Security
  2. Green Uniforms – Medium Security
  3. Tan Uniforms – Laundry and Cleaning Inmate Workers
  4. White Uniforms – Kitchen Inmate Workers
7. **Reclassification** – Inmates will be reclassified:
  1. Upon change in legal status
    - a. Convicted of a crime
    - b. Additional charges
  2. Upon notification of any behavior problems
    - a. Documented disciplinary action for events such as fighting, making threats, disobeying staff.

**Section 3: Classification****Subject: Classification System (Continued)****Minimum Standard: 5120:1-8-02(A) / 5120:1-8-02(B)(1)(2)(3)(4)****Revised: 09/2007, 06/2008, 12/2011**

- b. Documented medical or mental health problems such as attempted suicide, medical emergency, or injuries.
- 8. Any classification action which significantly deprives an inmate of privileges afforded other inmates or in any way placed them in a lesser status shall be justified in writing.
  - 1. The booking officer classifying the inmate will document the reason for depriving rights in a Jail Incident Report. This report will be forward to the Jail Administrator for review.

### **Section 3: Classification**

#### **Subject: Special Needs**

**Minimum Standard: 5120:1-8-03(B)(8)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall recognize the special needs of inmates. Housing will be made available for inmates with medical, psychiatric needs, suicidal, sexually aggressive, or those at high risk for victimization. Inmates with violent or mental health issues shall receive more frequent observations. Handicapped accessible furnishings shall be made available for those in need (e.g. wheel chairs, toilets, showers, etc.).

### **PROCEDURE**

#### **1. Identification**

- a. Identification of inmates who need alternative housing shall be made available by jail staff, medical staff, and mental health staff. Once an inmate's needs are identified, the shift supervisor will be notified so the inmate can be assigned to alternative housing.

#### **2. Housing**

##### **a. Medical / Physical Handicapped**

- i. Inmates deemed to have a medical or physical handicapped shall be housed in the medical cells in the medical ward. Criteria for this placement into this housing location may include:
  1. Need for chronic care.
  2. Need for convalescent care.
  3. Those who are physically handicapped.
  4. Have or suspected to have a contagious disease of infection.
  5. It is determined necessary by medical staff.

##### **b. Close Observation**

- i. Inmates who require close observation housing shall be housed in the holding cells. Close observation includes those inmates on:
  1. Ten minute suicide watch.
  2. Ten minute non-specific watch (i.e. restraints).
- ii. Criteria for this placement into this close observation may include:
  1. Suicide Risk.
  2. Mental Health Status (requires separation from General Population)
  3. Withdraw Risk.
  4. Are determined by staff to have a valid need to be separated from General Population.

### **Section 3: Classification**

**Subject: Special Needs (Continued)**

**Minimum Standard: 5120:1-8-03(B)(8)**

**Revised:**

#### **3. Rights and Privileges**

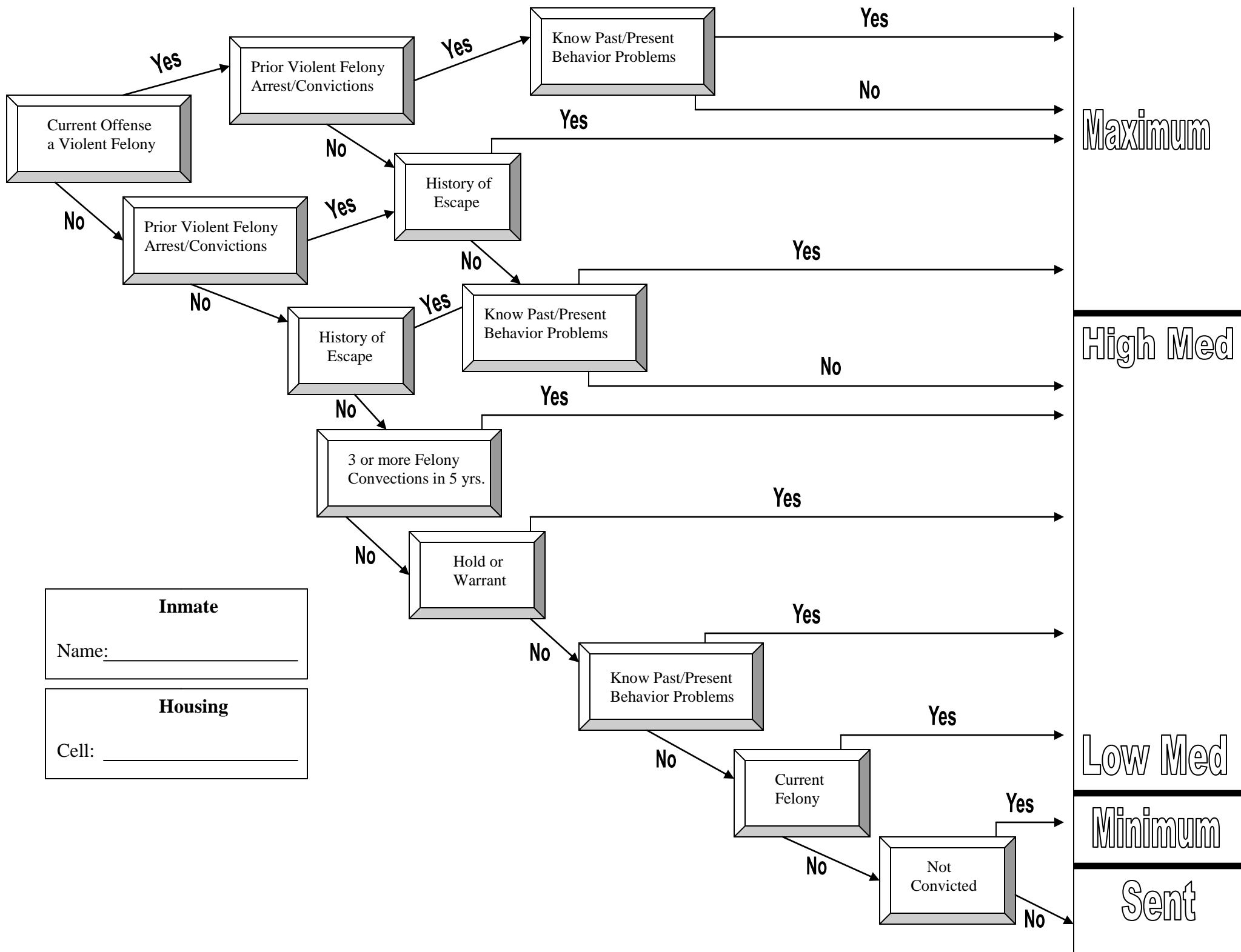
- a. Inmates placed in medical and/or close observation housing will receive the same rights and privileges granted to those inmates in general population with few exceptions:
  - i. Inmates at risk of suicide will receive a suicidal smock and blanket and nothing else allowed in their cells.
  - ii. Out of cell time may be limited and/or some activities restricted due to inmate safety or the safety of others. This time may be used at the inmate's discretion for exercise, showering, phones calls, etc.

#### **4. Review**

- a. Inmates placed in medical and/or close observation housing will be reviewed by the medical/mental health staff.
- b. Only a medical or mental health professional may remove an inmate from medical and/or close observations housing.

#### **5. Training**

- a. New employees will be review this policy with a training officer.



### Section 3: Classification

#### Subject: Inmate Workers

Minimum Standard: 5120:1-8-02(B)(5) / 5120:1-8-03(B)(13)(14)

Revised:

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

### POLICY

The Erie County Jail shall have written policies and procedures, and practices which evidences compliance showing inmate workers are evaluated and selected based on established criteria. Only sentenced inmates who meet the criteria will be eligible to be classified as an inmate worker. No inmate, including inmate workers, will be given any responsibility that permits them to direct or control the activities of other inmates. Inmates are not allowed to supervise other inmates, use keys, or perform any security post duties. Staff shall search all inmate workers and the areas where they are working. No inmate shall be given control of or authority over any other inmate, security function, or service activity.

### PROCEDURE

- A. **Definition:** Any inmate who is sentenced to serve time in the Erie County Jail and is assigned to perform certain work duties. This will include, but not limited to, kitchen, laundry, and/or general cleaning duties.
- B. **Criteria:** The following criteria will be taken into consideration in assigning an inmate work:
  - 1. Classification Status
  - 2. Nature of Offense
  - 3. Sentence
  - 4. Inmate's ability to understand directions
  - 5. Inmate's behavior
  - 6. Physical limitations
- C. **Assignment:** Any inmate sentenced to the Erie County Jail and is interested in becoming an inmate worker should submit an Inmate Request indicating so. The booking officer will receive and review the request. If it is determined that the inmate meets the criteria and a position is available the booking officer will:
  - 1. Reclassify the inmate to Inmate Worker
  - 2. Assign a specific job
  - 3. Review and explain the appropriate Inmate Worker Duties and Responsibilities Form
  - 4. Have the inmate sign and date the form indicating they understand it
  - 5. Change the inmate into the appropriate color uniform
    - i. Tan Uniform – Cleaning and Laundry Inmate Workers
    - ii. White Uniform – Kitchen Inmate Workers
  - 6. Move the inmate in the Jail Management System to Dorm 042
  - 7. Physically move the inmate to Dorm 042

### **Section 3: Classification**

**Subject: Inmate Workers (Continued)**

**Minimum Standard: 5120:1-8-02(B)(5) / 5120:1-8-03(B)(13)(14)**

**Revised:**

- D. **Community Service:** Any inmate that is assigned to work outside the security perimeter of the jail will be directly supervised by whom they were assigned to.
- E. **Searches:** The Erie County Jail staff shall search all inmate workers prior to them returning to their housing unit from their job assignment. Contraband should not be allowed in housing areas.
- F. **Authority:** No inmates, including inmate workers, are to be given any responsibility that permits them to direct or control activities of other inmates. Inmates shall not be able to regulate other inmates' access to telephones, food, jobs, or other jail services. Inmates shall not be allowed to supervise other inmates, use keys to security doors or areas, or perform any security post duties. Inmates cannot be used to supplement or replace jail staff in maintaining jail security.



**Erie County Jail**  
**Inmate Work Duties and Responsibilities**  
**Laundry**

**Work Hours:**

As needed

**Personal Hygiene:**

Clean Clothes

Teeth Brushed, Hair Clean and Combed, Hands and Nails Clean, Shower Daily

**Laundry Duties, including but not limited to:**

Retrieve laundry baskets as directed by staff

Take dirty laundry to the laundry room as directed by staff

Wash, dry, and fold laundry

Sort and Store laundry

Sweep and mop the laundry room floor

Collect garbage in the laundry room

Clean machines, sinks, and any equipment in the laundry room

Daily cleaning of the dryer lint traps

Advise staff of any equipment in need of repair

Monitor and advise staff of needed laundry chemicals

Advise staff on any contraband items that have been found

Assist staff in collecting and passing out laundry to inmates in housing areas

Mark clothing items as directed by staff

**Laundry Rules:**

Must wear a shirt and long uniform pants at all times in laundry

No loitering in the laundry room

No arguing or fighting

No loud or boisterous behavior

Do not enter the kitchen or storage rooms unless directed by a staff member

Do not leave washers or dryers running when leaving the laundry room

Laundry Workers are required to be searched before returning to the dorm

Laundry Workers are not allowed to enter the processing room without permission and direct supervision of staff

Laundry Workers are not to pass messages (written or verbal) to those in other housing areas

Laundry Workers are required to report any contraband items found to staff

**Failure to complying with these duties, responsibilities and rules will result in disciplinary action to include loss of good time, privileges and isolation.**

**I have read and will comply with the above written rules and regulations.**

---

**Laundry Inmate Worker's Signature**

---

**Date**

**Erie County Jail  
Inmate Work Duties and Responsibilities  
Cleaning**

**Work Hours:**

As needed

**Personal Hygiene:**

Clean Clothes

Teeth Brushed, Hair Clean and Combed, Hands and Nails Clean, Shower Daily

**Cleaning Duties, including but not limited to:**

Sweep and mop of floors throughout the jail

Cleaning windows throughout the jail

General cleaning of jail as directed by staff

Preparing cleaning supplies for housing areas as directed by staff

Issuing and collecting cleaning supplies from housing areas as directed by

Retrieving and cleaning mops and mop buckets

Assist staff in moving items (chairs, tables, etc.) throughout the jail

**Cleaning Rules:**

Must wear a tan uniform at all times when outside the dorm

Tennis shoes must be worn when performing cleaning duties

No loud or boisterous behavior

Cleaning Workers are not to pass messages (written or verbal) to those in other housing areas

Cleaning Workers are not to hold conversations with inmates in other housing areas

No profanity

Cleaning Workers are not allowed to enter the processing room without permission and direct supervision of staff

Cleaning Workers are not to leave the dorm unless ordered to by staff

Cleaning Workers are to report any contraband items found to staff

**Failure to complying with these duties, responsibilities and rules will result in disciplinary action to include loss of good time, privileges and isolation.**

**I have read and will comply with the above written rules and regulations.**

---

**Cleaning Inmate Worker's Signature**

---

**Date**

## Section 4: Housing

### Subject: Housing

Minimum Standard: 5120:1-8-04(A)(B)(C)(D)(E)(F)(G)(H)(I)(J)(K)(L)

Revised: 9/2015

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

### POLICY

It is the policy of the Erie County Jail to provide sufficient space, seating, air circulation, temperature, toilet and lavatory, shower, wash basin, and natural light for inmates in accordance with the Jail Minimum Standards. The jail shall maintain documentation regarding square footage and maximum occupancy figures for all housing and holding areas.

### PROCEDURE

#### 1. **Sufficient Space**

- a. Holding Cells – Sixty square feet for one to three occupants with twenty square feet for each additional occupant up to a maximum of one hundred and twenty square feet
- b. Housing Cells – Seventy square feet for single occupancy
- c. Dormitory Sleeping Space – Fifty Square feet per occupant
- d. Day Space – Thirty five square feet per number of occupants occupying day space at one time. Minimum size of one hundred and five square feet

#### 2. **Seating** – Each inmate shall be provided with a seat

- a. Each cell will contain a seat
- b. Each dayroom will contain a seat for each inmate

#### 3. **Air Circulation** – All housing areas will have air circulation of fifteen cubic feet of outside or recirculated filtered air per minute per occupant

#### 4. **Temperature** – will be mechanically raised or lowered to acceptable comfort levels

#### 5. **Sanitation Facilities** – shall include access to an operable flush toilet and lavatory with hot and cold potable water on a twenty four hour basis without staff assistance

- a. Toilet, Wash Basin, and Shower facilities will be provided at a rate of one operable for every twelve occupants.
- b. Shower Temperatures will be controlled thermostatically in a range from one hundred five to one hundred twenty degrees Fahrenheit

#### 6. **Noise Levels** – shall not exceed seventy decibels in daytime and forty-five decibels at night.

#### 7. **Natural Light** – shall be provided in housing units, dorms, cells and/or dayroom spaces

#### 8. **Unadjudicated Juveniles** – will be housed separated by sight and sound from adult inmates

#### 9. No inmate will be denied access to clothing, bed, bedding, toilet, lavatory, or showers without being reviewed on a daily basis by the Jail Administrator or designee.

**Section 5: Security**  
**Subject: Security Perimeter**  
**Minimum Standard: 5120:1-8-03(A)(1)**  
**Revised: 09/2007, 06/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have an established security perimeter to provide a secure environment for inmates and staff alike.

**DEFINITION**

**Security Perimeter:**

- a. The secure boundary, which encloses the entire portion of the facility which prisoners are confined, including the following areas:
  - i. Booking and Release
  - ii. Any Inmate Housing Area
  - iii. Recreation Areas
  - iv. Visitation Rooms
  - v. Laundry and Kitchen Area
  - vi. Court Room
  - vii. Interview Rooms
  - viii. Medical Area
  - ix. Holding Area
  - x. Classroom
- b. Any area beyond the below listed doors will be considered outside the security perimeter;
  - i. 403 Sally Port Door (Lobby Entrance)
  - ii. 444 Sally Port Door (Kitchen/Laundry Area Lobby Entrance)
  - iii. 453 Sally Port Door (Kitchen Emergency Doors)
  - iv. 448 Sally Port Door (Kitchen Dock Entrance)
  - v. 427 Sally Port Door (E Control Emergency Door)
  - vi. 501 Door (Work Release Door)
  - vii. 503 Sally Port Door (Vehicle Sally Port Entrance)
  - viii. 508 Sally Port Door (A Control Emergency Door)

**Section 5: Security**  
**Subject: Weapons in Security Perimeter**  
**Minimum Standard: 5120:1-8-03(4)**  
**Revised: 10/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have temporary weapons storage lockers as each point of entrance to the jail's security perimeter to ensure the safety and security of the jail. No firearms or weapons shall be brought into the security perimeter of the jail, unless under emergency situations and then only under the authorization of the Sheriff or Jail Administrator.

**PROCEDURE**

1. The Board Operator controlling access into the security perimeter of the jail shall be responsible for advising any Law Enforcement Officers to secure any weapon they may have prior to entering the security perimeter.
2. Items not allowed in the security perimeter of the jail shall include but not limited to;
  - a. Firearms
  - b. Ammunition
  - c. Chemical Weapons
  - d. Conducted Energy Devices (Taser)
  - e. Any Striking Devices (ASP, PR-24, Baton)
  - f. Knives
3. Law Enforcement Officers should use the weapon storage lockers to secure their weapons
  - a. Weapon Storage Lockers will be located at:
    - i. 401 Lobby Door
    - ii. 503 Vehicle Sally Port
  - b. Law Enforcement Officers may elect to secure the weapons in the trunk of their vehicles.
4. Anyone refusing to secure their weapons shall not be permitted inside the security perimeter.
  - a. The shift supervisor should immediately be advised if any person is refusing to comply with this policy and procedure.
  - b. The shift supervisor shall write a Jail Incident Report in the Jail Management System of any incident of a person refusing to secure their weapon prior to entrance to the security perimeter.

**Section 5: Security**  
**Subject: Inmate Transports**  
**Minimum Standard: 5120-1-8-03(B)(2)(3)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement written policies and procedures, and practices which evidence all inmates shall be searched whenever entering or leaving the jail's security perimeter to control contraband. The Erie County Jail shall also have procedures and practices governing strip and body cavity searches following reception that shall be developed and implemented in consultation with the county prosecutor, city attorney, or law director consistent with section 29.33.32 of the Revised Code. At times it is necessary to transport an inmate in custody out of the security perimeter of the facility for legal proceedings, medical appointments, community service or any type of mandatory appearance. In order to curtail the introduction of contraband into the facility it shall be the policy of the Erie County Jail to properly search all inmates whenever entering or leaving the security perimeter of the facility. Such measures are done to ensure the safety and security of staff and inmates.

**PROCEDURE**

**A. Transports Out**

1. The inmate shall be taken from their assigned housing area and prepared for transport
2. The corrections officer preparing the inmate for transport will positively identify the inmate scheduled for transport
3. The inmate will be fully dressed in an inmate uniform
  - a. The inmate may elect to place a jail issued coat
4. The corrections officer will search the inmate in accordance with the Initial Frisk Search Policy in the Reception Section of this Policy and Procedure Manual before the inmate leaves the jail.
  - a. Any pencils, books, or paperwork will be removed from the inmate and turned over to the transporting officer
  - b. It will be at the discretion of the transporting officer if the inmate will be allowed access to any inmates during transport.
5. For inmates being transported by Erie County Sheriff's Personnel only, the corrections officer will secure the inmate in leg shackles and handcuffs secured to a restraint belt
6. Corrections Staff should ensure the transporting officer has all the necessary paperwork.
7. The officer preparing the inmate for transport out of the security perimeter will be responsible for logging the records of the removal from the facility in the Jail Shift Log in the Jail's Record Management System.

## **Section 5: Security**

### **Subject: Inmate Transports (Continued)**

**Minimum Standard: 5120-1-8-03(B)(2)(3)**

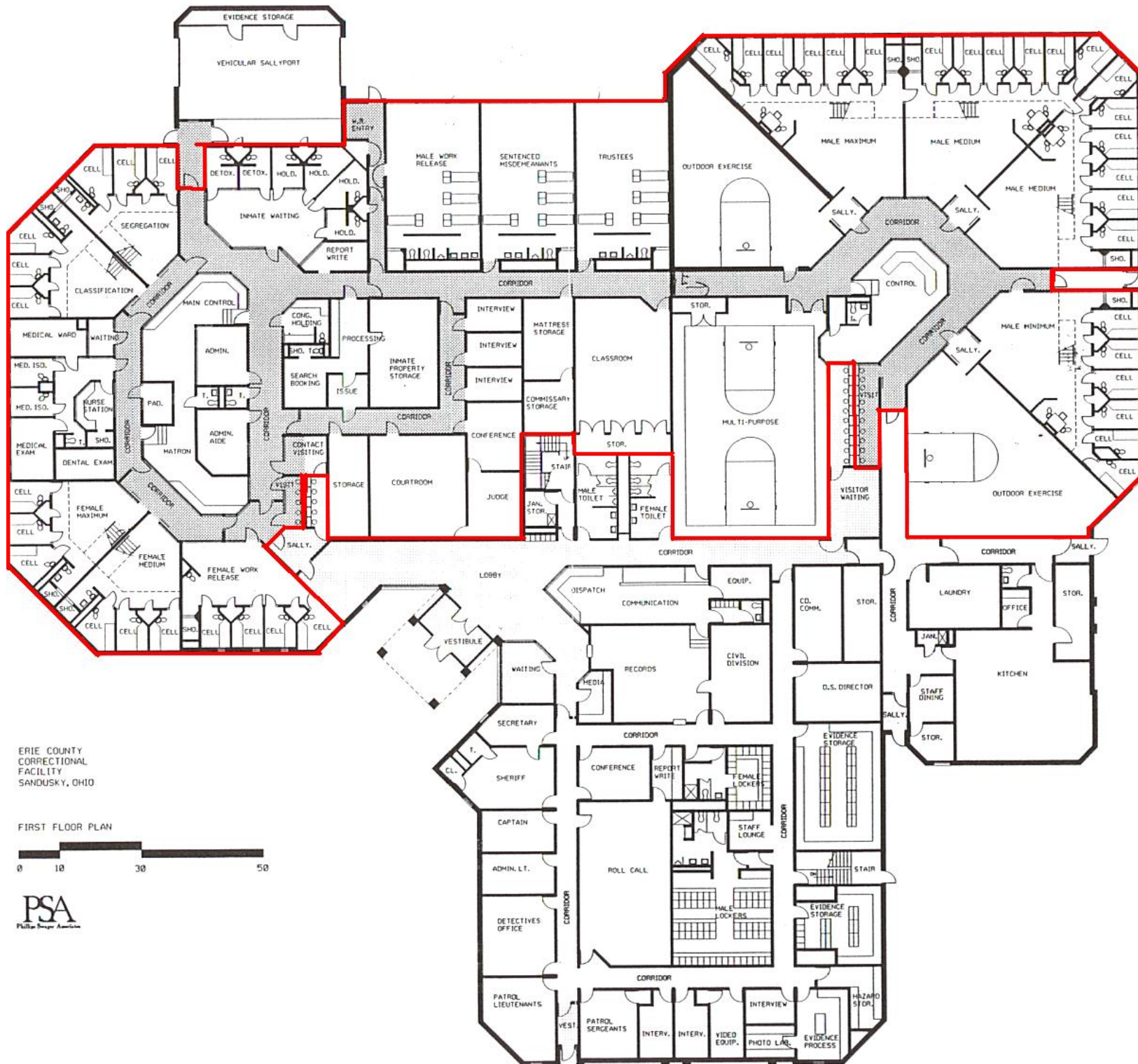
**Revised:**

#### **B. Return from Transport**

1. Upon return to the facility the inmate shall be:
  - a. Positively identified as the inmate who was transported from the facility.
  - b. Taken out of all restraints
  - c. Searched in accordance with the Initial Frisk Search Policy in the Reception Section of this Policy and Procedure Manual before the inmate enters the jail.
    - i. The corrections officer will also search all paperwork, envelopes, books, etc. for contraband.
  - d. After completing the initial frisk search, the booking officer will escort the inmate to the change out area in processing and conduct a Strip Search of the inmate in accordance with the Strip and Body Cavity Searches Policy in the Reception Section of this Policy and Procedure Manual.
2. The officer that is reintegrating the inmate into the security perimeter will be responsible for logging the records of the inmate returning to the jail in the Jail Shift Log in the Jail's Record Management System.

#### **C. Alerts**

1. The corrections officer reintegrating the inmate in the security perimeter of the Erie County Jail should make themselves aware of any event that occurred during the inmate's transport which may negatively affect the inmate's behavior. The officer finding any such information should advise the shift supervisor and note such events in the form a Jail Incident Report in the Jail's Record Management System.



ERIE COUNTY  
CORRECTIONAL  
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## **Section 5: Security**

### **Subject: Controlled Movement**

**Minimum Standard: 5120:1-8-03(A)(2) / 5120:1-8-03(B)(12)**

**Revised: 9/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

Passage through the security perimeter shall be strictly controlled and monitored. Any public access to the security perimeter will be controlled and monitored. Inmate movement from one area to another is controlled by staff.

## **PROCEDURE**

### **A. Vehicle Gate**

1. It shall be the responsibility of the officer assigned to the Main Control Board Operator to keep the vehicle gate closed when not in use.
2. Admittance will not be granted if the board operator is uncertain of the identity of the person requesting entrance.
  - a. In the event their identity is in question, the person at the gate should be directed to the 401 lobby door for identification.
3. After being allowed through the gate the officer will be directed to the Sally Port Garage.
  - a. Only under emergency circumstances should more than one vehicle be allowed in the sally port garage

### **B. Entry/Exit from Security Perimeter**

1. It shall be the responsibility of the officer operating the Main Control Board to identify those wishing to enter or exit the security perimeter.
  - a. When the Female Control Board Operator is assisting the Main Control Board Operator with entrance/exit of the security perimeter through the 403 Sally Port Door it shall be the responsibility of that officer to identifying those who wish to enter and exit through that door.
2. Only authorized personnel shall be granted entrance or exit from the security perimeter.
  - a. If the identify of any person(s) wishing to enter or leave the security perimeter is in question, the board operator will not allow entrance or exit to the jail perimeter. A corrections officer will be notified and personally confirm the identity of the person(s) in question.

### **Inmates**

- a. Inmates brought into the Erie County Jail should be in restraints prior to being allowed access into the security perimeter. In the event there are circumstances that the inmate cannot be restrained due to a physical condition, the shift supervisor should be advised prior to the inmate and law enforcement escort being allowed into the security perimeter.

## **Section 5: Security**

### **Subject: Controlled Movement (Continued)**

**Minimum Standard: 5120:1-8-03(A)(2) / 5120:1-8-03(B)(12)**

**Revised: 9/2015**

#### **Professional Visitors**

- a. Professional visitors are defined as any person(s) acting in an official capacity wishing to gain access into the security perimeter to have direct contact with an inmate. This can include but not limited to:
  - a. Attorneys
  - b. Officials from other Agencies
  - c. Social Services Agents
  - d. Medical Personnel
  - e. Counselors
  - f. Court Officers
  - g. Tutors
  - h. Licensed Bonding Agents
  - i. Clergy (Authorized by Jail Administration)
- b. Upon request and prior to being allowed entrance into the security perimeter, the professional visitor must present credentials that identify them in their official capacity.
  - a. The shift supervisor may refuse any professional visitor if the visit/visitor appears suspicious in nature
- c. If allowed access into the security perimeter, the officer allowing the access will log such in the Jail Management System Jail Log
  - a. Using the PROV Code in the Jail Log the officer will list the date, time, location, reason, and name of visitor(s) and inmate(s) involved.
- d. Unless unusual circumstances exist, professional visits should be conducted between the hours of 0800 through 1900. With the exception of bonding agents, the shift supervisor must approve professional visits during general population lock down hours.

#### **C. Movement inside the Jail**

1. Inmate and staff identities are verified prior to opening doors.
  - a. It shall be the responsibility of the officer operating the Control Board controlling the door to be opened to identify those wishing to enter or exit through that door.
2. Corrections Officers will escort inmates for safety and security when necessary.
3. Movement in and out of the housing unit is to be logged.

**Section 5: Security****Subject: Secure Booking and Release Area****Minimum Standard: 5120:1-8-03(A)(3)****Revised: 9/20015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a secure booking and release area.

**PROCEDURE**

1. The booking and release area will consist of the area past the 014 Door to include:
  - a. Processing Room
  - b. Property Storage Room
  - c. Change Out Area
  - d. Finger Print / BAC Area
2. No inmate will be allowed into this area unless under direct supervision of a Corrections Officer.
3. Inmate access to this area will be restricted by ensuring the following doors are kept secure:
  - a. 405
  - b. 412 (473)
  - c. Main Door (475)
  - d. Booking Door(414)
4. Property Storage Room Door (015) must be kept secure when not in use.

## **Section 5: Security**

### **Subject: Keys, Tools, Culinary Equipment**

**Minimum Standard: 5120:1-8-03(B)(16)**

**Revised: 10/2008, 12/2011, 01/2015, 09/2015, 05/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

A key, tool, and culinary equipment control policy shall be established for the safety and security of the Erie County Jail. A key control center for storing working and/or daily issued keys that is accessible to authorized persons shall be maintained in the Control Rooms. A culinary equipment control center for storing working and/or daily issued keys that is accessible to authorized persons shall be maintained by the Kitchen Staff. The Kitchen Staff will be responsible for logging all culinary equipment when it is removed and turn to the control center. Prisoners are not allowed to handle jail keys. At no time are jail keys to be set on top of counters or stored in file drawers. Keys should be in the officer's physical possession or in a designated key box at all times. All Tools will be kept on the grounds of the Erie County Jail and are the responsibility of Erie County Facilities and Maintenance Department.

## **PROCEDURE**

Key Control Centers-3 locking key boxes will be made available to store jail keys when not in use. These key storage boxes are located in Main Control, E control and Dispatch. When a set of keys is not in use they should be secured in a key box. Any key removed or returned to the key box must be logged out. Officers will log when they are issued the keys in Jail Management System Jail Log. Officers must provide their name, the time and date the key(s) is taken out and returned. A complete set of duplicate jail keys will be secured in the Dispatch Office (outside the security perimeter). Use of these keys should be limited to emergency use and must be approved by the Sheriff, Jail Administrator or Jail Shift Supervisor. The person requesting the use of these emergency keys should submit a written report. Except for emergency situations keys for exterior doors, gates, or other barriers providing egress from the facility's security perimeter, shall not be carried or stored inside the security perimeter. Keys for exterior locks must be different form keys for the interior locks.

### **A. Damaged, broken key or lock**

1. Any damaged or broken key must be immediately reported to the shift supervisor. The officer finding the damaged key should submit a Request for Maintenance. Erie County Maintenance is responsible for inspecting and repairing any damaged locking device.

### **B. Emergency Keys**

1. A set of color-coded emergency keys for all interior locks shall be kept in each control room key box. Color-coded emergency keys that include keys for all exterior locks shall be secured in the dispatch office. These keys can be issued to officials of any agency responding to an emergency in the jail if it is determined that corrections personnel are unable to allow access into the security perimeter.

### **C. Key Logs**

1. Any time an officer takes possession of any keys they will log a Jail Event in the Jail Records Management System.
  - i. SKEY – Supervisor Key Ring
  - ii. BKEY – Female Rover Key Ring
  - iii. EKEY – E Control Rover Key Ring
  - iv. KEY – To be used when an officer removes a key from any Key Storage location.

**Section 5: Security****Subject: Keys, Tools, Culinary Equipment (Continued)****Minimum Standard: 5120:1-8-03(B)(16)****Revised: 10/2008, 12/2011, 01/2015, 09/2015, 05/2017**D. The **Supervisor Key Ring** shall contain the following keys:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP1	Skeleton	Female Visitation North	012
-	Skeleton	Cong. Holding	013
-	Skeleton	Inmate Waiting	051
-	Skeleton	Holding Cells	052-057
-	Skeleton	Female Medium Dayroom	110
-	Skeleton	Female Maximum Dayroom	120
-	Skeleton	Classification Dayroom	130
-	Skeleton	Segregation Dayroom	140
-	Skeleton	Medical Waiting	309
-	Skeleton	Booking Sally Port South	414
35TP7	Skeleton	Food Chutes	N/A
35TP3	Skeleton	Property Room Storage	015
MK35TPB	Adams	ECON Master	N/A
MK35TPA	Adams	ACON Master	N/A
35TP36	Adams	Commissary Storage	215
BH005	H Lock	Fire Extinguishers	N/A
LK Hoobs	Sargent	Shower Doors	N/A
LK143245	Sargent	Administration Office	006
LK143287	Sargent	Asst. Administration Office	106
LK	Sargent	Kitchen Door	N/A
LK	Sargent	Judges Chamber	N/A
C413A	N/A	Cleaning Solution	N/A

E. The **E Control Rover Key Ring** shall contain the following keys:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP7	Skeleton	Food Chutes	N/A
A005	ABA	Fire Extinguishers	N/A
LK Hoobs	Sargent	Shower Doors	N/A

F. The **Booking Rover Key Ring** shall contain the following keys:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP1	Skeleton	Cong. Holding	013
-	Skeleton	Inmate Waiting	051
-	Skeleton	Holding Cells	052-057
-	Skeleton	Classification Dayroom	130
-	Skeleton	Segregation Dayroom	140
-	Skeleton	Medical Waiting	309
-	Skeleton	Booking Sally Port South	414
35TP7	Skeleton	Food Chutes	N/A
35TP3	Skeleton	Property Room Storage	015
35TP36	Adams	Commissary Storage	215
MK35TPB	Adams	ECON Master	N/A
MK35TPA	Adams	Dormitory Housing	042-049

**Section 5: Security****Subject: Keys, Tools, Culinary Equipment (Continued)****Minimum Standard: 5120:1-8-03(B)(16)****Revised: 10/2008, 12/2011, 01/2015, 09/2015, 05/2017**

-	Adams	Main Door	475
-	Adams	Interview Hallway	484
-	Adams	Interview Rooms	082-084
-	Adams	Contact Visitation	010
-	Adams	Female Visitation	011-012
-	Adams	A Hallway Doors	403-412
-	Adams	Medical Area Doors	305-308
-	Adams	Padded Isolation Door	312
-	Adams	SEG/CLS Cell Doors	131-243
-	Adams	Work Hallway Doors	418
-	Adams	Processing Doors	014/086
-	Adams	Courtroom Hallway Doors	119/200
LK	Sargent	Kitchen Door	N/A
BH005	H Lock	Fire Extinguishers	N/A
LK Hoobs	Sargent	Shower Doors	N/A
LK347823	Sargent	Lobby Master	N/A

G. The **Female Rover Key Ring** shall contain the following keys:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP1	Skeleton	Female Visitation North	012
-	Skeleton	Cong. Holding	013
-	Skeleton	Female Medium Dayroom	110
-	Skeleton	Female Maximum Dayroom	120
-	Skeleton	Medical Waiting	309
35TP7	Skeleton	Food Chutes	N/A
35TP3	Skeleton	Property Room Storage	015
35TP36	Adams	Commissary Storage	215
MK35TPA	Adams	Main Door	475
-	Adams	Interview Hallway	484
-	Adams	Interview Rooms	082-084
-	Adams	Contact Visitation	010
-	Adams	Female Visitation	011-012
-	Adams	A Hallway Doors	403-412
-	Adams	Female Cell Doors	101-223
-	Adams	Medical Area Doors	305-308
-	Adams	Padded Isolation Door	312
-	Adams	Processing Doors	014/086
-	Adams	Courtroom Hallway Doors	119/200
BH005	H Lock	Fire Extinguishers	N/A
LK Hoobs	Sargent	Shower Doors	N/A

H. The **Key Box in Main Control** shall contain the following keys:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
LK Hoobs	Sargent	Shower Doors	N/A
LK781665	Sargent	Water Closet	N/A
BH005	H Lock	Fire Extinguishers	N/A

**Section 5: Security****Subject: Keys, Tools, Culinary Equipment (Continued)****Minimum Standard: 5120:1-8-03(B)(16)****Revised: 10/2008, 12/2011, 01/2015, 09/2015, 05/2017**

LK387623	Sargent	Sargent Lock Master	N/A
LK143245	Sargent	Administration Office	006
LK781665	Sargent	Security Equipment Room	190
LK583667	Sargent	Probation Office (Judge)	201
651	Cobra	Lobby Kiosk	N/A
2341	Illinois	Housing Kiosk	N/A
35TP1	Skeleton	Female Visitation North	012
-	Skeleton	Cong. Holding	013
-	Skeleton	Inmate Waiting	051
-	Skeleton	Holding Cells	052-057
-	Skeleton	Female Med / Max Dayroom	110/120
-	Skeleton	Class/Seg Dayroom	130/140
-	Skeleton	Medical Waiting	309
-	Skeleton	Booking Sally Port South	414
x35TP36	Adams	Commissary Storage	215
MK35TPA	Adams	ACON Master	N/A
35TP32	Adams	ACON Booth	001/002
35TP34	Adams	Nurse's Station	003
35TP11	Adams	Female Work Cell Doors	101-104
35TP11	Adams	Dorm Doors	042-049
35TP12	Adams	Medical Area Cell Doors	306-308
35TP14	Adams	Class/Seg Cell	131-243
-	Adams	Female Med Cell Doors	111-213
35TP15	Adams	Medical Exam	305
35TP15	Adams	Medical Ward	311
-	Adams	Dental Exam	302
35TP16	Adams	Female Max Cell Doors	121-223
35TP5	Skeleton	Access Panels	N/A
35TP6	Skeleton	Mop Closet	041
C413A	N/A	Cleaning Solution	N/A
R03	USA1	Medical Boxes	N/A
35TP3	Skeleton	Property Room Storage	015
LK583641	Sargent	Kitchen Doors	481
LKBlank	Sargent	Visitation Door	024
SEI	N/A	Garage Cages	N/A
B399A	N/A	Audio Processor in S.C	N/A
C005A	N/A	Relay Cabinet in Equip. Room	N/A
Blank	N/A	Paper Towel Dispensers	N/A
MB16/I174	N/A	Gun Locker	N/A
1002	N/A	OC Spray	N/A

I. An **Emergency Key Ring in Main Control** will contain the following keys for E Control:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP2	Skeleton	Male Max Dayroom	250
-	Skeleton	Male Med Dayrooms	270/260
-	Skeleton	Male Min Dayroom	288

**Section 5: Security****Subject: Keys, Tools, Culinary Equipment (Continued)****Minimum Standard: 5120:1-8-03(B)(16)****Revised: 10/2008, 12/2011, 01/2015, 09/2015, 05/2017**

-	Skeleton	Male Visitation	022
MK35TPB	Adams	ECON Master	N/A
35TP33	Adams	ECON Booth	00

J. The **Key Box in E-Control** will contain the following keys:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP5	Skeleton	Access Panels	N/A
LK Hoobs	Sargent	Gym Storage	227
LK583685	Sargent	ECON Electrical Room	266
LK583645	Sargent	Laundry Hallway	446
MK35TPB	Adams	ECON Master	N/A*
651	Cobra	Lobby Kiosk	N/A
2341	Illinois	Housing Kiosk	N/A
35TP33	Adams	ECON Booth	005
35TP23	Adams	Max Cell Doors	151-256
35TP24	Adams	Med Cell Doors	161-276
35TP25	Adams	Min Cell Doors	181-286
35TP2	Skeleton	Male Max Dayroom	250
-	Skeleton	Male Med Dayrooms	270/260
-	Skeleton	Male Min Dayroom	288
-	Skeleton	Male Visitation	022
B399A	N/A	Audio Processer in S.C	N/A
C005A	N/A	Relay Cabinet in Equip. Room	N/A
35TP21	Adams	Line Up Doors	430
-	Adams	Inside Dock Door	447
-	Adams	Inside 444 Door	444
-	Adams	Exit Corridor West	N/A
-	Adams	South Sally Port North	N/A
35TP22	Adams	Classroom	031
-	Adams	ECON Sally Port Doors	459,469,489
-	Adams	ECON Fire Doors	N/A
-	Adams	Inside and Outside Gyms	035/657

K. An **Emergency Key Ring in E-Control** will contain the following keys for A Control:

<u>Key Number</u>	<u>Key Type</u>	<u>Location</u>	<u>Door</u>
35TP1	Skeleton	Female Visitation North	012
-	Skeleton	Cong. Holding	013
-	Skeleton	Inmate Waiting	051
-	Skeleton	Holding Cells	052-057
-	Skeleton	Female Medium Dayroom	110
-	Skeleton	Female Maximum Dayroom	120
-	Skeleton	Classification Dayroom	130
-	Skeleton	Segregation Dayroom	140



## Section 5: Security

### Subject: Keys, Tools, Culinary Equipment (Continued)

Minimum Standard: 5120:1-8-03(B)(16)

Revised: 10/2008, 12/2011, 01/2015, 09/2015, 05/2017

-	Skeleton	Medical Waiting	309
-	Skeleton	Booking Sally Port South	414
35TP7	Skeleton	Food Chutes	N/A
35TP3	Skeleton	Property Room Storage	015
MK35TPA	Adams	ACON Master	N/A
35TP32	Adams	ACON Booth	001/002
35TP34	Adams	Nurse's Station	003

L. The **Key Box in Dispatch** will contain one key for each door in the building and the following two emergency rings:

1. Emergency ring number 1 is for the jail section of the building:
2. Emergency ring number 2 for the Administrative and Maintenance sections of the building:

## Section 5: Security

### Subject: Jail Log

Minimum Standard: 5120:1-8-03(5)

Revised: 10/2008, 12/2011, 09/2015, 07/2016

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

## POLICY

It is the Policy of the Erie County Jail for maintenance by staff to keep a log to record routine information, emergency situations, and unusual incidents.

## PROCEDURE

1. All activities, (surveillance checks, security inspections, inmate counts, use of force, disciplinary actions, movement inside and outside the jail, medical treatment, feeding, critical incidents (e.g., fires, assaults, attempted/completed suicides and escapes and other deaths), inmate vandalism, (e.g., destruction of jail property, flooding, or other acts of vandalism) shall be documented by the officer supervising the inmates in the Jail Records Management System (JMS).
2. All Corrections Officers will make Jail Log Event Entries as they occur
  - a. The Jail Log Event will include;
    - i. Date and Time
    - ii. Jail Log Event Code (see list of Codes)
    - iii. Inmates Involved
    - iv. The unit number of the Corrections Officer entering the event

## JAIL LOG EVENT CODES

Event	Description
AKEY	- To be logged at beginning of shift when ACON Rover receives keys
APPT	- When an inmate is transported for non-emergency treatment (i.e. NOMS)
ASLT	- When an inmate assaults a CO, Nurse, or any other non-inmate in the jail
BKEY	- To be logged at beginning of shift when BCON Rover receives keys
BOOK	- Computer generated event
CHWH	- If during booking any inmates personal clothing needs washed from being soiled
CLEN	- Any time anything in jail is cleaned
CLSP	- Logged when Cleaning Supplies are Issued/Collected
CMAC	- Logged when Commissary Machine Issued
COMM	- Logged when Commissary Pass Completed
DAYR	- Inmates from Medical or Holding are given access to a day room
DEATH	- In Custody Death
DEL BK	- Computer generated event
DEL CHRG	- Computer generated event
DEL INM	- Computer generated event
EKEY	- To be logged at beginning of shift when ECON Rover receives keys
ESC	- Inmate Escapes from Jail
FEED	- A Meal Pass is completed

## **Section 5: Security**

### **Subject: Jail Log (Continued)**

**Minimum Standard: 5120:1-8-03(5)**

**Revised: 10/2008, 12/2011, 09/2015, 07/2016**

FGHT	-	Inmate on Inmate Fight
FIRE	-	Fire inside jail
FRCE	-	Use of Force
GYMI	-	Inmates went to inside Rec
GYMO	-	Inmates went to outside Rec
HAIR	-	Inmates were given hair cuts
HEAD	-	Head Count Completed
HOSP	-	Inmate taken to ER
HOUR	-	Inmate given hour out of lock down
INC	-	Computer generated event
BAYS	-	Inmate Program Bayshore Group
IPFM	-	Inmate Program Firelands Mental Health Group
IPLS	-	Inmate Program Life Skills Group
KEY	-	Any time a key is removed from a key box
LAUN	-	Laundry Pass completed
LIBR	-	Inmate went to Library
LOCK	-	Lock Down Completed
LTLT	-	Less Than Lethal Device Issued/Returned
MAIL	-	Mail Pass Completed
MBOX	-	Medication placed into medical box in Garage/Lobby
MEDS	-	Medication Pass (Logged by Nurse)
MLOG	-	Logging outgoing or incoming Mail
MLRF	-	Inmate Refused any meal
MOV BK	-	Computer generated event
NEWS	-	Newspapers passed to inmates
PHON	-	Inmates without access to phone used a phone
PROV	-	Professional Visitor (Attorney, Mental Health, Children Services, Detectives)
RAZO	-	Razors passed to inmates
REL	-	Computer generated event
REN BK	-	Computer generated event
REN JID	-	Computer generated event
SASC	-	Suicide Attempted / Completed
SAST	-	Sexual Assault
SC	-	Jail Check
SHAK	-	Shakedown Conducted
SHWR	-	Inmate without access to shower given a shower
SICK	-	Officer Called Off Sick
SKEY	-	To be logged at beginning of shift when OIC receives keys
TRAY	-	Food Trays Collected
TRNG	-	Any time an officer is trained
TRSH	-	Trash Removed
VLOG	-	Visitation Log

**Section 5: Security**  
**Subject: Jail Incident Reports**  
**Minimum Standard:**  
**Revised: 10/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the policy of the Erie County Jail that any unusual incident or occurrence involving an inmate in the custody of the Erie County Jail be properly documented.

**PROCEDURE**

A jail incident report shall be written any time a staff member witnesses an inmate involved in an incident or occurrence that is out of the ordinary or receives information about an inmate that appears to be out of the ordinary. An incident report should be written and submitted when an officer has knowledge or information regarding an inmate that the staff member believes pertinent to the inmate's incarceration.

1. The staff member writing the incident report will make such documentation in the Jail Record Management System. The incident report should:
  - a. Be electronically attached (saved) to the inmate's current computer jail file
  - b. Be Accurate
  - c. Detailed (who, what, when, where, why and how)
  - d. Include the author's name and signature
2. The staff member writing the incident report will print one copy of the jail incident report.
  - a. They will sign this report and forward it to Shift Supervisor.
  - b. The Shift Supervisor will sign the report indicating they have approved it.
  - c. It will then be placed into the Incident Report Binder in the Jail Sergeant Office.

**Section 5: Security**  
**Subject: Gender/Cross-gender Supervision**  
**Minimum Standard: 5120:1-8-03(B)(15)**  
**Revised: 01/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

At least one male and one female employee will be on duty at all times in the Erie County Jail to provide for supervision of jail inmates. Inmates shall generally be able to shower, use the restroom, and/or change clothing without employees of the opposite gender being able to view an inmate's genitalia, buttocks, or—if a female—breasts, unless exigent circumstances exist or when the viewing is incidental and occurs during routine or authorized inmate/employee interaction.

**PROCEDURE**

**A. Booking and Release**

At all times during the booking and/or release process of an inmate, an employee of the same gender will conduct all pat-downs, strip searches, and/or change-outs of the inmate being booked into, or being released from, the jail. All other procedures to be followed during the booking or release processes may be performed by an employee of the opposite gender if an employee of the same gender is not available to perform those duties at that time due to other jail activity.

**B. Security/Observation Checks**

Security and/or observation checks of inmates in housing areas and/or individual jail cells may be conducted by officers of the same or opposite gender of the inmate(s) being observed. If practicable, employees of the opposite gender of the inmates being observed will announce their presence when entering the housing area in question. Such announcement is not necessary during times when inmates would generally be sleeping.

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**Section 5: Security**  
**Subject: Official (Head) Counts**  
**Minimum Standard: 5120:1-8-03(B)(6)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

An official count shall be conducted to verify inmate's physical presence and identification. There shall be no less than three official counts daily, not to exceed nine hours from the previous official (head) count. The official (head) count shall be reconcile. Jail staff conducting the count shall record the count. The staff person conducting the count shall be able to affirm the presence of each inmate being counted by observing the inmate's physical presence, hearing his voice and/or clearly seeing his movement.

**PROCEDURE**

Official (Head) Counts will be conducted 3 times during a 24- hours shift. Inmates assigned to a cell must be secured in their cell for count. These inmates should remain in their cells until head count is completed and all inmates are accounted for throughout the jail. Inmate's assigned to dorm housing must report to and remain in their assigned bunk during count. To prevent from being distracted during count, officers should refrain from engaging in conversation with inmates during this time.

**1. Schedule:**

- a. At shift change (0600, 1400, and 2200 hours), the corrections officer in each housing area (ACON, ECON, and BCON) will prepare a roster of all inmates assigned to that housing area.
- b. Any time upon request of Jail Administrator or Shift Supervisor.

**2. Documentation:**

- a. Prior to the official (head) count the officer going off duty in the housing area will prepare a roster of all inmates assigned to that housing area
- b. Using that roster the officer coming on duty, along with the officer going off duty, will account for all inmates in that housing area.
- c. The officer coming on duty will enter the count information into the Jail's Record Management System as a HEAD (Head Count) Jail Log Event to include:
  - i. Date and Time of count
  - ii. Location of Count
  - iii. Officer conducting count
  - iv. Number of inmates assigned to that housing area.
- d. The officer going off duty and the officer coming on duty will sign the roster indicting the count was correct.

**Section 5: Security****Subject: Official (Head) Counts (Continued)****Minimum Standard: 5120:1-8-03(B)(6)****Revised:****3. Recount:**

- a. If after all counts are completed and it is found that the total number for each housing area do not match the inmates present, the following re-count procedure will be followed;
  - i. All inmate movement will cease throughout the jail.
  - ii. The shift supervisor will be notified of the discrepancy and will direct the recount
  - iii. Inmate movement will remain at a standstill until the discrepancy can be found.

**4. Emergency Official (Head) Count;**

- a. The Sheriff, Jail Administrator, or Shift Supervisor on duty can initiate an emergency official (head) count at any time.
- b. The existing official (head) count procedures will apply when conducting an emergency official (head) count.

**Section 5: Security**  
**Subject: Personal Observation Checks**  
**Minimum Standard: 5120:1-8-03(B)(7)**  
**Revised: 02/2016, 02/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Personal observation checks (POC) of inmates are the most important task routinely conducted by agency employees assigned to the jail. Shift supervisors will ensure that POC's are conducted in all areas of the jail where prisoners are housed at least every thirty (30) minutes on an irregular schedule. The time of completion of each POC check shall be properly documented on the jail activity log by the officer performing the check. The log entry will also indicate what specific area of the jail was checked, i.e.: A-Control, B-Control, E-Control, along with the last name of the officer(s) conducting the check and the condition of the area, i.e.: all secure.

**DEFINITION**

Officer—including the Sheriff, any Deputy Sheriff, and any Corrections Officer whose primary job duty and/or assignment at any given time is to provide for the safety and security of the Erie County Jail.

**PROCEDURE**

All inmates shall be personally observed within all housing units at least once every thirty (30) minutes. Officer(s) assigned to perform POC's will personally verify, while performing this task, that each inmate being checked is present and is safe and secure. This verification will be confirmed by observing actual physical movement on the part of the inmate and/or other noticeable and documentable signs of life. POC's are conducted at irregular intervals so that inmates cannot anticipate the appearance of an officer, so that potential physical attacks on an officer and/or other illegal behavior cannot be planned in detail by inmates. Video and/or any other type of electronic monitoring, and observation(s) of an inmate/s by anyone other than an officer, will not suffice as a substitute for POC's. While POC's are generally conducted by Booking Rovers, shift supervisors will utilize any and all personnel at their disposal—including themselves—to ensure that POC's are conducted as mandated by this policy. If a POC is conducted late, the shift supervisor will note on the log the circumstances that resulted in the late POC.

- A. Personal Observation Checks, along with checking on each inmate, will include a brief physical inspection of each individual cell, pod, or dorm. The officer conducting the check shall check:
  - 1. Doors, locks, and windows for signs of tampering; locked cell doors will be physically pulled by the officer conducting the POC to ensure that they are latched and secured; and
  - 2. Cell walls, ceilings and vents for any signs of tampering or damage; and
  - 3. Plumbing fixtures and/or plumbing access doors; and
  - 4. Desk trays, clothes hooks, and cement stools (to ensure they are soundly attached to the wall or floor).
- B. During the cell inspection, officers will ensure that inmates have not covered any exterior window, door window, and/or light fixture with any object. Any officer locating any window or light fixture covering will treat that situation as a direct security violation and that officer is personally responsible to provide for the immediate removal of such item(s)



## **Section 5: Security**

### **Subject: Personal Observation Checks (Continued)**

**Minimum Standard: 5120:1-8-03(B)(7)**

**Revised: 02/2016, 02/2017**

and the institution of disciplinary action against the inmate responsible for covering the window/light fixture. In addition, no items will be stored on cell window sills.

- C. Along with the required POC's, during non-sleep hours the jail shift supervisor will ensure that officers regularly, but on a random basis, enter individual cells to provide a close inspection for any potential security and/or sanitation violations.
- D. Officers conducting POC's during sleep hours (generally 1900 hrs. to 0700 hrs.), after cell lights have been turned off, will use a flashlight to assist in verifying the inmate's presence and condition within the cell.
- E. Unusual inmate behavior or observations will be immediately reported to the shift supervisor, and the unusual behavior or observation will be properly documented in the inmate's record. Examples include:
  - 1. Evidence of an otherwise undocumented assault, i.e.: recent cuts or bruises; and/or
  - 2. Signs of hostility or depression; and/or.
  - 3. Refusing or failing to eat; hoarding food; and/or
  - 4. Signs of anxiety or other potential mental health issues; and/or
  - 5. Any other unusual inmate behavior.
- F. Any issue(s) with the structure of the facility and/or mechanical failure(s) that are discovered during a POC will be immediately brought to the attention of the shift supervisor and will be recorded in the daily log as well as in the form of a Discrepancy Report or Maintenance Request. A copy of any Discrepancy Report or Maintenance Request will be forwarded to the Jail Administrator for review. The following types of situations will be addressed in such fashion:
  - 1. Doors and/or locks not working properly; and/or
  - 2. Plumbing or light fixtures not working; and/or
  - 3. Any evidence of tampering of locks, doors, windows, lights, bars, walls, etc.Regardless of the time of day, if any of the issues listed above are deemed to pose a direct threat to the safety and/or security of the jail or the inmates, immediate steps will be taken to have the issue addressed through appropriate repairs.
- G. Special Personal Observation Checks are instituted when additional surveillance of an inmate is required due to:
  - 1. The inmate engaging in assaultive or combative behavior; and/or
  - 2. The inmate being deemed an escape risk; and/or
  - 3. The inmate exhibiting signs of mental health or emotional issues; and/or
  - 4. The inmate engaging in violent or disruptive behavior due to an intoxicated or drug induced state; and/or
  - 5. Any condition that may warrant observation checks be conducted more frequently than the mandatory 30 minute Personal Observation Check.

When a Special Personal Observation Check is instituted, the following will apply:

- 1. Such check will be approved by the Shift Supervisor and the reason for the institution of the check will be documented in a jail narrative specific to that inmate; and

**Section 5: Security****Subject: Personal Observation Checks (Continued)****Minimum Standard: 5120:1-8-03(B)(7)****Revised: 02/2016, 02/2017**

2. Such checks shall be conducted at least every 10 minutes at irregular intervals. These checks will be documented on a hand written Special Personal Observation Check Log that will be placed immediately adjacent to and outside of the cell where the inmate is confined; and
3. Except for the time frame, the procedures to be followed in conducting Special Personal Observation Checks are identical to those listed above when conducting Personal Observation Checks; and
4. When it is determined that an inmate is no longer required to be observed through Special Personal Observation Checks, a jail narrative specific to that inmate will be generated and the hand written log sheet(s) will be placed in the inmate's file.

**END OF POLICY****THE REMAINDER OF THIS PAGE HAS BEEN LEFT INTENTIONALLY  
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**Section 5: Security**  
**Subject: Contraband**  
**Minimum Standard: 5120:1-8-03(11)**  
**Revised: 10/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail Rules and Regulations Pamphlet shall specify those items which inmates are permitted to have in their possession, and/or those which they are not allowed to possess. Items that are not allowed shall be clearly defined as contraband. It is the policy of the Erie County Jail to confiscate all items that may be hazardous to the safety, sanitation and security of the facility.

**DEFINITIONS**

**Nuisance Contraband:** Can include but is not limited to the possession or introduction of:

1. Any item introduced into the facility that is not authorized by Jail Administration.
2. Excessive amount of authorized items.
3. Authorized items that may pose a health or sanitation problem.
4. Authorized item(s) that has been altered from their original state to perform a function it was not intended for.

**Illegal Contraband:** This can include but is not limited to the possession or introduction of:

1. Any item that is declared illegal by law.
2. Authorized item(s) that has been altered from their original state to perform an illegal function.

**PROCEDURE**

A. The officer who discovers nuisance contraband shall:

1. Immediately confiscate the item(s)
2. Advise the shift supervisor of the finding(s)
3. Prepare and submit a detailed report of the incident
4. Follow the directions of the shift supervisor as to the disposition of the item(s) confiscated.

B. The officer who discovers illegal contraband shall:

1. Immediately confiscate the item(s)
2. Advise the shift supervisor of the finding(s)
3. If the arresting officer is present when the contraband is found on a person, the officer should forward the illegal item(s) to the officer.
4. Illegal contraband items found after the initial pat down of a prisoner should be treated as evidence. To preserve the chain of evidence, the officer finding the illegal contraband should remain in physical possession of the item(s) until he/she properly secures it.
5. The officer who made the discovery shall submit a detailed report describing the item(s) and what led up to the finding of the contraband.
6. The illegal item should be properly secured in an evidence locker in the Evidence Processing Room of the Erie County Sheriff's Office.

## **Section 5: Security**

### **Subject: Searches (Shake Downs)**

**Minimum Standard: 5120:1-8-03 (11)(a)(b)(c)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

It is the policy of the Erie County Jail that officers be constantly aware of the need for safety and security of the facility. In order to maintain a safe and secure environment the need for searches is paramount. Searches should include inmates, cells, dorms, and common areas. All searches should be conducted unannounced and at irregular times. Searches should be conducted with minimal disturbance to the inmate's possessions and only contraband should be confiscated. Inmate accessible areas shall be inspected in a manner that ensures all areas are inspected each month on an irregular interval. A security inspection of the jail shall be conducted once a month. All searches/inspections will be documented. The jail administrator or designee shall be notified of any discovered contraband or physical security deficiencies. The appropriate disposition of contraband and the remediation of physical security deficiencies shall be documented.

## **PROCEDURE**

### **A. Daily Area Searches**

1. Housing area searches will be conducted on each shift daily
2. The Shift Supervisor will ensure that a minimum of 2 cells will be searched daily in each population area (A, B, and E Control Areas).
3. C Shift should conduct searches of common areas such as dayrooms, storage closet, laundry room, gym, library, visitation areas, etc. The supervisor will ensure that two areas are searched nightly.
4. This event shall be entered in the JMS jail log as a SHAK (Shake Down) Event to include:
  - a. The Time and Date.
  - b. Who was involved in the shake down.
  - c. What items were found and confiscated, or any defects in the facility (if any).

### **B. Special Searches**

1. Whenever an officer has reason to believe that contraband has been introduced into the area, the officer should immediately notify the shift supervisor.
2. The Shift Supervisor can order a systematic housing area search and assign corrections officers accordingly.
3. Inmates who occupy the area to be searched should be moved to another area of the facility such as the Indoor Recreation Area as the search is being conducted.
4. With the approval of the shift supervisor, a special search may be conducted at any time.
5. A special search can be conducted under the following circumstances:
  - a. Information received of possible contraband introduction in the facility.
  - b. Observations by jail staff that indicate contraband may have been introduced into the facility.

## **Section 5: Security**

### **Subject: Searches (Shake Downs) (Continued)**

**Minimum Standard: 5120:1-8-03 (11)(a)(b)(c)**

**Revised: 10/2008, 12/2011**

- c. Unaccounted tools, kitchen equipment, or other supplies.
- 6. This event shall be entered in the JMS jail log as a SHAK (Shake Down) Event to include;
  - a. The Time and Date.
  - b. Who was involved in the shake down.
  - c. What items were found and confiscated, or any defects in the facility (if any).

#### **C. Monthly Security Inspections**

- 1. The Jail Administrator and/or designee will conduct a monthly inspection of the jail to ensure the safety and security of the facility.
  - a. The C Shift Supervisor will conduct an inspection of the jail using once a month using the Monthly Inspection Form.
  - b. They will submit the form to the Jail Administrator once completed.
- 2. This event shall be entered in the JMS jail log as a MSNP (Monthly Inspection) Event to include;
  - a. The Time and Date.
  - b. Who was involved in the inspection.
  - c. What items were found and confiscated, or any defects in the facility (if any).

## Section 5: Security

### Subject: Use of Force

Minimum Standard: 5120:1-8-03 (10)(a)(b)(c)(d)

Revised: 10/2008, 12/2011, 09/2015

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

## POLICY

Use of force shall be limited to instances of justifiable self-defense, prevention of self-inflicted harm, protection of others, prevention of riot, discharge of firearm or other weapon, escape or other crime and controlling or subduing an inmate who refuses to obey a staff command or order and shall be limited to the amount of force necessary to control a given situation and shall include a continuum of escalating force levels. In no event is physical force used as punishment. An examination and/or treatment by qualified health care personnel shall be provided to inmates or staff involved in a use of force incident when there is obvious physical injury or there is a complaint of injury or request for medical attention. All use of force incidents shall be documented and reviewed by the Jail Administrator or designee.

## PROCEDURE

### A. Use of Force (Action Response) Continuum

#### Inmate Actions

##### Uncooperative Inmate

- Refuses to enter/exit cell or search / frisk
- Passive Resistance

##### o Officer-Subject Factors

- Age, Sex
- Size
- Skill Level
- Multiple Subjects/Officers
- Relative Strength

##### Attacking Inmate

- Inmate Attacks or attempts to attack another

##### o Special Circumstances

- Closeness of a weapon
- Injury or exhaustion
- Being on the ground
- Distance from Subject
- Special Knowledge
- Availability of other options
- Environmental condition
- Subjected restrained

#### Officer Responses

1. **Verbal persuasion** – attempts to convince inmate cooperate.
2. **Verbal Warning** – Warn inmate of consequences of not cooperating.
3. **Show of Force** – call for back up officers. Attempt verbal persuasion after back up officers arrive, EMD Pepper Ball / OC Spray introduction.
4. **Control Holds** – use of control holds to gain control of inmate.

1. **Back up** – call for back up.
2. **Block** – punches, kicks.
3. **Take-downs** – techniques designed to take controls of the prisoner
4. **Blows, kicks** – to muscle groups used if takedowns techniques are not effective or possible
5. **Escalated blows** – blows kicks to head/face, kicks to groin area, blows or gouges to the eyes should be used as a last resort and only after the above techniques have been ineffective and failed.

## **Section 5: Security**

### **Subject: Use of Force (Continued)**

**Minimum Standard: 5120:1-8-03 (10)(a)(b)(c)(d)**

**Revised: 10/2008, 12/2011, 09/2015**

#### **B. Retreat**

- a. An officer or officers may retreat from an area if the possibility of death or serious bodily injury to the officer(s) is apparent.

#### **C. Reporting**

- a. Each staff member involved in a Use of Force (Action Response) situation is required to submit a detailed incident report in the Jail Record Management System (JMS) as soon as possible after the incident.

#### **D. Medical Care**

- a. When the use of force results in obvious physical injuries and/or when person involved request medical assistance or indicated they have been injured, the person involved, whether inmate or staff, shall receive medical attention.
- b. Treatment, if needed, shall be provided either by jail medical staff or by outside emergency medical services as appropriate to the situation.
- c. Inmates who were involved in any use of force (action response) incident requiring any physical action, shall be scheduled to see the nursing staff as soon as possible.
  - i. The Shift Supervisor will place a Medical Request (MDRQ) Event in the jail shift log in the JMS, attaching the involved inmate.
- d. Staff members who are injured in an action response incident are required to receive medical attention and submit a "Record of Occupational Accident, Illness or Injury Report".
- e. The jail administrator will be immediately notified upon the occurrence of any action response incident that results in injuries that warrant medical attention.

#### **E. Reporting**

- a. All officers involved in any use of force (action response) incident must write an incident report in the JMS as soon as possible after the incident
- b. These reports should then be reviewed and signed off by a non-involved supervisor or higher ranking personnel.

#### **F. Jail Administrator Review**

- a. All use of force (action response) incidents shall be reviewed for policy compliance by the Jail Administrator or designee.
  - i. This will be accomplished by reading and reviewing all reports and watch sheets of the incident.
  - ii. The date and time of review will be placed in the Administrator Review field on the incident report screen in the JMS.

**Section 5: Security**  
**Subject: Less than Lethal Devices**  
**Minimum Standard: 5120:1-8-03 (B)(1)**  
**Revised: 10/2008, 12/2011, 9/2015, 7/2016, 12/2016**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail has written policies and procedures, and practices which govern the availability, control, inventory, storage, and use of less than lethal devices (LLD) and to specify the level of authority required for their access and use. LLD's are to be deployed only in accordance with this policy. Access to LLD's is restricted to authorized employees only, and LLD storage is located in an area separate and apart from inmate housing or activity areas.

**DEFINITIONS**

Employee—including any member of the Sheriff's Office who may be called upon to utilize an LLD in the jail during the performance of his/her duty.

Less than lethal device (LLD)—includes any agency approved electro-muscular disruption device (EMD, Taser, etc.); any type of irritant substance (including oleoresin capsicum or chemical sprays, liquids, or powders); and any type of launching device necessary for the delivery of an irritant substance.

**PROCEDURES**

**Availability and use of LLD's**

**A. Deployment and use of LLD's.**

1. An LLD shall be deployed only with the prior approval of the officer-in-charge of the jail, if the circumstances allow for such prior approval to be requested.
2. The subject(s) against whom an LLD is intended to be deployed, if the circumstances allow, will be warned of the potential use of the LLD and will be given the opportunity to comply with appropriate orders by an employee prior to the actual use of the LLD.
3. Only employees who have successfully completed an agency authorized course of training and certification will use any LLD.
4. Employees deploying an LLD will do so following guidelines set forth by the manufacturer, if possible, and contained in the Action Response Continuum (ARC).



## **Section 5: Security**

### **Subject: Less than Lethal Devices (Continued)**

**Minimum Standard: 5120:1-8-03 (B)(1)**

**Revised: 10/2008, 12/2011, 9/2015, 7/2016, 12/2016**

#### **Storage and control of LLD's**

- A. LLD's will be securely stored in the Main Control Room when not being personally carried by an employee.
  - 1. EMD's will be secured in the upper area of the weapons locker in Main Control.
    - a. Extra EMD cartridges will also be stored in the upper area of this weapons locker.
  - 2. Projectile launchers will be secured inside their cases in Main Control.
    - a. Irritant projectiles and any related accessories will be secured inside the lower area of the weapons locker in Main Control.
- B. The following will apply to routine carry of LLD's by employees within the jail.
  - 1. Irritant spray canisters may be routinely carried in an agency approved belt-mounted carrier on the person of the shift officer-in-charge of the jail, at the discretion of that officer-in-charge.
  - 2. EMD's may be routinely carried in an agency approved belt-mounted holster on the person of the shift officer-in-charge of the jail, and/or by any employee assigned as a jail rover, at the discretion of that officer-in-charge. No other employees—with the exception of employees routinely assigned to other duties who are in the jail for the purposes of prisoner bookings, emergencies, or other employment-related duties, will wear an LLD on their persons.
- C. When any LLD is removed from, and subsequently returned to, the weapons locker in Main Control, the employee taking possession of it will complete an appropriate log entry in the current jail records management system software program.
  - 1. The log entry will include the following information:
    - a. The appropriate code for the device removed--i.e.: LTLD (Less Than Lethal Device);
    - b. Date and time of the activity;
      - i. Employee(s) involved;
      - ii. The specific type of LLD that was removed/returned.

#### **Inventory and training**

- A. It is the responsibility of the appropriate employee, as designated by the Jail Administrator, to maintain a current and accurate inventory of all LLD's stored in Main Control.
  - 1. Any defective or unused LLD's will be immediately removed from availability for use in the jail and a proper report detailing the reason(s) for said removal will be forwarded to the Jail Administrator or his/her designee.
  - 2. Any employee that finds an LLD to be defective will immediately remove it from use in the jail and will report said defect to the designated employee.

**Section 5: Security****Subject: Less than Lethal Devices (Continued)****Minimum Standard: 5120:1-8-03 (B)(1)****Revised: 10/2008, 12/2011, 9/2015, 7/2016, 12/2016**

- B. It is the responsibility of the Jail Administrator to ensure that all jail employees are properly trained and certified in the use of any LLD's stored in Main Control that the employee may be reasonably authorized to use in the course of his/her duties.
1. All new employees will be trained and certified appropriately as soon as possible after the commencement of their employment.
  2. Employees will be retrained and recertified in the use of the LLD's according to agency approved retraining and recertification programs.
  3. Certain LLD's and/or launchers may be deemed to be specialty devices by the Jail Administrator, and not all employees will be subject to training and/or certification in the use of these devices.

**Reporting requirements**

- A. If an LLD is utilized, any employee involved in the incident will complete an accurate and thorough report documenting the circumstances that caused for the LLD to be used, the reaction of the individual upon whom the LLD was used at the time of its use, any followup action that was taken, and a narrative of the immediate medical aid that was rendered to the individual(s)—if necessitated--due to the use of the LLD.
- B. If the device is so designed, any available electronically stored information contained within the LLD and pertaining to that specific use of the LLD will be downloaded and preserved, along with any applicable reports, in the individual's jail inmate file.

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# ERIE COUNTY SHERIFF'S OFFICE

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## Erie County Jail

### Less Than Lethal Devices Inventory

Date of Inventory: \_\_\_\_\_ Time of Inventory: \_\_\_\_\_

Officer Conducting Inventory: \_\_\_\_\_

Item	Quantity	Expiration Date	Inspected (Check)	Contents
Taser X26	2	N/A	_____	
Sabre OC Spray	4	N/A	_____	
Cell Busters	2	N/A	_____	
Pepperball Launcher	2	N/A	_____	
Pepperball Speed Loader	2	N/A	_____	
Pepperball Launcher Air Tanks	2	N/A	_____	
Capsaicin Pepperballs	2	N/A	_____	
Talcum Powder Pepperballs	3	N/A	_____	

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Section 5: Security**

### **Subject: Use of Restraints**

**Minimum Standard: 5120:1-8-03(B)(9) / 5120:1-8-09(R)**

**Revised: 08/2002, 01/2006, 10/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

Inmates in physical restraints shall be personally checked by staff every ten minutes. All checks shall be logged. Health trained staff shall check the restrained inmate every two hours for responsiveness and restraint pressure. They shall review for least restrictive alternatives. The report of use of physical restraints shall be reviewed and signed off by a non-involved supervisor or higher ranking personnel. The use of physical restraints shall be reviewed for policy compliance by the jail administrator or designee. It is the Policy of the Erie County Jail to use restraining devices for the sole purpose of protection of the inmate from self-injury, the prevention of an inmate from injuring others or the prevention of escape. Restraining devices will never be used for punishment or for medical and/or psychiatric reasons.

## **DEFINITIONS**

**Administrators and Supervisors:** Persons who have managerial responsibility for a full service jail, or who supervises employee's security assignments or activities in the jail.

**Acute Behavioral Disturbance:** The extreme state of agitation, excitability, perhaps paranoia, coupled with great strength, aggression and non-pain compliance.

**Acute Exhaustive Mania:** A state of agitation, fear or anxiety so intense that it may lead to cardiac arrhythmia, cardiac arrest, or death. This condition is characterized by: Aggressive behavior/Panic/incoherent speech/sweating/dilated pupils/high body temperature/paranoia/shivering/a sudden calmness.

**Backboard Restraint:** The Maximum Restraint Backboard system manufactured by RIPP Restraints, Inc. This restraint is used in a prone position to restrain and control a combative or self-destructive inmate.

**Hog tie or Hobble tie:** A (non-approved) method of restraint that lays the prisoner on their front and secures the hands and feet together behind the back.

**Restraint Chair:** The Emergency Restraint Chair, manufactured by ERC, Inc. is a padded chair that safely restrains a combative or violent prisoner.

**Restraining Device:** Any mechanical contrivance, appliance or object designed or fashioned to physically control or incapacitate a person.

## **Section 5: Security**

### **Subject: Use of Restraints (Continued)**

**Minimum Standard: 5120:1-8-03(B)(9) / 5120:1-8-09(R)**

**Revised: 08/2002, 01/2006, 10/2008, 12/2011, 09/2015**

## **PROCEDURE**

A. When an inmate's behavior indicates a potential of serious self-injury or serious injury to others, officers shall take preventative action. The Shift Supervisor will decide which restraint method is appropriate. This decision will be based on the seriousness of the inmate's actions and the ability to carry out their intentions. Only the below listed type of restraints are authorized for use in the Erie County Jail:

1. **Handcuffs** – should be applied properly.

- a. Officers should be certain the handcuffs do not cut off blood circulation to the hands
- b. To ensure the handcuffs do not become overly tightened, they should always be double locked.

2. **Shackles** – should be applied properly.

- a. Officers should be certain the handcuffs do not cut off blood circulation to the feet
- b. To ensure the shackles do not become overly tightened, they should always be double locked.

3. **Restraint Belt** – should be snugly fitted around the inmate's waist

- a. Officers should be certain the inmate cannot lower the belt and step out of the restraints.

4. **The RIPP Maximum Restraint Backboard** – should be used in accordance to manufacturer's directions.

5. **The Emergency Restraint Chair** – should be used in accordance to manufacturer's directions.

6. **Flex-Cuffs** – are available for use as a temporary restraining device to be used until other means of authorized restraining devices are available.

## **B. Hogtie**

- a. Because of the risk of death from Positional Asphyxia, the practice of a hogtie restraint should not be used.

## **C. Surveillance**

- a. Any inmate placed in restraints shall be observed every 10 minutes at an irregular interval. Checks should be documented on a hand written observation log.

## **D. Physician**

- a. No inmate shall remain in restraints for more than 8 hours without an examination by the jail physician or his designee.

## **Section 5: Security**

### **Subject: Use of Restraints (Continued)**

**Minimum Standard: 5120:1-8-03(B)(9) / 5120:1-8-09(R)**

**Revised: 08/2002, 01/2006, 10/2008, 12/2011, 09/2015**

- b. If an inmate is to remain in restraints longer than 2 hours, the Shift Supervisor must document the reasons in a Jail Incident Report in the Jail Record Management System.
- c. In the event the inmate who has been restrained continues their violent or self-destructive behavior, the Shift Supervisor may request an emergency psychological evaluation.
- d. The jail administrator will be immediately notified upon the occurrence of any action response incident that results in injuries that warrant medical attention.

#### **E. Reporting**

- a. All officers involved in placing an inmate into restraints must write an incident report in the jail's JMS as soon as possible after the incident
- b. These reports should then be reviewed and signed off by a non-involved supervisor or higher ranking personnel.

#### **F. Jail Administrator Review**

- a. All use of physical restraints shall be reviewed for policy compliance by the Jail Administrator or designee.
  - i. This will be accomplished by reading and reviewing all reports and watch sheets of the incident.
  - ii. The date and time of review will be placed in the Administrator Review field on the incident report screen in the JMS.

# ***Erie County Jail Inmate Observation Log***

***Date:*** \_\_\_\_\_

***Name of Person Being Observed:*** \_\_\_\_\_

***Authority Recommending Observation:*** \_\_\_\_\_

***Reason for Observation:*** \_\_\_\_\_

**An officer of the Erie County Sheriff's Office – Jail Division shall observe the above-mentioned inmate every 10 minutes. Time of observation, signature of the officer, and the inmate's condition shall be recorded below.**

## **Observations**

<b><i>Time</i></b>	<b><i>Signature of Officer</i></b>	<b><i>Inmate's Condition</i></b>

**If the inmate requires to be restrained longer than 2 hours due to being a threat to themselves or others, the Shift Supervisor must document the reasons in a Jail Incident Report. If possible inmate should be checked by Medical Staff.**

**Section 5: Security**  
**Subject: Closed Circuit Televisions**  
**Minimum Standard: 5120:-1-8-03(A)(5)**  
**Revised: 8/2015, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have closed circuit televisions that are operational and preclude the monitoring of shower, toilet and clothing exchange areas. Only authorized personnel may view the CCTV monitors.

**PROCEDURE**

**Standard Video Recording** – All security cameras sense and record any and all movement in an area. The master recording unit is located in the Main Control Room. This device records video only. All video equipment shall be kept in proper working condition. Any malfunctions should be reported to the jail administrator. At no time will a video recording device be used to monitor an area used for disrobing, showering or the use of toilet facilities.

**Booking Video Recording** – A separate digital video recorder is located in A-Control. It is to be used exclusively to record new bookings during the initial pat down. This particular device records both audio and video.

1. When a new inmate enters the interior sally port door (#414 on the control board), the officer operating the control board will push the RECORD button on the DVD recorder.
  - a. This will record the audio and video of the inmate being accepted into custody.
2. When the inmate has been accepted and moved to Inmate Waiting, the Main Board Operator will stop the recording device.
3. Once the CD in the DVD recorder is full, the Main Board Operator will remove it from the DVD recorder and replace it with a new one.
  - a. Extra recordable CD's will be kept in A-Control. Each CD shall be marked with the date and time that it was inserted and removed from the DVD recorder.



**Section 5: Security**  
**Subject: Two-Way Communications**  
**Minimum Standard: 5120:1-8-03(A)(6)**  
**Revised: 8/2015, 9/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a two-way communication system between staffed control boards and inmate occupied areas that allows inmates to verbally contact corrections staff by speaking at a normal conversational level. All cells and entrance/exit ways in the Erie County Jail will have two-way communication that can be answered by Main Control, E Control, and/or B Control Rooms. At least one of these control rooms is to be manned by a Corrections Officer at all times.

**PROCEDURE**

1. Any cell that an inmate is placed into will have an intercom.
  - a. Inmates will have access to initiate communication with a Corrections Officer via the intercom.
2. Every entrance/exit order in the Erie County Jail will have an intercom on either side of the door.
3. Each Control Room (Main, A, and B) will have a Control Board that allows the Corrections Officer to initiate communication with an inmate via the intercom.
4. It will be the responsibility of the Corrections Officer assigned to the Board to monitor the intercom system.
  - a. Main Control Board will be an assigned post 24 hours a day
  - b. E Control Board will be an assigned post from 0600-1900 hours
  - c. B Control Board will be an assigned post as needed or as staff levels allow
5. Any malfunctioning parts of the intercom system will be immediately reported.
  - a. The Board Operator will advise the Shift Supervisor of the issue
  - b. The Board Operator will submit a Work Order to the Erie County Jail Facilities and Maintenance Department.

**Section 5: Security**  
**Subject: Equipment (Generator)**  
**Minimum Standard: 5120:1-8-03(A)(7)**  
**Revised: 9/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have equipment necessary to maintain utilities, communications, security, and fire protection in an emergency. Equipment shall be tested quarterly and repaired and/or replaced as needed.

**PROCEDURE**

1. The Erie County Facilities and Maintenance Department is responsible for maintain, testing, and repairing and/or replacing the Generator.
2. The Generator is housed in the Boiler Room of the Erie County Sheriff's Office, outside the security perimeter of the Erie County Jail.

**Section 5: Security****Subject: Toxic, Corrosive, and Flammable Substances****Minimum Standard: 5120:1-8-03(B)(17)****Revised: 05/1990, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the Policy of the Erie County Jail that Toxic, Corrosive, and Flammable Substances and Tools shall be stored in a secure area and used by inmates only under direct supervision and used only in accordance with manufacturer's instruction. The substances are only accessible to an authorized person.

**PROCEDURE**

1. All Toxic, Corrosive, and Flammable Substances and Tools will be stored locked in the:
  - a. Janitors equipment room adjacent to the kitchen
  - b. Inmate Property Storage Room
2. When any Toxic, Corrosive or Flammable Substances and Tools are used by an inmate worker, it will be under direct supervision of jail staff.

**Section 6: Jail Emergencies Response Plan**  
**Subject: Escape From Inside Security Perimeter**  
**Minimum Standard: 5120:1-8-03(B)(4)**  
**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

**DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

**PROCEDURE**

**A. Policy:**

1. All personnel shall give the highest priority to the apprehension of the escapee.

**B. Discovery:** The corrections officer who first discovers any escape will;

1. Immediately terminate all movement;
  1. Inmates will not be accepted for booking or released until authorized by the Sheriff or Jail Administrator.
  2. Maintenance, service, or delivery personnel will not be allowed to leave or enter the security perimeter until cleared by Road Division Personnel.
  3. Corrections Staff shall remain inside the security perimeter of the jail unless they are requested to assist responding or investigating officers.
2. Immediately advise the Shift Supervisor or OIC via radio transmission of the incident and its location. The Shift supervisor will:
  1. Begin an immediate official count, securing all inmates in their cells until the count is complete and the facility is secure.
3. Secure the area where the escape occurred:
  1. If from a Pod, secure the Cell and lock down all inmates in the pod.
  2. If from a Dorm, move inmates from the dorm and secure them in another secure area of the jail.
  3. If from a Recreation Area, move the inmates from the recreation area to a secured area in the jail.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Escape From Inside Security Perimeter (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**C. Notification:** The Shift Supervisor will immediately:

1. Notify all other corrections staff and support staff in the jail of the escape.
  1. Support staff shall remain in their work area and not leave the security perimeter of the jail until cleared by Road Division Personnel.
2. Notify Dispatch of escape, including:
  1. Name of the escapee
  2. Physical description of the escapee
  3. Direction of travel of escapee, if known
  4. Home Address of escapee
    - a. The dispatcher will immediately
      - i. Notify all local departments of the escape, including:
        1. Name of the escapee
        2. Physical description of the escapee
        3. Direction of travel of escapee, if known
        4. Home Address of the escapee
      - ii. Notify the OIC of the Road Division who will:
        1. Come to the Jail to help maintain security
        2. Authorize notification of surrounding counties of the escape
        3. Authorize entry of the escapee into LEADS.
        4. Begin an immediate investigation to determine the possible whereabouts of the escapee
          - a. The Shift Supervisor of the Jail will provide the Road Division OIC with all pertinent information and records available.
3. Notify the Jail Administrator of the escape.
4. Notify the Sheriff of the escape.
5. No information will be released to the news media without approval of the Sheriff or his designee.

**D. Crime Scene:** Corrections Staff should treat the point of escape as a crime scene.

1. Only investigative personnel should be allowed in the area.
  1. Any and all items the inmate may have been in possession of (cards, letters, notes, etc.) should be kept secure at the scene for investigators.

**E. Reporting:** All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an ESC (Escape) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Escape From Inside Security Perimeter (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

### **F. Evaluation:**

1. A complete evaluation of the escape, including circumstances that led up to the escape and action taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

### **G. Investigation:**

1. In the event of an escape from inside the security perimeter, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

**Section 6: Jail Emergencies Response Plan**  
**Subject: Escape From Outside Security Perimeter**  
**Minimum Standard: 5120:1-8-03(B)(4)**  
**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

**DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

**PROCEDURE**

**A. Policy:**

1. All personnel shall give the highest priority to the apprehension of the escapee.

**B. Discovery:** In the event an inmate does not return to the facility because of walk away from work detail or escape during transport:

1. The Shift Supervisor shall immediately make contact with the person in charge of the work crew or transport from which the inmate escaped. The shift supervisor will obtain the following information from the person in charge of the work crew:
  1. Positive identification of the inmate.
  2. A description of the clothing the inmate was last seen wearing.
  3. The exact location the inmate was last seen.
  4. The direction and any information about the mode of travel the inmate might have used.

**C. Notification:**

1. The Shift Supervisor will immediately;
  1. Notify Dispatch of escape, including:
    - a. Name of the escapee
    - b. Physical description of the escapee
    - c. Direction of travel of escapee, if known
    - d. Home Address of escapee
    - e. Provide mug shot and/or any information that may assist police agencies in the capture of the escapee.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Escape From Outside Security Perimeter (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

2. Notify the Jail Administrator of the escape.
3. Notify the Sheriff of the escape.
4. No information will be released to the news media without approval of the Sheriff or his designee.

#### **D. Crime Scene:**

1. Any and all items the inmate may have been in possession of (cards, letters, notes, etc.) should be kept secure at the scene for investigators.

**E. Reporting:** All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an ESC (Escape) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.

#### **F. Investigation:**

1. In the event of an escape from outside the security perimeter, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

#### **G. Evaluation:**

1. A complete evaluation of the escape, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.



**Section 6: Jail Emergencies Response Plan**  
**Subject: Away With Out Leave (AWOL) Escape**  
**Minimum Standard: 5120:1-8-03(B)(4)**  
**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

**DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

**PROCEDURE**

**A. Policy:**

1. All personnel shall give the highest priority to the apprehension of the escapee.

**B. Discovery:**

1. If an inmate does not return from a court sanction temporary release from incarceration, the Shift Supervisor shall:
  1. Ascertain the exact date and time the inmate was scheduled to return.
    - a. If a reasonable amount of time has passed and the inmate has not returned, the inmate should be considered AWOL.
  2. Make positive identification of the inmate.

**C. Notification:**

1. Notify the Jail Administrator of the AWOL inmate:
  1. Either the Jail Administrator or Shift Supervisor will contact the Court or Agency that approved the furlough, work release, etc.
  2. No information will be released to the news media without approval of the Sheriff or his designee.

**D. Reporting:**

1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an AWOL (Away With Out Leave) Event, attaching the inmate in the Shift Log of the Jail's Record Management System.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Away With Out Leave (AWOL) Escape (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

#### **E. Crime Scene:**

1. Any and all items the inmate may have been in possession of (cards, letters, notes, etc.) should be kept secure at the scene for investigators.

#### **F. Investigation:**

1. In the event of an AWOL Escape, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

#### **G. Evaluation:**

1. A complete evaluation of the AWOL Escape, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Hostage Situation**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. The first priority in a hostage situation is to preserve life and prevent harm to anyone taken hostage.
2. A hostage(s) is never allowed to be taken out of the security perimeter by a hostage taker(s).
3. A hostage(s) has no authority over any staff member regardless of position or rank.

#### **B. Discovery:**

1. The Corrections Officer who first becomes aware of the hostage situation should:
  1. Immediately terminate all movement.
  2. Immediately advise the Shift Supervisor or OIC via radio transmission of the incident and its location. The Shift Supervisor will:
    - a. Begin an immediate official count, securing all inmates in their cells until the count is complete and the facility is secure.
  3. Secure the immediate Area.
  4. Close all surrounding doors.
  5. Contain the situation to as small of an area as physically possible.
  6. Advise support staff of the situation and relocate them to a secure area
  7. Inmates will not be accepted for booking or released until authorized by the Sheriff or Jail Administrator.
  8. Maintenance, service, or delivery personnel will not be allowed to leave or enter the security perimeter until cleared by Road Division Personnel.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Hostage Situation (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

#### **C. Notification:**

1. The Shift Supervisor will:
  1. Immediately notify Dispatch, the Jail Administrator, and the Sheriff.
    - a. The Dispatcher will;
      - i. Alert the Road Patrol of the situation
      - ii. Contact Perkins Fire and EMS and request a squad to standby.
  2. Determine, to the degree possible, the identity of the hostage taker and the hostage and gather all pertinent information on those persons for use in the negotiation process.
2. No information will be released to the news media without approval of the Sheriff or his designee.

#### **D. Reporting to Responders:**

1. The Shift Supervisor shall provide an accurate report of the hostage situation to responding agencies to include;
  1. Number, identity, and location of hostage(s) and hostage taker(s).
  2. Type and number of weapons (if known) hostages are being threatened with.
  3. Visible injuries (if known).
  4. Any security concerns.

#### **E. Response:**

1. Negotiations – preferred resolution.
2. Tactical – Only after negotiations have failed and authorized by the Sheriff or designee.

#### **F. Negotiations:**

1. The Sheriff or designee will direct the procedure or assign a designee to act as negotiator. The following general policies shall apply to hostage taking situations:
  1. At no time will any inmate be permitted release from jail.
  2. The designated negotiator will not be empowered to make final decisions regarding negotiable items.
    - a. Any promises or concessions must be authorized by the Sheriff or designee.
  3. Orders or commands given by the hostage, regardless of rank, will not be honored.
  4. No person except the designated negotiator shall be in contact with the hostage taker(s), unless specifically directed to do so by the Sheriff or designee.
  5. Corrections Staff will not interfere with the negotiation process, nor make any promises or concessions to the hostage taker(s).

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Hostage Situation (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

#### **G. Reporting:**

1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an HTST (Hostage Situation) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.

#### **H. Investigation:**

1. In the event of a hostage situation, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

#### **I. Crisis Intervention:**

1. A hostage situation can be mentally taxing and difficult for those involved. Any staff member requesting mental health assistance will be referred to a qualified mental health professional by the Sheriff, Jail Administrator, or designee.

#### **J. Evaluation:**

1. A complete evaluation of the hostage situation, including circumstances that led up to and actions taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Fire Safety Plan**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. The Erie County Jail shall have a written fire safety plan that is approved by the Perkins Township Fire Department Inspector, and that is reviewed annually and updated as needed. The plan shall include fire prevention, training and drills, fire response, and post-fire documentation and review. A copy of the current plan shall be maintained at the Perkins Township Fire Department.

#### **B. Fire Inspections:**

1. The Erie County Jail shall be inspected annually by a certified local or state fire safety inspector applying the applicable jurisdictional and Ohio Fire Code. The jail will have a written plan to correct any jail-related deficiencies. The jail shall maintain documentation of the inspections and any corrective measures taken.
  - a. The Jail Administrator is responsible to ensure the Erie County Jail is inspected annually by the Perkins Township Fire Department Inspector.

#### **C. Jail Furnishings:**

1. Jail Furnishings shall meet fire safety performance requirements.
  1. Jail Furnishings include draperies, curtains, furniture, mattresses and bedding, upholstered or cushioned furniture, wastebaskets, decorations, and similar materials that can burn.
    - a. Such materials will be subjected to careful fire-safety evaluation before being purchased or used.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Fire Safety Plan (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

#### **D. Fire Prevention:**

1. All employees shall be responsible in helping to prevent a fire by;
  1. Not allowing flammable materials to accumulate such as;
    - a. Newspapers
    - b. Books and/or magazines
    - c. Letters and/or legal documents
    - d. Paper cups
    - e. Excessive clothing and/or linens
  2. Trash containers in housing and storage areas will be emptied daily, or more often if needed.
  3. Inmates are strictly forbidden to use, have access to, or have in their possession any:
    - a. Flammable compounds.
    - b. Incendiary device (matches, lighters, flints, etc.)
    - c. Chemicals, compounds, batteries that may be used as an igniter.
  4. Flammable liquids or compounds are not allowed to be stored inside the security perimeter of the Erie County Jail.
  5. Liquids, elements, or compounds that may create a dangerous reaction are not allowed to be stored in the Erie County Jail.
  6. Employees will routinely turn off electrical machines when not in use.
  7. Fire Department stand pipe and fire extinguisher boxes should be periodically checked for properly operating keys, locks, and doors.
  8. Staff should report any emergency exit lights that may be out.
  9. Fire Doors in need of attention shall be immediately reported and fixed.
  10. The Scott Air Packs located within the jail shall be inspected monthly and documented.

#### **E. Training:**

1. Training in jail fire safety equipment shall be conducted annually and documented in the jail training logs.
  1. Fire training will include but not limited to;
    - a. Knowledge of the floor plan outlining all evacuation route options.
    - b. Knowledge of all emergency exits.
    - c. Location of Fire Safety Equipment.
    - d. Use and care of available Fire Safety Equipment.
    - e. The concept and use of the Fire Emergency System.
    - f. Fire Prevention and Awareness.

#### **F. Frill Drills:**

1. Fire Drills shall be conducted every three months on each shift.
  1. Staged Fire Drills
    - a. An activation of the fire alarm system shall be conducted annually.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Fire Safety Plan (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

1. This may be done in the form of a pull down activation or simulated fire response. Perkins Township Fire Department must be notified prior to conducting any Staged Fire Drill.
  - b. Officers on duty should be evaluated as to their response.
  - c. Officers involved may be required to submit their personal critique of the drill.
  - d. This will be documented on the Fire Drill Form and submitted to the Jail Administrator for review.
  - e. The Shift supervisor will log the Drill in the Jail's Record Management System using the code FRDR (Fire Drill).
2. Shift Fire Drill
  - a. A Shift Fire Drill will be conducted every three months on each shift.
  - b. The Shift Supervisor will decide the type of Fire Drill to be conducted:
    1. With Inmate Movement
      1. The Shift Supervisor will observe the movement of inmates using the escape route (ex. Inmates moving to outside recreation area).
      2. This will be documented on the Fire Drill Form and submitted to the Jail Administrator for review.
      3. The Shift supervisor will log the Drill in the Jail's Record Management System using the code FRDR (Fire Drill).
    2. Without Inmate Movement
      1. The Shift Supervisor will observe officers using the escape route (ex. moving through Fire Doors).
      2. This will be documented on the Fire Drill Form and submitted to the Jail Administrator for review.
      3. The Shift supervisor will log the Drill in the Jail's Record Management System using the code FRDR (Fire Drill).

#### **G. Fire Zones:**

1. The Erie County Jail Shall be divided into zones to help pinpoint the fire and simplify evacuation. The zones are as follows;
  1. Zone #1 (West)
    - a. Female Work, Medium, and Maximum Pod
    - b. Female Visitation
    - c. Medical Area and Cells
    - d. Segregation and Classification Pod
    - e. Holding Area and Cells
    - f. Garage Sally Port
    - g. Main and Female Control Rooms
    - h. Jail Administration Offices
    - i. Property and Processing Area



## **Section 6: Jail Emergencies Response Plan**

### **Subject: Fire Safety Plan (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

2. Zone #2 (Central)
    - a. Dorms 042, 045, and 049
    - b. Interview Rooms
    - c. Court Room
    - d. Classroom
  3. Zone #3 (East)
    - a. Indoor Recreation Area
    - b. Male Maximum, Medium G, Medium H, and Minimum Pod
    - c. E Control Room
    - d. Male Visitation
  4. Zone #4 (South)
    - a. Kitchen and Laundry Areas
    - b. Dispatch Center
    - c. Roll Call
    - d. Locker Rooms
    - e. Road Administration Offices
    - f. Detective Bureau
  5. Zone #5 (Basement)
    - a. Will include all areas below ground or the first floor.
2. Sub-zones will appear on the Main Control Board to better pinpoint the alarm area.
  3. Even if the fire zone appears to be secure and free of smoke and fire, the fire officials should still respond to investigate.
  4. The shift supervisor may request dispatch to silence the alarm but the alarm should not be re-set until cleared by the responding fire department.

#### **H. Fire Alarm System:**

1. When the Shift Supervisor has been notified that an alarm has come in for Zones 1 through 5, they will direct the nearest available officer to investigate.
2. Upon investigation, the officer will advise the Shift Supervisor of their findings via their portable radio.
3. Upon activation of the fire/smoke alarm, the fire alarm emergency door release system will be activated. This system will initiate a countdown on the screen of the Main Control Board. If the system is allowed to count down to zero, the following will result;
  1. Cell Doors in the affected zone will unlock.
  2. Sliding Doors in the affected zone will open.
  3. Emergency release buttons located by exit doors will be activated.
    - a. This system is used in the event of an evacuation.
  4. It will be the responsibility of the Main Board Operator to continue to reset the count down and not allow it to reach zero.
    - a. The Shift Supervisor shall inform the Main Control Operator if the system is to be allowed to count down to zero.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Fire Safety Plan (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

- b. Or in the event of an obvious dire emergency, the Main Control Operator may allow it to reach zero.

#### **I. Discovery:**

1. When any Corrections Officer, Support Staff employee, Volunteer, or Visitor detects smoke or fire with the jail, a corrections officer shall:
  1. Immediately notify the Shift Supervisor and Dispatch by the most readily means available (intercom, radio, pull box, etc.) and advise them of the nature, severity, and location of the fire.
  2. Take measures to secure and/or evacuate the area, ensuring the safety of all inmates. This may include using any equipment necessary or available (flashlight, fire extinguisher, breathing apparatus, etc.).
  3. Maintain the security of the area until assistance arrives.
2. The Shift Supervisor shall:
  1. Direct all available personnel in the jail to the area to assist as needed.
  2. Help to evaluate the situation and determine whether or not the fire is extinguishable.
  3. Ensure that the Perkins Township Fire Department has immediate access to the building and location of the fire and/or smoke.
3. The Dispatcher shall:
  1. Immediately notify the Perkins Township Fire Department with the information provided by reporting officers.
  2. Immediately notify the OIC of the Road Division of the situation.

#### **J. Evacuation Plan:**

1. Evacuation shall commence at the first sign of smoke or fire in a housing area.
2. All Jail Exits shall be clear and evacuation routes shall be posted and clearly marked.
  1. All Jail occupants; staff, inmates, visitors, etc. shall be provided with clear direction/guidance in order to reach exits, entrances, exterior doors, building exterior areas and/or other safe areas in the event of a fire emergency within or affecting the jail.
3. Inmates in the affected area shall be moved to a designated area as follows if safe passage is accessible:
  1. Inmates housed in Zones #1 or #2 (A and B Control) shall be moved to;
    - a. Classroom
    - b. Indoor Recreation Area
    - c. Outdoor Recreation Area
  2. Inmates housed in Zone #3 (E Control) shall be moved to;
    - a. Classroom
    - b. Indoor Recreation Area
    - c. Outdoor Recreation Area

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Fire Safety Plan (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

- d. Holding Area / Female Visitation / Medical Area / Segregation and Classification Pods
3. If it is deemed necessary to evacuate a section or the entire jail outside, inmates will be directed to the outdoor area within the chain link fenced boundaries of the Erie County Jail.
4. In the Event of any evacuation from the jail, dispatch will be contacted to request assistance from local law enforcement personnel to provide an outside security perimeter and supervision of evacuated inmates.
5. Support Staff and Volunteers will be escorted outside the building using the safest route possible
4. The Sheriff, Jail Administrator, or Shift Supervisor shall be responsible for directing and coordinating all personnel in the evacuation of inmates to safety.
5. The Officers from each control area will retrieve the most recent roster and photos of the inmates from the evacuated areas and conduct a head count.
6. A Corrections Officer shall be stationed at the Garage Sally Port to admit and direct Firefighters to the fire area.

#### **K. Fire Department Arrival:**

1. When the fire department arrives, they shall be escorted by a Corrections Officer to the fire zone.
2. The Sheriff, Jail Administrator, or Shift Supervisor and Ranking Fire Official shall share authority and responsibility at the scene.
3. If the Fire Official determines inmates secured in the evacuation areas within the jail need to be moved outside, they will be evacuated immediately.

#### **L. Head Count:**

1. When any evacuation has taken place, the shift supervisor will be responsible for ensuring a head count of all evacuated inmates is conducted.
2. If any inmate is missing, the fire department shall be told the housing area and/or cell of the inmate.

#### **M. Reporting:**

1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an FIRE (Fire) Event in the Shift Log of the Jail's Record Management System.

#### **N. Crime Scene:**

1. Any and all items that may have been used to start the fire should be kept secure at the scene for investigators.

**Section 6: Jail Emergencies Response Plan**

**Subject: Fire Safety Plan (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4) / 5120:1-8-05(L)(M)(N)(O)(P)(Q)**

**Revised: 10/2008, 12/2011**

**O. Investigation:**

1. The Sheriff or designee shall order an investigation of the incident in cooperation with the fire department and the State Fire Marshall.

**P. Evaluation:**

1. A complete evaluation of the Fire, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.



# ERIE COUNTY SHERIFF'S OFFICE

PAUL A. SIGSWORTH  
SHERIFF

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## Erie County Jail Fire Drill Log

Date of Drill: \_\_\_\_\_ Time of Drill: \_\_\_\_\_ Shift of Drill: \_\_\_\_\_

### Type of Drill (Select One)

Drill with inmate movement: \_\_\_\_\_ Drill without inmate movement: \_\_\_\_\_

### Officer(s) involved:

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Supervisor Conducting Drill: \_\_\_\_\_

Jail Administrator Review: \_\_\_\_\_ Date: \_\_\_\_\_

*5120:1-5-05(O) Fire Drills shall be conducted every three months on each shift.*

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Riot / Disturbances**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. Corrections Staff shall attempt to quell the inmate riot / disturbances as quickly as possible and with the minimum amount of force necessary to bring the situation under control.

#### **B. Definitions:**

##### **1. Disturbance;**

1. Any incident involving any number of inmates, but limited to acts of passive resistance without engaging in property destruction, assault, and/or attempts to escape (hunger strike, refusal to work, sit down strike, refusal to obey orders, etc.)

##### **2. Riot**

1. A violent disturbance involving three or more inmates accompanied by the commission of acts of property destruction, arson, assault, civil disobedience, escape, etc.

#### **C. Warning Signs:**

1. Prior to any organized disturbance or riot, certain warning signs may be detected by corrections staff. Inmates may:
  1. Become uncommunicative.
  2. Cease talking upon the approach of a corrections officer.
  3. Complain about food, treatment, or conditions in general.
  4. Are especially tense or nervous.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Riot / Disturbances (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

#### **D. Discovery:**

1. The corrections officer who first learns of a riot / disturbance shall:
  1. Immediately terminate all movement.
  2. Immediately advised the Shift Supervisor or OIC via radio transmission of the incident and its location. The Shift Supervisor will:
    - a. Ensure all non-involved inmates are secured inmates in their cells until riot / disturbance is over and the facility is secure.
  3. Secure the immediate area.
  4. Close all surrounding doors.
  5. Contain the situation to as small of an area as physically possible.
  6. Advise support staff of the situation and relocate them to a secure area
  7. Inmates will not be accepted for booking or released until authorized by the Sheriff or Jail Administrator.
  8. Maintenance, service, or delivery personnel will not be allowed to leave or enter the security perimeter until cleared by Road Division Personnel.
  9. Identify amount of inmates involved and any weapons that may be present at the site of the riot / disturbance.

#### **E. Notification:**

1. The Shift Supervisor will;
  1. Immediately notify Dispatch of the incident with as much information as possible:
    - a. Location of riot / disturbance
    - b. Number of inmates involved
    - c. Number of and types of weapons involved
    - d. Degree of violence and property damage present
      - i. The Dispatcher will:
        1. Alert the Road Patrol of the situation
        2. Contact Perkins Fire and EMS and request a squad to standby
  2. Notify the Jail Administrator as soon as possible.
  3. No information will be released to the news media without approval of the Sheriff or his designee.

#### **F. Identify:**

1. Staff should identify all inmates involved in the riot / disturbance:
  1. Officers should attempt to identify the leader(s) of the group.

#### **G. Response:**

1. The Corrections Officer discovering the riot / disturbance:
  1. Will not attempt to subdue or quell the riot / disturbance prior to the arrival of additional staff.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Riot / Disturbances (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

2. Will avoid seizure as a hostage and/or loss of keys in their possession.
2. The Shift Supervisor will:
  1. Ensure the security of the jail remains intact.
  2. Record all information pertaining to the riot / disturbance.
  3. Will not, under any circumstances, relinquish any security area to any inmate under threat of force or threat of bodily harm to a hostage.
  4. Will not unlock any secured area of the jail until it is safe to do so.
3. Upon arrival, officers called in to assist will be requested to initially surround the perimeter of the jail to prevent escape.
4. Under direction of the Sheriff or designee, officers shall employ such riot / disturbance control means as necessary to regain control of the jail.
  1. This will not be attempted until overwhelming manpower is available.
5. Only the amount of force necessary to gain control of the inmates will be used.
6. Officers will explicitly follow the directions of the Sheriff or designee.
7. Once subdued, the inmates causing the riot / disturbance will be controlled until corrections staff is prepared to have them reenter their assigned cells or other secured areas in the jail.
8. Once the Jail is secured:
  1. First aid will be provided to any person injured during riot / disturbance.
  2. A shake down of the riot / disturbance area will be conducted.
    - a. Officers will look for weapons, damage to the jail, other contraband
  3. A head count will be conducted to account for all inmates.
9. Inmates involved in the riot / disturbances will be closely monitored after control is regained to ensure their physical and mental health and to ensure the security of the jail.
  1. Each inmate involved will be strip searched in accordance with the Strip and Body Cavity Searches Policy in the Reception Section of this Policy and Procedure Manual and issued a clean uniform.
  2. They will be secured into the Administrative Segregation area of the jail until all reports are written and a determination of action is completed.

#### **H. Reporting**

1. All officers involved in the riot / disturbance will complete a Jail Incident Report in the Jail Records Management System as soon as possible and forward it to the Jail Administrator.

#### **I. Investigation:**

1. In the event of a riot / disturbance, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.



**Section 6: Jail Emergencies Response Plan**

**Subject: Riot / Disturbances (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**J. Evaluation:**

1. A complete evaluation of the disturbance, circumstances that led up to the riot / disturbance, and action taken to quell the riot / disturbances will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Food Poisoning**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy**

1. The Erie County Jail Shall provide emergency medical treatment for inmates in the event of food poisoning.

#### **B. Notification:**

1. In the event that an inmate may be suffering from food poisoning:
  1. The Nurse will be immediately notified of the situation.
    - a. If a nurse is not on duty at that time, the on call nurse will be contacted.
  2. All instructions from the nurse will be followed by corrections staff.
  3. The Jail Administrator will be advised of the situation as soon as possible.
  4. No information will be released to the news media without approval of the Sheriff or his designee.

#### **C. Evaluation:**

1. A complete evaluation of the food poisoning, circumstances that led up to the food poisoning, and action taken will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Civil Disturbance**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Definition:**

1. A civil disturbance is defined as any demonstration, outside assault, sniper, or terrorist act outside the security perimeter of the Erie County Jail that affects the security of the jail.

#### **B. Discovery:**

1. The officer first observing or being made aware of the civil disturbance will advise the shift supervisor of the situation.

#### **C. Notification:**

1. The Shift Supervisor will:
  1. Immediately notify Dispatch of the incident with as much information as possible:
    - a. Location
    - b. Number of people involved
    - c. Number of and types of weapons involved
    - d. Degree of violence and property damage present
      - i. The Dispatcher will:
        1. Alert the Road Patrol of the situation
        2. Contact Perkins Fire and EMS and request a squad to standby.
  2. Notify the Jail Administrator as soon as possible.
  3. No information will be released to the news media without approval of the Sheriff or his designee.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Civil Disturbance (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

#### **D. Response:**

1. The Erie County Sheriff's Road Division will handle all incidents which occur outside the security perimeter of the jail.
2. During the civil disturbance, all inmates will be locked down in their assigned cells.
3. All inmate programs will be terminated.
4. Any nonessential personnel (Counselors, Maintenance Personnel) will be escorted out of the jail or placed into a secure, safe area of the jail.
5. Off duty corrections staff may be called in for assistance upon approval of the Jail Administrator.

#### **E. Investigation:**

1. In the event of a civil disturbance, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

#### **F. Evaluation:**

1. A complete evaluation of the civil disturbance, circumstances that led up to the civil disturbances, and action taken to quell the civil disturbances will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Natural Disaster**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. It is the policy of the Erie County Jail to provide in the event of a natural disaster (i.e. tornado, earthquake, etc.) to the facility, a means to safety and securely evacuate the inmates.

#### **B. Response:**

1. Notification: In the event of a natural disaster that directly affects and jeopardizes the security of the facility and safety of the inmates, the Shift Supervisor shall:
  1. Notify the Jail Administrator and/or Sheriff.
  2. Notify Dispatch to:
    - a. Summon all available law enforcement personnel to aid in the evacuation of inmates.
    - b. Alert Perkins Township Fire and EMS to have a squad standby for possible medical assistance.
2. Lock Down Facility:
  1. The Shift Supervisor shall order an immediate lock of the jail or relocation to an area that can be deemed safe.
  2. All inmate movement shall stop.
    - a. i.e. Programs, Visitation, Medication Pass, etc.
  3. Inmates will not be accepted for booking or released until authorized by the Sheriff or Jail Administrator.
  4. An emergency head count will be conducted and all inmates and staff will be accounted for.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Natural Disaster (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

3. Evacuation Plan: Inmates in the affected area shall be moved to a designated area as follows if safe passage is accessible;
  1. Inmates housed in Zones #1 or #2 (A and B Control) shall be moved to;
    - a. Classroom
    - b. Indoor Recreation Area
    - c. Outdoor Recreation Area
  2. Inmates housed in Zone #3 (E Control) shall be moved to;
    - a. Classroom
    - b. Indoor Recreation Area
    - c. Outdoor Recreation Area
    - d. Holding Area / Female Visitation / Medical Area / Segregation and Classification Pods
  3. If it is deemed necessary to evacuate a section or the entire jail outside, inmates will be directed to the outdoor area within the chain link fenced boundaries of the Erie County Jail.
  4. In the Event of any evacuation from the jail, dispatch will be contacted to request assist from local law enforcement personnel to provide an outside perimeter security and supervision of evacuated inmates.
  5. Support Staff and Volunteers will be escorted outside the building using the safest route possible.
4. The Sheriff, Jail Administrator, or Shift Supervisor shall be responsible for directing and coordinating all personnel in the evacuation of inmates to safety.
5. The Officers from each control area will retrieve the most recent roster and photos of the inmates from the evacuated areas.
6. When any evacuation has taken place, the shift supervisor will be responsible for ensuring a head count of all evacuated inmates is conducted.

#### **C. Reporting:**

1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an ND (Natural Disaster) Event in the Shift Log of the Jail's Record Management System.

#### **D. Evaluation:**

1. A complete evaluation of the Natural Disaster, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Suicide**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. In the event of attempted suicide, the officers and personnel will take all actions necessary to properly respond to the situation.

#### **B. Discovery:**

1. The Corrections Officer who observes an inmate attempting suicide shall:
  1. Secure the area and request backup.
  2. Notify the Shift Supervisor.
  3. Talk to the inmate and do not leave him or her alone.
  4. Offer alternatives until help arrives.
  5. The Shift Supervisor shall:
    - a. Respond to the area and evaluate the situation.
    - b. Follow procedures as required by the situation such as:
      - i. Contact Dispatch for inmate Transportation to the Hospital
      - ii. Contact Firelands Mental Health for Emergency Evaluation
      - iii. Move inmate to appropriate housing location
      - iv. Initiate a suicide watch
2. Corrections Officer who observes a suicide attempt shall:
  1. Notify the Shift Supervisor immediately and call for backup.
    - a. Corrections Officers will not enter the housing area until the other inmates have been secured and/or back up arrives.
  2. With assistance, remove the inmate from the threatening situation.
  3. Begin first aid as required.
  4. Document all action as soon as possible.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Suicide (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

5. The Shift Supervisor shall:
  - a. Secure the area and assign other officers to assist, as needed.
  - b. Determine if the inmate needs immediate medical attention:
    - i. If the nurse is on station, ask that he/she respond to the scene.
    - ii. If the squad is need, contact dispatch for Perkins Fire Department to respond.
6. The Shift Supervisor will do the following if the inmate does not need immediate medical attention:
  - a. Contact Firelands Mental Health Center for an Emergency Evaluation.
  - b. Move inmate to appropriate housing location.
  - c. Notify the Jail Administrator of the situation.
  - d. See that all officers involved complete reports as soon as possible.

### **2. Notification**

- A. The Shift Supervisor will be responsible for notifying the Jail Administrator of the situation.
- B. The Jail Administrator will then contact the Chief Deputy if the suicide attempt is successful and family notification is required.

### **3. Reporting**

- A. All officers involved in the situation will complete a detailed jail narrative of the incident.
- B. The Shift Supervisor will be responsible for entering the event into the Jail Log.
  1. The log code to be used is SASC – Suicide Attempted / Completed.
- C. If the suicide is completed the Erie County Sheriff's Office patrol division will be responsible for contacting the Erie County Coroner.
- D. The Jail Administrator will be responsible for notifying the division of parole and community services of the incident within 30 days.

### **4. Review**

- A. In the event of serious or successfully completed suicide attempt, a review of the incident will take place:
  1. Jail Administration will review the incident ensure all Jail Policy and Procedures were followed.
  2. The Erie County health department will review the incident to ensure all Medical Policy and Procedures were followed.

### **5. Critical Incident Debriefing**

- A. All staff and inmates affected by a serious or successfully completed suicide attempt will be offered services from Firelands Mental Health.



## **Section 6: Jail Emergencies Response Plan**

### **Subject: Deaths**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. In the event of the death of any inmate, the officers and personnel of the Erie County Jail will take all actions necessary to provide necessary medical assistance and to preserve the scene, cooperating with all medical and investigative authorities.

#### **B. Discovery:**

1. The Corrections Officer who first witness or otherwise discovers an inmate who appears dead will:
  1. Notify the Shift Supervisor immediately and call for backup.
    - a. Corrections Officers will not enter the housing area until the other inmates have been secured and/or back up arrives.
  2. Begin first aid as required.
  3. Document all action as soon as possible.
  4. The Shift Supervisor shall:
    - a. Notify Dispatch of the Death;
      - i. Dispatch will advise the Road Division OIC of the Death.
    - b. Secure the area and assign other officers to assist, as needed.
    - c. Determine if the inmate needs immediate medical attention;
      - i. If the nurse is on station, ask that he/she respond to the scene.
      - ii. If the squad is need, contact dispatch for Perkins Fire Department to respond.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Deaths (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

#### **C. Notification:**

1. The Shift Supervisor will be responsible for notifying the Jail Administrator.
2. The Jail Administrator will:
  1. Contact the Chief Deputy if family notification is required.
  2. Contact the court the inmate is assigned.
3. No information will be released to the news media without approval of the Sheriff or his designee.

#### **D. Reporting:**

1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place a DEATH (In Custody Death) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.
2. The Jail Administrator or designee shall complete the book out procedures in order to complete all jail records.

#### **E. Crime Scene:**

1. Any and all items the inmate may have been in possession of (cards, letters, notes, etc.) should be kept secure at the scene for investigators.

#### **F. Investigation:**

1. In the event of a Death the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

#### **G. Evaluation:**

1. A complete evaluation of the Death, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.
2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Contagious Disease**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Discovery:**

1. If an officer or staff member has reason to believe that an inmate may have a contagious disease, either through information obtained from the inmate, family, or physician, the officer or staff member shall notify the Shift Supervisor.

#### **B. Response:**

1. The Shift Supervisor Shall:
  1. Attempt to verify information.
  2. Notify medical personnel to advise them of the information.
  3. Notify the Jail Administrator.
  4. Inquire from medical personnel if the inmate requires isolation;
    - a. If determined by medical personnel to isolate inmate, they shall be placed into a medical isolation cell.
    - b. If no medical staff is on duty, a 10 minute medical observation watch will be initiated.

#### **C. Reporting:**

1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place a CD (Contagious Disease) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.

#### **D. Evaluation:**

1. A complete evaluation of the Contagious Disease, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.

**Section 6: Jail Emergencies Response Plan**  
**Subject: Contagious Disease (Continued)**  
**Minimum Standard: 5120:1-8-03(B)(4)**  
**Revised: 10/2008, 12/2011**

2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## **Section 6: Jail Emergencies Response Plan**

**Subject: Bomb Threat**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have policies and procedures, and practices which evidence that there is a plan that guides the jail's response to emergencies. All jail personnel will be trained in the implementation of the emergency plan. The emergency plan will include procedures to be followed in situations that threaten jail security.

### **DEFINITION**

A jail emergency can be, but not limited to, escape, hostage situation, fire, riot, food poisoning, civil disturbance in the community, natural disaster, suicide, other death, outbreak of contagious disease, inmate strike and other disturbances, bomb threat, or any action that affects or jeopardizes the security of the Erie County Jail and/or the safety of the inmates and/or staff.

### **PROCEDURE**

#### **A. Policy:**

1. It shall be the policy of the Erie County Jail to take all bomb threats as credible threats to the safety and security of the staff and inmates of the Erie County Jail. All threats will be reported by the person receiving the threat and investigated as a criminal offense.

#### **B. Response:**

1. The officer receiving the threat shall attempt to obtain the following information:
  1. When the bomb is going to explode?
  2. Where is the bomb right now?
  3. What does the bomb look like?
  4. What kind of bomb is it?
  5. What will cause the bomb to explode?
  6. Did the caller place the bomb?
  7. Why was the bomb placed?
  8. What is the caller's name and address?
2. The officer receiving the threat should be cognizant of the following details of the conversation:
  1. Is the caller a male or female?
  2. Does the caller sound young or old?
  3. Does the caller have any type of accent and/or distinguishing voice inflections?
  4. Any background noises?

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Bomb Threat (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

3. Immediately after the call, the officer should note the following:
  1. The exact time the call was taken.
  2. The length of the call.
  3. The number the call was received.
4. After receiving the call, the officer shall immediately inform the shift supervisor of it.
5. The Shift Supervisor shall:
  1. Order an immediate lock of the jail or relocation to an area that can be deemed safe.
    - a. All visitor's and non-essential personnel will leave the jail.
  2. Stop all inmate movement.
    - a. i.e. Programs, Visitation, Medication Pass, etc.
    - b. Inmates will not be accepted for booking or released until authorized by the Sheriff or Jail Administrator.
  3. Notify dispatch of the threat, who will;
    - a. Advise the Road Division OIC of the threat
  4. Notify the Jail Administrator.
6. The Sheriff, Jail Administrator, or designee will authorize the search of the jail utilizing all personnel and available resources to verify such a threat is credible or not credible.
  1. If the threat is proved to be non-credible, the jail will be returned to non-emergency status upon direction of the Sheriff, Jail Administrator, or designee.
  2. If the threat is proved to be credible and a suspected bomb is discovered, the Sheriff, Jail Administrator, or designee shall make a determination as to what areas of the jail if any will be evacuated.
  3. The evacuation plan is as follows;
    - a. Inmates in the affected area shall be moved to a designated area as follows if safe passage is accessible;
      - i. Inmates housed in Zones #1 or #2 (A and B Control) shall be moved to;
        1. Classroom
        2. Indoor Recreation Area
        3. Outdoor Recreation Area
      - ii. Inmates housed in Zone #3 (E Control) shall be moved to;
        1. Classroom
        2. Indoor Recreation Area
        3. Outdoor Recreation Area
        4. Holding Area / Female Visitation / Medical Area / Segregation and Classification Pods
    - b. If it is deemed necessary to evacuate a section or the entire jail outside, inmates will be directed to the outdoor area within the chain link fenced boundaries of the Erie County Jail.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Bomb Threat (Continued)**

**Minimum Standard: 5120:1-8-03(B)(4)**

**Revised: 10/2008, 12/2011**

- c. In the Event of any evacuation from the jail, dispatch will be contacted to request assistance from local law enforcement personnel to provide an outside security perimeter and supervision of evacuated inmates.
- d. Support Staff and Volunteers will be escorted outside the building using the safest route possible.
- e. Officers from each control area will retrieve the most recent roster and photos of the inmates from the evacuated areas and conduct a head count.
- f. The Sheriff, Jail Administrator, or Shift Supervisor shall be responsible for directing and coordinating all personnel in the evacuation of inmates to safety.
- g. When any evacuation has taken place, the shift supervisor will be responsible for ensuring a head count of all evacuated inmates is conducted.

#### **C. Reporting:**

- 1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place a BOMB (Bomb / Bomb Threat) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.

#### **D. Investigation:**

- 1. In the event of a Bomb / Bomb Threat, the Detective Bureau of the Erie County Sheriff's Office will conduct a criminal investigation.

#### **E. Evaluation:**

- 1. A complete evaluation of Bomb / Bomb Threat, including circumstances that led up to and action taken by corrections staff, will be conducted by the Jail Administrator.
- 2. The Jail Administrator will present all findings of the evaluation in writing to the corrections staff and the Sheriff.

## Section 6: Jail Emergencies Response Plan

### Subject: Medical Emergency

Minimum Standard: 5120:1-8-09(E)

Revised:

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

### POLICY

The Erie County Jail shall provide 24-hour emergency medical, dental, and mental health care services. All corrections officers are trained to respond to medical emergencies, and will promptly implement emergency medical procedures for inmates who are in need of emergency medical attention.

### PROCEDURE

#### A. Policy

1. Any Corrections Officer or member of the Medical Staff who is available will respond when a Medical Emergency is reported and initiate care.

#### B. Definitions:

1. The following occurrence define an emergency, which may result from, but not limited to, injury from attempted suicide or injury from assault.
  - a. **Sever Bleeding:**
    - i. Apply clean/sterile pressure dressing to wound, apply pressure by use of hands. Monitor for signs and symptoms of shock. Follow American Red Cross Heartsaver Guidelines.
  - b. **Unconsciousness:**
    - i. Maintain body alignment, observe vital signs, respiration, etc., for any change until the doctor or emergency squad arrives. Monitor for deteriorating status. Follow American Red Cross Heartsaver Guidelines.
  - c. **Serious Breathing Difficulties:**
    - i. Keep in a semi-sitting position. Loosen or remove all tight clothing, observe and reassure. Monitor for deteriorating status. Follow American Red Cross Heartsaver Guidelines.
  - d. **Head, Neck, and/or Spinal Injury:**
    - i. Keep inmate quiet. Stop any bleeding, maintain neck alignment, observe and reassure. Monitor for deteriorating status. Follow American Red Cross Heartsaver Guidelines.
  - e. **Severe Burns:**
    - i. Do not remove clothing. Apply clean wet dressing to area. Prevent chilling, observe and reassure. Monitor for deteriorating status. Follow American Red Cross Heartsaver Guidelines.
  - f. **Seizures:**
    - i. Loosen all restrictive clothing. Assure adequate clearance from all furniture and other objects which may be injurious. Monitor for deteriorating status. Follow American Red Cross Heartsaver Guidelines.



## **Section 6: Jail Emergencies Response Plan**

### **Subject: Medical Emergency (Continued)**

**Minimum Standard: 5120:1-8-09(E)**

**Revised:**

#### **C. Response:**

1. The Corrections Officer who encounters a Medical Emergency shall:
  - a. Notify Main Control and the Shift Supervisor of the location and nature of the emergency.
  - b. Maintain security in the area.
    - i. Noninvolved inmates will be ordered to their assigned cells
    - ii. If at any time the officer suspects the inmate may be feigning or has any suspicion about the authenticity of the emergency, the officer should wait for back up to arrive before responding with first aid assistance.
  - c. Administer first-aid as needed.
2. The Shift Supervisor shall:
  - a. Notify the Nurse, if one is on duty at that time, and request they proceed to the location of the emergency, where they will take medical leadership of the situation.
  - b. Proceed to the location of the emergency.
  - c. Ensure that the area is secure and assess the situation.
  - d. Assist in administering first aid, if necessary.
  - e. Direct an officer to retrieve the AED unit and/or the Emergency Response Kit, if necessary.
    - i. If the AED is used, it will be placed out of service for date collection.

#### **D. Further Treatment:**

1. If it is determined that the emergency requires treatment unavailable at the Erie County Jail, dispatch will be contacted to request a squad from Perkins Township Fire Department transport the inmate to Firelands Regional Medical Center.
  - a. The Shift Supervisor will then:
    - i. Assign a Corrections Officer to meet the squad in the Garage Sally Port and escort them to the location of the emergency.
    - ii. Notify the Jail Administrator or designee of the emergency.

#### **E. Transportation to Hospital:**

1. If an inmate is to be transported to the hospital and remain in custody of the Erie County Jail, the shift supervisor will:
  - a. Assign a Corrections Officer to accompany the squad to the hospital. The duties of this officer are;
    - i. To supervise the inmate being transported to the hospital.
    - ii. Secure the inmate with restraints.
    - iii. Adjust restraints as needed for medical reasons.
    - iv. Assist EMT personnel with control and security of the inmate.
    - v. Ensure all pertinent information (Booking Form) accompanies the inmate to the hospital.

## **Section 6: Jail Emergencies Response Plan**

### **Subject: Medical Emergency (Continued)**

**Minimum Standard: 5120:1-8-09(E)**

**Revised:**

- vi. Keep observation of the inmate until relieved by a Deputy Sheriff of the Erie County Sheriff's Office.
  - a. If relieved prior to the squad leaving the hospital, the officer will be returned the jail with the squad.
  - b. The shift supervisor will be notified if a Deputy does not arrive.

#### **F. Reporting:**

- 1. All corrections officers involved are required to submit a detailed written report of the incident as soon as possible. The Shift Supervisor will place an HOSP (Hospital) Event, attaching the inmate, in the Shift Log of the Jail's Record Management System.

#### **G. Return from Hospital:**

- 1. Upon return to the jail from the hospital, a corrections officer will:
  - a. Determine if special observation housing is required.
  - b. Change the inmate into a new jail uniform
    - i. This will be done in accordance with the Searches of Inmate Who Have Left the Security Perimeter Policy.
  - c. Place all pertinent medical paperwork into the Nurse's Box in Main Control.
    - i. It is the Nurse's responsibility for follow-up treatment.

#### **H. Crisis Intervention:**

- a. A Medical Emergency can be mentally taxing and difficult for those involved. Any staff member requesting mental health assistance will be referred to a qualified mental health professional by the Sheriff, Jail Administrator, or designee.

## **Section 6: Jail Emergency Response Plan**

### **Subject: Health Aspects**

**Minimum Standard: 5120:1-8-09 (T)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Emergency medical care, including first aid and basic life support, is provided by all health care professionals and those health-trained correctional staff specifically designated by the jail administrator. All staff responding to medical emergencies are certified in cardiopulmonary resuscitation (CPR) in accordance with the recommendations of certifying health organizations.

### **PROCEDURE**

#### **A. Approval**

1. The Jail Emergency Response Plan is approved by the health authority and jail administrator.

#### **B. Responsibility of Health Staff**

1. All Jail Nurses will act in accordance with the Erie County Health Department Policies and Procedures for the Erie County Jail.

#### **C. Triage**

1. It will be the responsibility of the nursing staff to ensure the assignment of degrees of urgency to wounds and/or illnesses, to decide the order of treatment of patients or casualties.

#### **D. Site for Care**

1. All inmates and/or staff members requiring treatment outside the Erie County Jail will be transported by a medical squad to Firelands Regional Medical Center.

#### **E. Telephone Numbers**

1. Health Staff
  - a. If a nurse is on duty during the emergency corrections staff shall;
    1. Notify them via the portable radio system.
    2. If unable to reach them via the radio system, they will contact them using the inter-office phone system dialing 623.
  - b. If no nurse is on duty they will be contacting using the on call phone numbers listed in the nurse schedule book in the jail sergeant's office.
2. Corrections Staff should notified Erie County Sheriff's Office Dispatch Center if a medical squad is needed.
  - a. Using the inter-office phone system dialing 6221 or 6222

## **Section 6: Jail Emergency Response Plan**

### **Subject: Health Aspects (Continued)**

**Minimum Standard: 5120:1-8-09 (T)**

**Revised:**

#### **F. Drills**

1. At least one master drill be conducted annually
2. A man-down drill will be practiced once a year on each shift
3. Both the master and man-down drill will be critiqued and shared with all staff members.

#### **G. Alternative Backup Plan**

1. Triage
  - a. In the event a nurse is unable to decide the triage plan of injured inmates or staff members, the shift supervisor will assume responsibility of the situation until an EMT and/or Paramedic from Perkins Township Fire Department arrives. At that point the PTFD personnel will assume medical control of the situation.
2. Site of Care
  - a. In the event FRMC is unable to provide care of injured inmates or staff, they will be transported to Fisher Titus Medical Center.
3. Telephone Numbers
  - a. In the event of an emergency and corrections staff cannot get through to the dispatch center or nursing staff they will dial 9-1-1.

**Section 6: Jail Emergency Response Plan**  
**Subject: Emergency Medical Equipment / Supplies**  
**Minimum Standard: 5120:1-8-09**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Emergency Medical Equipment and Supplies, as determined by the health authority, shall be available at all times and replenished as needed and may include an automatic external defibrillator (AED). Emergency Medical Equipment and Supplies shall be placed in specified area(s) of the jail. The health authority shall approve the contents, location, and intervals for inspections of the Emergency Medical Equipment and Supplies and the procedures.

**PROCEDURE**

- A. Automatic External Defibrillator (AED)
  - 1. The AED will be stored in the Main Control Room.
  - 2. The Emergency Equipment and Supply Officer will inspect the AED monthly for serviceability.
    - a. If found unserviceable, it will immediately taken out of service and reported to the Jail Administrator.
  - 3. The AED will be used in accordance with 21.08 of the Erie County Sheriff's Office Policies and Procedures.
- B. First Aid Response Kit
  - 1. The first aid response kit will be located in the Main Control Room.
  - 2. The kit will include;
    - a. 1 Ambu-Bag.
    - b. 1 Ambu Recuse Mask.
    - c. 1 pair of Eye Goggles.
    - d. 1 Roll of Medical Tape.
    - e. 1 Bottle of Hand Sanitizer.
    - f. 1 Seat Belt Cutter.
    - g. 1 Pair of Scissors.
    - h. 2 Packs of Combat Gauze
    - i. 2 Pad Dressings 4" x 4" in size.
    - j. 2 Pad Dressings 5" x 9" in size.
    - k. 3 Ammonia Inhalants.
    - l. 3 Rolls of Gauze Bandages
    - m. 6 Pairs of Latex Gloves
      - i. 2 Size Medium
      - ii. 2 Size Large
      - iii. 2 Size Extra Large
  - 3. The first aid response kit will be used in accordance with the Jail Emergency Response Plan – Medical Emergency Policy.

## **Section 6: Jail Emergency Response Plan**

### **Subject: Emergency Medical Equipment / Supplies (Continued)**

**Minimum Standard: 5120:1-8-09**

**Revised:**

#### **C. Naloxone Hydrochloride (Narcan)**

1. Narcan will be stored in a box in Main Control.
2. The box will include;
  - i. 1 CPR Microshield
  - ii. 2 Naloxone Hydrochloride Prefilled Syringes
  - iii. 3 MAD Mucosal Atomization Devices
3. Narcan will be used in accordance with 21.12 of the Erie County Sheriff's Office Policies and Procedures.

#### **D. The Emergency Equipment and Supply Officer will inspect the AED, First Aid Kit, and Narcan Box monthly.**

1. If the AED is found to be unserviceable, it will immediately be taken out of service and reported to the Jail Administrator.
2. Using the First Aid Kit and Narcan Box inspection forms, the officer will ensure the contents of the box are filled and up to date.
  - i. Any officer that uses any contents of the First Aid Kit or Narcan Box will notify the Emergency Equipment and Supply Officer of such so they can be replenished.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Erie County Jail Physician



# ERIE COUNTY SHERIFF'S OFFICE

PAUL A. SIGSWORTH  
SHERIFF

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## Erie County Jail First Aid Kit Inspection

Date of Inspection: \_\_\_\_\_ Time of Inspection: \_\_\_\_\_

Officer Conducting Inspection: \_\_\_\_\_

### Contents of

### First Aid Kit

Item	Quantity	Expiration Date	Inspected (Check)
Ambu Bag	1	N/A	_____
Ambu Recuse Mask	1	N/A	_____
Eye Goggles	1	N/A	_____
Medical Tape	1	N/A	_____
Hand Sanitizer	1	03/2017	_____
Seat Belt Cutter	1	N/A	_____
Scissors	1	N/A	_____
Pack of Combat Gauze	2	01/2018	_____
Pad Dressings (4" x 4")	2	N/A	_____
Pad Dressings (5" x 9")	2	N/A	_____
Ammonia Inhalants	3	08/2017	_____
Gauze Bandages	3	N/A	_____
Gloves (Size Medium)	2	N/A	_____
Gloves (Size Large)	2	N/A	_____
Gloves (Size Extra Large)	2	N/A	_____

5120:1-8-09(O) The health authority shall approve the contents, location, and intervals for inspections of the Emergency Medical Equipment and Supplies.



# ERIE COUNTY SHERIFF'S OFFICE

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## Erie County Jail

### Naloxone Hydrochloride (Narcan) Inspection

Date of Inspection: \_\_\_\_\_ Time of Inspection: \_\_\_\_\_

Officer Conducting Inspection: \_\_\_\_\_

Item	Quantity	Expiration Date	Inspected (Check)	Contents of
CPR Microshield	1	N/A	_____	<b>Narcan Box</b>
Narcan Prefilled Syringe	2	11/2015	_____	
MAD Mucosal Atomization Device	3	10/2016	_____	



## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Hygiene Articles**

**Minimum Standard: 5120:1-8-05(A)**

**Revised: 10/2008, 03/2009, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall provide all inmates with hygiene articles at intake and replacement items to indigent inmates.

### **PROCEDURE**

- A. All newly incarcerated inmates shall receive, free of charge, the following personal hygiene items:
  - 1. Bar of Soap.
  - 2. Toothbrush.
  - 3. Tube of Toothpaste.
  - 4. Comb.
  - 5. Female Inmates will receive feminine hygiene items.
- B. Personal Hygiene items will be replaced by Corrections Officers on an as needed basis.
  - 1. Some personal hygiene items are available for purchase through Jail Commissary.
- C. For security reasons, personal hygiene items left for inmates by friends or family will not be accepted.

## **Section 7: Sanitation and Environmental Conditions**

**Subject: Safe and Sanitary**

**Minimum Standard: 5120:1-8-05(B)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

All areas of the Erie County Jail shall be safe and sanitary, including food service and laundry areas. Staff and inmates shall have specific housekeeping responsibilities, which shall include, but are not limited to daily cleaning toilets, urinals, sinks, drinking facilities and showers in areas occupied by inmates and disposal of garbage.

### **PROCEDURE**

#### **A. Kitchen:**

1. The food service manager shall be responsible for the safe and sanitary operation of the kitchen and its surrounding areas.
2. With the assistance of food service staff and inmate workers, the food service manager is responsible for the general cleanliness of these areas.

#### **B. Laundry:**

1. Corrections staff will be responsible for assigning and supervising inmate workers to the Laundry Room.
2. Inmate Workers assigned to laundry shall be responsible for keeping the Laundry Room clean and free of clutter.
3. Corrections Officers will verify this is being done on a daily basis.
4. The lint traps under the Dryers will be cleaned out regular and inspected by Corrections Officers.

#### **C. Control Rooms:**

1. Corrections staff shall be responsible for keeping control rooms clean and free of clutter.
2. Inmate workers are not allowed inside control rooms and cannot assist in cleaning operations.
3. Corrections staff shall be responsible for:
  - a. Wiping of counters.
  - b. Vacuuming of floors.
  - c. Removal of garbage.
  - d. Cleaning of and stocking supplies for control room restrooms.
4. These cleaning duties should be completed at the end of every shift. In the event these duties are not completed, the officer coming on duty shall notify the shift supervisor prior to relieving the officer assigned as control board operator.

## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Safe and Sanitary (Continued)**

**Minimum Standard: 5120:1-8-05(B)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

#### **D. General Housing Areas:**

1. Corrections staff will be responsible for assigning and supervising inmate workers to sweep, mop, collect food trays and garbage from all areas (to include dorms, pods, hallways & sally ports) prior to the end of their shifts.
2. All garbage collected for each shift should be transported to the outside dumpster.
3. The shift supervisor shall be responsible for maintaining the facility clean and should direct cleaning duties as needed.
4. Cleaning duties should be completed prior the end of every shift.
5. If these cleaning duties are not completed, officers coming on shift shall notify the shift supervisor prior to reliving the officers going off duty and advise him/her of the discrepancies.

#### **E. Dorms/Pods/Cells:**

1. Inmates are responsible for keeping their living quarters clean.
2. They shall be provided cleaning equipment daily to accomplish this task.
3. Officers will ensure that inmates sweep and mop floors in their assigned housing area.
4. A spray disinfectant, disposable towels and toilet brush shall be provided for inmate's to clean and sanitize the sink, toilet, urinals, and drinking facilities in their cells and housing area.
5. A scrub brush with a mop and bucket will be provided daily for inmates to clean shower areas

## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Clean Bedding, Linens, and Clothing**

**Minimum Standard: 5120:1-8-05(H)(1)(2)(3)(4)(5)(6)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall maintain documentation that bedding and mattresses shall be in good repair and cleaned prior to being reissued. Clean bed linens and towels shall be exchanged once weekly. Issuance of clean linens and towels shall be documented. Issued clothing shall be exchanged or laundered twice weekly. Arrangements are made to exchange or launder personal clothing and undergarments twice weekly. Blankets shall be cleaned or exchanged once a month. Mattresses shall be cleaned monthly. Bedding, mattresses, towels, and clothing shall be exchanged or cleaned when soiled.

### **PROCEDURE**

#### **A. Mattresses:**

1. Mattresses shall be cleaned weekly by the inmate using it. A spray disinfectant shall be provided.
2. Any mattress that is found in poor condition (torn/excessive wear) shall be taken out of service, replaced and such shall be documented.
3. Unclean mattresses shall be placed in a separate storage area until they have been cleaned.
4. Unclean mattresses shall be sprayed with disinfectant and wiped down before being reissued for use.
5. Officers should log the cleaning of mattresses in the computer with a Clean (CLEN) Event. This event should include:
  - a. Date and Time of cleaning.
  - b. Number of mattresses cleaned.

#### **B. Reissued Linens:**

1. All linens shall be laundered prior to being issued to another inmate.
2. When an inmate is released they will place their issued linen items into a laundry cart in the Processing Room.
3. Corrections Staff will inspect the items to ensure they are in good repair.
4. This cart will then be sent to laundry to ensure the bedding is laundered prior to being reissued.

#### **C. Laundered Linens (Laundry Pass):**

1. All inmates will be provided an opportunity to have their linens laundered twice weekly using the following schedule:
  - a. E Control inmates Saturday's and Wednesday's during A Shift.
  - b. B Control inmates Sunday's and Wednesday during B Shift.
  - c. A Control Inmates Tuesday's and Saturday's during B Shift.
2. A corrections officer will place a laundry cart into the housing area.

## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Clean Bedding, Linens, and Clothing (Continued)**

**Minimum Standard: 5120:1-8-05(H)(1)(2)(3)(4)(5)(6)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

3. Inmates in the housing area will place their items into the laundry cart
4. A Laundry Inmate Worker will take the cart to laundry and launder the items.
5. Once laundered, the cart will be returned to the housing unit.
6. Prior to being sent to laundry and being returned to the housing unit, a corrections officer will inspect the cart for contraband.
7. Once the Laundry Pass is completed, the corrections officer conducting the pass will enter it into the Jail's Record Management System as a LAUN (Laundry Pass) Event in the Jail Log. This event will include:
  - a. Date and Time of the Laundry Pass.
  - b. The area where the Laundry Pass was conducted.
  - c. Officer conducting the Laundry Pass.

#### **D. Soiled Linens / Mattresses:**

1. Any time a corrections officer becomes aware of soiled bedding, mattresses, towels, or clothing they will immediately exchange it for a clean item.
2. The corrections officer will then ensure the soiled items are cleaned and place a LAUN (Laundry Pass) Event in the Jail Log. This event will include:
  - a. Date and Time of the item(s) exchanged.
  - b. Inmate's name whose item is exchanged.
  - c. Officer exchanging the item.

## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Showers**

**Minimum Standard: 5120:1-8-05(I)**

**Revised: 10/2008, 03/2009, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Each inmate in the Erie County Jail shall be provided the opportunity for a hot shower not to exceed 48 hours.

### **PROCEDURE**

#### **1. General Population:**

- a. Inmates housed in General Population housing units will be granted access to shower stalls equipped with hot running water daily between the hours of 0700 and 1830 hours.
- b. Showers may be permitted at other times with the approval of the Shift Supervisor.

#### **2. Medical Isolation / Holding:**

- a. Inmates housed in a Medical Isolation Cell or Holding will be given the opportunity to shower daily after 1900 hours or any time with the approval of the Shift Supervisor.
- b. This can either be done using shower stalls equipped with hot running water in General Population housing areas, or in the Processing Room.
- c. Any time an inmate from these housing areas is given the opportunity to shower, a Corrections Officers should document it in the Jail Log in the Jail Record Management System as a SHWR (Shower) Event to include:
  - a. Date and Time of shower.
  - b. Location of shower.
  - c. Officer granting the shower.

## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Shaving Equipment**

**Minimum Standard: 5120:1-8-05(K)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall make shaving equipment and supplies available daily. Issuance and retrieval of shaving equipment and supplies shall be documented.

### **PROCEDURE**

- A. At the beginning of A Shift the officer assigned to each housing area will obtain a list of inmates requesting a razor.
  - a. The razor request must be made by the person requesting the razor.
- B. Prior to issuance of a razor to any inmate who may be considered high risk or who is under a suicide watch, the shift supervisor must be notified. Issuance of a razor will be at the discretion of the shift supervisor.
- C. The officer will obtain a new disposable razor and write the name of the inmate requesting a razor on the handle of the razor with a permanent marker. The officer will inspect the razor to ensure a blade is present prior to issuing the razor.
- D. The officer will indicate on a Erie County Jail Razor Log Form:
  - a. Date the razor was issued.
  - b. Time the razor was issued to the inmate.
  - c. Name of inmate who requested the razor.
  - d. Name of officer issuing the razor.
  - e. Time the razor was collected from the inmate by the officer.
- E. The officer will enter a RAZO (Razor) Event in the Jail Record Management Jail Log to include:
  - a. Date and Time razors were issued.
  - b. Location razors were issued.
  - c. Names of inmate's razors were issued to.
  - d. Officer issuing razors.
- F. All razors must be collected and accounted for by 0930 hours.
- G. After razors are returned from the inmate the officer receiving the razors should carefully inspect them to ensure the blade has not been removed or otherwise tampered with.
  - a. Any signs of a missing or tampered razor should be immediately reported to the shift supervisor.
- H. Used razors should be handled with universal precautions and disposed of in a Sharps Container.

# Erie County Jail

## Razor Log

[illegible]



## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Haircuts**

**Minimum Standard: 5120:1-8-05(J)**

**Revised: 10/2008, 03/2009, 12/2011, 01/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall make provisions for inmate haircuts. A cosmetologist licensed by the State of Ohio shall provide this service once a month. An Inmate must be incarcerated for 30 days before they are eligible to receive a haircut. There is no charge to the inmate for this service.

### **PROCEDURE**

- A. A Corrections Officer will be assigned to supervise the procedure. This officer should:
  - a. Obtain a list of those inmates requesting a haircut.
  - b. Present the list to the shift supervisor for approval.
  - c. Escort the cosmetologist to the classroom.
  - d. Inventory the haircutting tools present (especially scissors and any sharp item).
- B. Once the cosmetologist is prepared the escorting officer shall call to the respective control room where the inmate is housed.
- C. The escorting officer shall always remain with the cosmetologist and never leave him/her alone with any inmates.
- D. When the inmate arrives to the classroom, the escorting officer shall have the inmate sign a dated roster to indicate they have received this service.
- E. After the inmate has received a haircut he/she will be sent back to their housing area.
  - a. The officer should notify the respective control room (via radio) of the returning inmate.
  - b. This process should continue until all approved requests are completed.
- F. When completed with all haircuts the escorting officer shall:
  - a. Re-inventory the barber's equipment before it is stored
  - b. Inspect the area for any contraband that may have been left behind
  - c. Escort the barber out of the jail.
  - d. Present the haircut roster to the jail administrator.
  - e. Document the haircuts in the Jail Record Management System as a HAIR (Haircut) Event in the Jail log to include:
    - i. Date and Time
    - ii. Officer Involved
    - iii. Inmates Involved.
- G. The officer directing haircuts is responsible for having the haircut area cleaned and cut hair shall be properly disposed of:
  - a. Gathered and placed in a plastic garbage bag
  - b. This bag should be tied, closed, and placed inside the dumpster.

# ERIE COUNTY SHERIFF'S OFFICE INMATE HAIRCUTS

	SIGNATURE	PRINTED NAME	LOCATION
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## **Section 7: Sanitation and Environmental Conditions**

### **Subject: Regular Maintenance**

**Minimum Standard: 5120:1-8-05(D)**

**Revised: 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

It is the policy of the Erie County Jail to ensure regular maintenance and repairs shall occur. Corrections Staff shall conduct daily maintenance inspections. These inspections are to ascertain that all internal systems (locks, intercoms, speakers, etc.) are in operable condition. Any repairs shall be documented and maintained. The Erie County Facilities Department shall be responsible for maintaining all components of the facility in proper working condition.

### **PROCEDURE**

#### **A. Non-Emergency Maintenance:**

1. Non-Emergency items shall be defined as any request for maintenance that does not pose a threat to the safe and sanitary operation of the jail. Non-Emergency items can be but not limited to:
  - a. Clogged drains / minor plumbing issues.
  - b. Lights burned out.
  - c. Door limit switches not operating properly.
  - d. Loose carpet / tile squares.
  - e. Intercom malfunctions.
2. Non-Emergency items should be reported to the Erie County Facilities Department via an email. This email should include:
  - a. Exact location of problem.
  - b. The exact nature of the maintenance problem.
  - c. Be forwarded to the Jail Administrator.

#### **B. Emergency Maintenance:**

1. Emergency Maintenance items shall be defined as any malfunction that poses a threat to the safe and sanitary operation of the jail. These items can be but not limited to:
  - a. Any situation that poses a fire hazard, block or non-operational fire escape doors.
  - b. Any situation that compromises the physical integrity of the facility.
  - c. Sewer or water delivery malfunctions that may result in further damage to the facility or cause an environmental hazard.
2. Emergency items should be reported to the Erie County Facilities Department via an email. This email should include:
  - a. Exact location of problem.
  - b. The exact nature of the maintenance problem.
  - c. Be forwarded to the Jail Administrator.
3. A list of on-call maintenance personnel is kept in the Jail Sergeant's Office for after-hour emergencies.
  - a. The Shift Supervisor shall contact the on-call maintenance personnel.
  - b. A Jail incident report shall be completed after calling maintenance personnel.

## **Section 7: Sanitation and Environmental Conditions**

**Subject: Monthly Sanitation, Vermin, and Safety Inspections**

**Minimum Standard: 5120:1-8-05(C)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Monthly Sanitation, Vermin, and Safety Inspections of all areas shall be done by a designated, trained staff person. These inspections are to ascertain that acceptable levels of sanitation are maintained. Any treatment of extermination shall be conducted by a licensed pest control professional.

### **PROCEDURE**

- A. The jail shall be inspected once a month for insects, vermin and rodents.
  - a. The Jail Administrator or his designee shall conduct this monthly inspection.
  - b. This inspection shall be documented on the "Erie County Monthly Inspection" sheet.
  - c. Jail administrators shall review this form and take action to address any deficiencies.
  - d. Documentation of such shall be kept on file in the jail.

**Erie County Jail**  
**Monthly Jail Inspection**

5120:1-0803(B)(11)(b)

Date: \_\_\_\_\_

Officer \_\_\_\_\_

**Holding Area**

**Locks:** OK / Need Attention  
**Windows:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Plumbing:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of Vermin/Rodents:** Yes / No  
**Fire Extinguishers** OK / Need Attention  
**Comments:** \_\_\_\_\_

**Dormitories**

**Window Bars:** OK / Need Attention  
**Locks:** OK / Need Attention  
**Windows:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Plumbing:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of Vermin/Rodents:** Yes / No  
**Fire Extinguishers** OK / Need Attention  
**Comments:** \_\_\_\_\_

**Medical Area**

**Window Bars:** OK / Need Attention  
**Locks:** OK / Need Attention  
**Windows:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Plumbing:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of Vermin/Rodents:** Yes / No  
**Fire Extinguishers** OK / Need Attention  
**Comments:** \_\_\_\_\_

**Pods**

**Window Bars:** OK / Need Attention  
**Locks:** OK / Need Attention  
**Windows:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Plumbing:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of Vermin/Rodents:** Yes / No  
**Fire Extinguishers** OK / Need Attention  
**Comments:** \_\_\_\_\_

Erie County Jail  
Monthly Jail Inspection  
5120:1-0803(B)(11)(b)

Date: \_\_\_\_\_

Officer \_\_\_\_\_

**Kitchen Area**

**Locks:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Plumbing:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of**  
**Vermin/Rodents:** Yes / No  
**Fire Extinguishers** OK / Need Attention  
**Utensil Storage:** OK / Need Attention  
**Cooler:** OK / Need Attention  
**Comments:** \_\_\_\_\_

**Laundry Room**

**Locks:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Plumbing:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of**  
**Vermin/Rodents:** Yes / No  
**Fire Extinguishers** OK / Need Attention  
**Washer:** OK / Need Attention  
**Dryer (lint trap)s:** OK / Need Attention  
**Comments:** \_\_\_\_\_

**Male Visitation**

**Locks:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of**  
**Vermin/Rodents:** Yes / No  
**Phones:** OK / Need Attention  
**Comments:** \_\_\_\_\_

**Female Visitation**

**Locks:** OK / Need Attention  
**Walls:** OK / Need Attention  
**Floors:** OK / Need Attention  
**Vent Covers:** OK / Need Attention  
**Glass Panes:** OK / Need Attention  
**Access Plates:** OK / Need Attention  
**Protective Screens:** OK / Need Attention  
**Doors:** OK / Need Attention  
**CCTV:** OK / Need Attention  
**Lighting:** OK / Need Attention  
**Sanitation:** OK / Need Attention  
**Signs of**  
**Vermin/Rodents:** Yes / No  
**Phones:** OK / Need Attention  
**Comments:** \_\_\_\_\_

## **Section 7: Sanitation and Environmental Conditions**

**Subject: Annual Health Inspection**

**Minimum Standard: 5120:1-8-05(E)**

**Revised: 10/2008, 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall be inspected annually by local or state health authorities and a written report shall be provided. There shall be a written plan to correct jail-related deficiencies.

### **PROCEDURE**

- A. The Jail Administrator shall contact the Erie County Health Department yearly to arrange for an inspection of the entire facility.
- B. A copy of the inspection will be kept on file in the jail.
- C. There will be a written plan to correct any jail-related deficiencies.
  - a. After reviewing the inspection the Jail Administrator or his designee will submit work orders in a form of an email to the Erie County Facilities Department to ensure all deficiencies are corrected in a timely manner.

## **Section 7: Sanitation and Environmental Conditions**

**Subject: Illuminated Areas**

**Minimum Standard: 5120:1-8-05(F)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

All grounds, walkways, driveways, and park areas of the Erie County Jail shall be illuminated at night.

### **PROCEDURE**

- A. The grounds, building exterior, sidewalks, driveways, and parking areas that are adjacent to the jail shall be sufficiently lighted during the evening hours to provide adequate vision for security and at a level to enable use of any exterior CCTV's.
- B. The Erie County Facilities Department is responsible to repair or replace any areas that are not properly illuminated.
  - a. Should a Corrections staff member find an area unilluminated they should:
    - 1. Notify the Shift Supervisor.
    - 2. Send the Erie County Facilities Department an email stating the exact location of the problem.
    - 3. Complete a jail incident report.



## **Section 7: Sanitation and Environmental Conditions**

**Subject: Interior Lighting**

**Minimum Standard: 5120:1-8-05(G)(1)(2)(3)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall maintain documentation that at least twenty foot-candles, measured thirty inches above the floor, in inmate reading areas, at least fifteen foot-candles, measured thirty inches above the floor in inmate accessible areas, and lighting in inmate sleeping areas shall be reducible to between two and four foot-candles, measured thirty inches above the floor.

### **PROCEDURE**

1. The Erie County Facilities Department is responsible to conduct periodic inspections to ascertain:
  - a. At least 20 foot-candles of light is provided in all inmate reading areas measured 30 inches from the floor.
  - b. At least 15 foot-candles of light is provided in all accessible inmate areas.
  - c. That in inmate sleeping areas, light shall be reducible to between two and four foot-candles of light measured 30 inches from the floor.

## **Section 8: Communication**

### **Subject: Inmate Mail**

**Minimum Standard: 5120:1-8-06**

**Revised: 05/1999, 03/2009, 12/2011, 09/2015, 07/2017, 09/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

There shall be no limitation on the amount of incoming or outgoing inmate mail, whether received or sent via the United States Postal Service (USPS) or received or sent via the internal inmate email system when the inmate bears all costs associated with that correspondence, except as outlined below. Incoming and outgoing USPS mail will be inspected to ensure that the mail does not contain contraband or information/communication that could be detrimental to the safety or security of the jail. Legal mail or correspondence, as defined below, will be opened and inspected in the presence of the inmate to ensure that no contraband is contained therein. Mail will be withheld or rejected based on legitimate jail security interests, as authorized by the Jail Administrator or his/her designee and as noted below. Any inmate from whom mail is withheld will be notified and will be provided with the reason for the rejection. Indigent inmates shall receive two (2) postage pre-paid postcards per week.

## **DEFINITIONS**

Mail—includes any item sent through and processed/delivered by the United States Postal Service and/or any other package or parcel delivery service (UPS, FedEx, etc.)

Legal mail—is mail addressed to an inmate that clearly bears the return address of any of the following:

- 1) an attorney and/or his/her law firm;
- 2) a public service law office;
- 3) a legal clinic;
- 4) a court of law;
- 5) any office or official of federal, state, or local government;
- 6) administrators of legal grievance systems; and/or
- 7) any probation officer or probation authority or the Ohio Adult Parole Authority.

## **PROCEDURES**

### **A. Outgoing Mail**

1. Inmates may send mail or email to anyone outside the jail, provided that there are no court orders or other legal or security concerns that would prohibit such contact. Unless otherwise authorized by the Jail Administrator or his/her designee, only postage pre-paid postcards will be used by inmates to send outgoing mail, other than email. All postage pre-paid postcards used by inmates for outgoing mail will be purchased by the inmate through the jail commissary system.
2. Inmates are not authorized to send mail to any other inmate currently housed in the Erie County Jail. Such mail, if received, will not be delivered to the intended recipient.

## **Section 8: Communication**

### **Subject: Inmate Mail (Continued)**

**Minimum Standard: 5120:1-8-06**

**Revised: 05/1999, 03/2009, 12/2011, 09/2015, 07/2017, 09/2017**

3. Outgoing mail will be inspected by the officer who receives such mail from an inmate. Any inmate wishing to send USPS mail will hand-deliver his/her mail to a Corrections Officer. All outgoing USPS mail must have the sending inmate's name written in the return address portion of the postcard, along with the name and full address of intended recipient before it is accepted for mailing.
4. Any inmate deemed "indigent" shall receive two (2) postage pre-paid postcards and a pencil free of charge on a weekly basis.
5. Any Corrections Officer receiving an outgoing piece of USPS mail from an inmate will record the following information in the Jail Record Management System as a MAIL (Mail Log) Event in the Jail Log, for each individual piece of USPS mail, to include:
  - i. Date and time of log entry and/or when the mail was received; and
  - ii. Name and address of the mail's intended recipient; and
  - iii. Name of the inmate sending the piece of mail.
6. All outgoing USPS mail will be placed into the outgoing mail basket in the A-Control Room in the jail to be forwarded to the United States Postal Service.
7. If a Corrections Officer has reason to believe, upon its receipt, that a piece of outgoing mail contains contraband, information that may jeopardize the security of the staff, facility, or other inmates, and/or evidence of criminal activity, the mail shall be forwarded immediately to the jail shift supervisor. That supervisor shall determine if cause exists to confiscate the mail or allow it to be mailed. If the piece of mail is not mailed, it will be forwarded to the Jail Administrator or his designee and a detailed report will be completed by all involved personnel.

#### **B. Incoming Mail**

1. Incoming USPS mail for inmates will be logged into the Jail Record Management System as a MAIL (Mail Log) Event in the Jail Log to include:
  - i. Date and time of log entry and/or when the mail was received; and
  - ii. Name and address of the sender of the piece of mail; and
  - iii. Name of the inmate receiving the piece of mail.
2. Incoming inmate mail will be opened and/or inspected in order to intercept contraband.
3. Books, magazines, newspapers, letters, and any other form of USPS mail, other than postcards or legal mail, will not be delivered to the inmate, but will be placed in the inmate's personal property and properly recorded as personal property. The inmate will be informed of any such items placed in his/her property.
4. If, upon inspection, a Corrections Officer has reason to believe that a piece of incoming mail contains contraband, information that may jeopardize the security of the staff, facility, or other inmates, and/or evidence of criminal activity, that officer will confiscate the item of mail or contraband and forward it immediately to the on-duty jail supervisor, who shall determine if the mail in question should be treated as criminal evidence, contraband, or returned to the inmate.
5. Any letters or parcels discovered to contain contraband or evidence of criminal activity, will be confiscated and the inmate will be verbally informed of the items that were found.

## **Section 8: Communication**

### **Subject: Inmate Mail (Continued)**

**Minimum Standard: 5120:1-8-06**

**Revised: 05/1999, 03/2009, 12/2011, 09/2015, 07/2017, 09/2017**

6. A detailed jail incident report should be submitted by the officer making the discovery of mail contraband.
7. If the contraband is found to be illegal in nature, the item will be treated as evidence and secured in an evidence locker in the Evidence Processing Room of the Erie County Sheriff's office
8. Incoming mail will be delivered to inmates as soon as possible.

#### **C. Legal Mail**

1. Legal mail will be logged as noted above and will be opened and inspected in the presence of the prisoner to whom it is addressed to be inspected for contraband.
2. If no contraband is located in legal mail, the mail will be immediately delivered to the inmate without the envelope. The envelope will be promptly discarded properly and/or shredded by the Corrections Officer delivering the mail. If legal mail is found to contain contraband, no part of the mail will be delivered and the procedures listed above concerning contraband found in mail will be followed.

#### **D. Undeliverable Mail**

1. If any mail is received for an inmate not currently in the Erie County Jail, the Corrections Officer receiving the mail will:
  - i. Stamp the un-opened envelope or piece of mail with the "Return to Sender" ink stamp maintained in the jail and check the "Not At This Address" box.
  - ii. Place the mail in the outgoing mail box in A-Control to be returned to the original sender.

#### **E. E-Mail**

1. The Erie County Jail offers inmate email services through the kiosks located throughout the jail and routinely available to all jail inmates.
2. As with other mail, email content (both sent and received) is subject to routine monitoring and/or review by any Sheriff's Office employee, or any member of any other authorized law enforcement agency, at any time.

## Section 8: Communications

### Subject: Inmate Telephone Services

Minimum Standard: 5120:1-8-06(G)

Revised: 05/1999, 03/2009, 12/2011, 09/2015

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

### POLICY

Inmates shall have access to inmate telephone services in the Erie County Jail for the purposes of communicating with individuals outside the jail (friends, family, and/or attorneys)

### PROCEDURE

- A. Telephones in inmate housing areas are available for inmate use between the hours of 0700 and 1900 daily.
- B. All phone calls shall be outgoing, collect phone calls only.
  - 1. Inmates may purchase pre-paid phone time through the jail commissary system.
- C. Officers should be vigilant for inmate misuse of the telephones:
  - 1. Excessive usage that hinders other inmates from telephone access.
  - 2. Causing physical damage to telephone equipment.
  - 3. The placing of harassing, threatening or otherwise illegal phone calls.
- D. Misuse of the telephone can result in:
  - 1. Criminal charges for placing phone calls which may be illegal.
  - 2. Restrictions on access to the telephone.
- E. Inmates on restriction for disciplinary reasons shall be granted daily access to a telephone for one hour.
  - 1. Any telephone restrictions shall be documented in the form of a jail incident report.
  - 2. Any telephone restrictions must be approved by the shift supervisor or jail administration.
- F. An inmate may request to use a regular departmental office phone.
  - 1. The shift supervisor may approve such a request on an "as needed" basis.
  - 2. In the event a phone call of this type is approved, the officer assisting the inmate shall dial the telephone number. The inmate is not allowed to dial out.
  - 3. After this type of call is either made or attempted, the assisting officer shall create a PHON (Phone) Event in the Jail Log of the Jail Record Management System. This record should include:
    - c. Date and time of call.
    - d. Name of inmate allowed to make the call.
    - e. Name and number of person being called.
    - f. Officer allowing the call.
    - g. Reason for the call.
- G. *Hearing Impaired Inmates- A TTD (Tele-Type for the Deaf) unit is available. This unit is stored in the processing room.*
  - 1. *All requests for use of the TTD unit by a deaf inmate will be immediately forwarded to the shift supervisor or jail administrator.*
  - 2. *The supervisor will allow use of the TTD at the earliest possible time.*
  - 3. *An escorting officer will remain with the inmate as he/she uses the TTD in processing.*

**Section 8: Communication**  
**Subject: Access to Legal Counsel**  
**Minimum Standard: 5120:1-8-06(H)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Inmates shall have access to legal counsel of record including telephone contact, written communication, and confidential visits.

**PROCEDURE**

1. Inmates can use the Inmate Telephone Services from 0700 to 1900 hours daily to contact their legal counsel.
  - a. If an inmate is unable to reach their legal counsel, a corrections officer may call on their behalf.
  - b. If a call is made on the inmate's behalf it will be logged as a PHON (Phone) Event in the Jail Log of the Jail Record Management System. This record should include:
    - c. Date and time of call.
    - d. Name of inmate allowed to make the call.
    - e. Name and number of person being called.
    - f. Officer allowing the call.
    - g. Reason for the call.
2. Inmates may write their legal counsel without censor while incarcerated in the Erie County Jail.
  - a. Indigent inmates will be provided with 2 stamped envelopes weekly, along with writing supplies, which they may use to write their legal counsel.
3. Inmates and legal counsel are allowed confidential visits.
  - a. These visits will take place in the Jail Interview Rooms.
  - b. Legal Counsel must present valid identification prior to the visit.
  - c. Visits will take place between 0700-1900 hours.
    - i. The Shift Supervisor may grant a visit outside these hours at their discretion.
  - d. These visits will be logged as a PROV (Professional Visitor) Event in the Jail Log of the Jail Record Management System. This record should include:
    - h. Date and time of visit.
    - i. Location of visit.
    - j. Name of inmate visited
    - k. Name of person visiting.

## **Section 8: Communication**

**Subject: Message for Inmates**

**Minimum Standard:**

**Revised: 05/1999, 03/2009, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

It is a general practice of the Erie County Jail that messages for inmates will not be taken or delivered. Messages from legal sources (Attorney or Legal Offices) and verified emergency messages from inmate's family or friends may be delivered but only after the originating source is verified and the information provided is found to be accurate.

### **PROCEDURE**

#### **A. Referral:**

- a. Any staff member who obtains information from a caller claiming to have an emergency message or a message from an attorney shall:
  1. Obtain as much information as possible.
  2. Obtain a name and return phone number from the caller.
  3. Notify the shift supervisor of the call.
  4. Supply the information gathered to the shift supervisor.
  5. Complete a Jail Incident Report of the call, if advised to by the shift supervisor.

#### **B. Verification:**

- a. If the shift supervisor has reason to suspect the accuracy or truthfulness of a message is in question, the supervisor may attempt to verify the message through the following means:
  1. Telephone records and data resources.
  2. Contacting any hospital or funeral home that may be involved.
  3. Contacting relatives of the inmate.
  4. Contacting the originating source for additional information.

#### **C. Notification of Injury, Illness, or Death:**

- a. If the emergency message left for the inmate involves the death, serious injury, or illness of a person or any other message that may have a negative psychological impact on the inmate, the shift supervisor shall:
  1. Make certain the information received is accurate.
  2. Arrange for the inmate to be brought to a private area of the jail.
  3. Allow the inmate to call the emergency contact number.
  4. In the event the information provided by the caller cannot be verified, the message will not be delivered to the inmate until more information is obtained.
- b. The supervisor or Corrections Officer who escorts the inmate when the message is delivered will monitor the actions and behavior of the inmate.
  1. Officers will watch for signs of emotional distress that may indicate the prisoner is a danger to himself or others.

**Section 8: Communication****Subject: Message for Inmates (Continued)****Minimum Standard:****Revised: 05/1999, 03/2009, 12/2011, 09/2015**

2. In the event the prisoner displays behavioral signs of concern, officers will move the inmate to holding until a Mental Health Counselor conducts an assessment of the inmate.

**D. Emergency Release from Custody:**

- a. No staff member of the Erie County Jail has the authority to release an inmate from custody.
- b. Release from custody must be approved in the form of a journal entry from the court of jurisdiction over the inmate.



**Section 8: Communication**  
**Subject: Staff Computer Access**  
**Minimum Standard:**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

All employees of the Erie County Jail who, while in the performance of their duties, use a computer (including those privately owned or owned by an entity other than this agency) or any computer related equipment shall do so for official agency use only. All other uses are hereby prohibited. The sole purpose of the Erie County E-mail Service is to allow a flow of work related communication between staff. Corrections Staff are required to check their E-Mail on a daily basis.

**PROCEDURE**

- A. Prohibited uses of computers, computer related equipment, Internet, Electronic Mail, and Online Services include the following:
  - 1. Operating a business for personal gain.
  - 2. Sending chain letters.
  - 3. Sending, receiving or storing communications that contain offensive or harassing statements, including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious, or political beliefs.
  - 4. Sending, receiving, or storing communications that contain incendiary statements that might incite violence or describe or promote the use of weapons or devices associated with terrorist activities.
  - 5. Sending, receiving, or storing data for, or using a computer for recreational purposes,
  - 6. Sending, receiving, storing or disseminating sexually oriented messages, materials or images.
  - 7. Sending, receiving, storing, downloading, disseminating, or printing copyrighted materials (including articles and software) in violation of copyright laws.
  - 8. Any activity not directly related to this agency's operation
- B. The above prohibitions do not apply to any data or images sent, received, stored or disseminated in conjunction with a criminal investigation being conducted by this agency or by a law enforcement agency with which this agency is cooperating with or aiding in a criminal investigation.
- C. Agency employees shall not use an account (Internet, electronic mail, information service, or bulletin board system), electronic mail address, or signature line other than their own.
- D. Access to Erie County funded Internet service is restricted to agency personnel only. Agency personnel are prohibited from authorizing, allowing, or assisting others in gaining access to the county Internet service.
- E. All Erie County Jail staff members are required to maintain a properly functioning E-Mail system.
  - 1. Jail administration will establish an E-Mail account
  - 2. Jail Staff is responsible to contact the Erie County I.T. Department in the event of a malfunctioning or nonfunctioning account.
  - 3. Staff is responsible to check their E-mail messages on a daily basis.

## **Section 8: Communication**

**Subject: LEADS**

**Minimum Standard:**

**Revised: 05/1999, 03/2009, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall participate in the use of the L.E.A.D.S. (Law Enforcement Automated Data System). The Ohio State Highway Patrol administers this computer network system. The system serves as a communication link between police departments, sheriff's offices, and other criminal justice agencies throughout the State of Ohio. The system may also provide a communication link between criminal justice agencies throughout the United States and its territories. L.E.A.D.S. provides information about crimes, wanted persons or vehicles as well as serving as a communication portal between agencies. It is mandatory that all corrections personnel maintain a current L.E.A.D.S. certification.

### **PROCEDURE**

- A. The primary functions of L.E.A.D.S. in the Erie County Jail is to:
  1. Obtain warrant information of inmates confined to the custody of the jail.
  2. Verify identification of persons confined to the custody of the jail.
  3. Provide secure and verifiable method of communication between agencies:
    - a. Hit confirmation.
    - b. Administrative messages.
    - c. Place Hold request.
    - d. Drop hold request.
- B. The L.E.A.D.S. terminal in the Erie County Jail will not be used to enter, modify, or delete any information.
- C. All persons who operate the system must do so in accordance to rules and regulations set forth by Ohio Highway Patrol L.E.A.D.S. service.
  - a. All Corrections staff must maintain current certification as a L.E.A.D.S. operator.
- D. Paper copies of information received which are not secured with the inmate's file shall be shredded prior to disposal.
- E. Any technical issues with L.E.A.D.S. will be reported to the shift supervisor.
  - a. L.E.A.D.S. control may be contacted (1-800-589-2077) for assistance 24/7.
- F. The L.E.A.D.S. Terminal Agency Coordinator (TAC) is responsible for the completion of monthly records validations.
- G. It is mandatory that all operators read the monthly L.E.A.D.S. newsletters that are provided. Officers will:
  - a. Review these newsletters.
  - b. Sign or initial the attached sheet that indicates you reviewed it.

**Section 9: Visitation****Subject: Regular Visitation (continued)****Minimum Standard: 5120:1-8-07(A)(B)(C)(D)(E)(G)(H)(I)****Revised: 07/2017****Approved by: \_\_\_\_\_ Date: \_\_\_\_\_****POLICY**

It is the policy of the Erie County Sheriff to provide for a secure jail visitation area that allows for two-way, visually non-obscured communication between the inmate and visitor; that provides for visitor seating; and that physically separates the inmate from the visitor in an effort to prevent contraband from entering the jail. A registry shall be maintained that documents the following information for each inmate visit: date, visitor name(s), inmate name, and length of visit. Visitors shall be required to provide valid identification. Unless any restriction is noted in writing by the Jail Administrator or his/her designee—to include inmates or visitors whose behavior is deemed to present a threat to the safety, security, or best interest of the efficient operation of the jail, inmates will be provided the opportunity for sixty minutes of visitation per week.

**DEFINITION**

Employee—for purposes of this policy, includes the Sheriff, any Deputy Sheriff whose duties are related to jail operations or criminal investigations, and any Corrections Officer.

**PROCEDURES.****1. Visitation Kiosks:**

- a. Visits for male and female inmates will be conducted via audio/video visitation between video kiosks located in jail housing areas and video kiosks, supplied with seating, located in the jail lobby; or personal computers or other audio/video capable electronic communication devices located outside of the jail.
- b. Such video visitation provides for policy compliance by maintaining the physical separation of inmates and visitors and allowing for two-way, non-obscured conversation capability.

**2. Visitor Identification and Registration:**

Prior to the commencement of a visit, the visitor must produce verifiable state or other government agency photo identification. Visitors, upon initially establishing their unique personal account through the video visitation system, will be required to produce acceptable identification through the video system. That form of identification will then be examined and approved by an employee prior to any visit with an inmate by that visitor.

## **Section 9: Visitation**

### **Subject: Regular Visitation (continued)**

**Minimum Standard: 5120:1-8-07(A)(B)(C)(D)(E)(G)(H)(I)**

**Revised: 07/2017**

#### **3. Visitor Register (Log):**

The video visitation system will maintain an electronic registry of all inmate visits to include the date, visitor name, visitor address, inmate visited, and length of the visit.

#### **4. Visitation Schedule:**

- a. Each visitor may visit any inmate(s) who are not otherwise prohibited from visitation for a total of sixty (60) minutes per week, at no cost, from the video kiosks located in the lobby of the Sheriff's Office.
- b. Each visitor may visit any inmate(s) for a total thirty (30) minutes per day from a suitable electronic device outside of the jail for a fee.
- c. Video visitation hours are scheduled from 7:00 AM to 1:15 PM, and again from 2:15 PM to 5:30 PM.

#### **5. Food or Drink:**

The visitor shall not bring any food or drink in the lobby at any time.

#### **6. Children:**

For reasons of public safety and facility security, no person under eighteen years of age may visit an inmate or may be present in the Sheriff's Office lobby, with or without an adult, when the reason for the presence of the child within the building is related in any way to inmate visitation. Children may visit with an inmate via the video visitation system from any location outside of the jail, when a parent or legal guardian is present with the child during the visit.

#### **7. Inmate Visitation Notification:**

Inmates are notified of the presence of a visitor through messages transmitted through the video kiosks in the jail housing areas.

#### **8. Visitation Supervision:**

Video visitations may be monitored by jail employee(s) through the video visitation system.

#### **9. Monitoring and Recording of Inmate Visits:**

All video visits are archived and are subject to being viewed at any time by an employee or other law enforcement personnel.

#### **10. Denial of Visits:**

Visits may be denied if:

- a. The visitor or inmate is disruptive or displays inappropriate conduct or dress.
- b. The visitor has a history of disruptive behavior at the jail.

**Section 9: Visitation****Subject: Regular Visitation (continued)****Minimum Standard: 5120:1-8-07(A)(B)(C)(D)(E)(G)(H)(I)****Revised: 07/2017**

- c. The visitor appears to be under the influence of alcohol or drugs.
- d. The visitor cannot or will not produce proper identification, or does not comply with the information requirements of the video visitation system during initial account setup.
- e. The inmate refuses the visit.
- f. Documented visitation restrictions have been placed on an inmate for reasons related to discipline, security, or other substantial reasons that are deemed necessary for the safety and/or security of the jail.
- g. Visitation privileges may be restored by the Jail Administrator or his/her designee based upon review of the circumstances that led to those privileges being suspended.

# Erie County Jail Visitation Sign-In

Date: Time: 

Officer:

A-K

L-Z

[illegible]

# Control Room Visitation Log

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Control Room: \_\_\_\_\_

[illegible]

## **Section 9: Visitation**

**Subject: Professional / Clergy Visitation**

**Minimum Standard: 5120:1-8-07(J)**

**Revised: 05/1999, 01/2005, 03/2011, 01/2012, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Professional Visits by attorneys of record or clergy shall be permitted as dictated by jail safety and security needs. An attorney of record (criminal, civil, or other attorney of record) and members of the clergy or similarly titled person of any religious sect/group, or denomination of which the inmate practices shall be allowed to visit their client during any reasonable time, both day and evening times, assuming there are no significant security or safety matters existing or expected in the immediate future.

### **PROCEDURE**

#### **A. Professional Visits:**

1. Upon presentation of valid identification, the following personnel will be considered a Professional Visitor and is allowed to visit with an inmate at any reasonable time.
  - a. Judges of Courts within the county.
  - b. Probation officers.
  - c. Members of the Grand Jury.
  - d. Prosecuting Attorney or staff.
  - e. Staff of the Ohio Department of Rehabilitation and Corrections, the Ohio Parole Board and its representatives.
  - f. Peace officers from any law enforcement agency.
  - g. The inmate's attorney of record.
  - h. Social service agency personnel.
  - i. Licensed Bonds persons.
  - j. Any individual with prior approval from the Sheriff or Jail Administration.
2. Professional Visitors are allowed confidential visits.
3. These visits will take place in the Jail Interview Rooms.
  - a. At the request of the visitor, these visits may take place in the visitation rooms.
4. Professional must present valid identification prior to the visit.
5. Visits will take place between 0700-1900 hours.
  - a. The Shift Supervisor may grant a visit outside these hours at their discretion.
6. These visits will be logged as a PROV (Professional Visitor) Event in the Jail Log of the Jail Record Management System. This record should include:
  - a. Date and time of visit.
  - b. Location of visit.
  - c. Name of inmate visited
  - d. Name of person visiting.
  - e. Reason for the visit.



## **Section 9: Visitation**

### **Subject: Professional / Clergy Visitation (Continued)**

**Minimum Standard: 5120:1-8-07(J)**

**Revised: 05/1999, 01/2005, 03/2011, 01/2012, 09/2015**

#### **B. Clergy Visits:**

1. Upon presentation of proper identification, members of the clergy may visit an inmate.
  - a. The visitor must produce credentials identifying him/her as a bona fide clergy member of a church.
2. Visits will take place between 0700-1900 hours.
  - a. The Shift Supervisor may grant a visit outside these hours at their discretion.
3. These visits will be logged as a PROV (Professional Visitor) Event in the Jail Log of the JMS. This record should include:
  - a. Date and time of visit.
  - b. Location of visit.
  - c. Name of inmate visited.
  - d. Name of person visiting.
  - e. Reason for the visit.
4. All clergy visits should be conducted in the visitation rooms.

#### **C. Other Visitors:**

1. Upon presentation of proper identification, visitors from community-based agencies are encouraged to visit Inmates.
  - a. Visitors from agencies such as representatives of halfway homes, veterans help groups, job placement agencies are allowed to visit inmates.
2. These visits will take place in the visitation room at the discretion of the shift supervisor.
3. Visits will take place between 0700-1900 hours.
4. These visits will be logged as a PROV (Professional Visitor) Event in the Jail Log of the JMS. This record should include:
  - a. Date and time of visit.
  - b. Location of visit.
  - c. Name of inmate visited.
  - d. Name of person visiting.
  - e. Reason for the visit.

## **Section 9: Visitation**

**Subject: Special / Contact Visitation**

**Minimum Standard: 5120:1-8-07(J)**

**Revised: 05/1999, 01/2005, 03/2011, 01/2012, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have written policy and procedures that govern contact and special visits. Contact visits, where inmate and visitor are able to meet without barrier may be allowed and monitored at the discretion of the jail administrator or designee. Whenever circumstances prevent either the inmate or their visitor(s) from obtaining the required 30 minutes of visiting time per week, the Jail Administrator or designee may consider allowing a special visit to occur. Applicable circumstances to consider a special visit may include, but not limited to, visitors traveling from a great distance, handicapped visitors, or other situations as determined by the Jail Administrator or designee. The special visitation time may be counted toward the inmate's total allowed weekly visitation time.

### **PROCEDURE**

#### **A. Special Visits:**

1. The following circumstances will be taken into account in deciding whether to allow a visit at times other than the regularly scheduled visiting times:
  - a. The visitors have traveled more than 100 miles and were unaware of, or legitimately unable to comply with, the regular visiting schedule.
  - b. An event of personal significance has occurred for the inmate and the visit may help reduce the ill effects of the event on the inmate.
  - c. The inmate has been placed on Administration Segregation Status, is a Juvenile, or needs to be kept separate from General Population for other reasons.
  - d. Other such circumstances, which have prevented or will prevent a visit from taking place in the regular schedule.
  - e. This decision will be made by the Shift Supervisor.
2. Visits will take place between 0700-1900 hours.
  - a. The Shift Supervisor may grant a visit outside these hours at their discretion.
  - b. The Jail Administrator or designee may develop a set schedule for visitation for inmates placed on Administration Segregation Status, Juvenile Inmates, or inmates that need to be kept separate from General Population for other reasons.
3. These visits will take place in the visitation rooms.
4. The visitor must produce a state issued photo ID. The officer allowing the visit will conduct a LEADS record check on each individual visitor. The officer should watch for TPO/CPO information and not allow any visitor who may be named in the order.
  - a. Dispatch will be notified of any visitor who has an active warrant.
5. These visits will be logged as a VLOG (Visitation Log) Event in the Jail Log of the Jail Record Management System (JMS). This record should include;
  - a. The date and time of visit.
  - b. Visitor's names.
  - c. Visitor's address.
  - d. Inmate visited.

## **Section 9: Visitation**

### **Subject: Special / Contact Visitation (Continued)**

**Minimum Standard: 5120:1-8-07(J)**

**Revised: 05/1999, 01/2005, 03/2011, 01/2012, 09/2015**

- e. Phone visit took place on.
- f. And length of visit.

#### **B. Contact Visitation:**

1. With approval of the Sheriff or Jail Administrator a contact visitation may take place.
2. The following circumstances will be taken into account in deciding whether to allow such visit:
  - a. An event of personal significance has occurred for the inmate and the visit may help reduce the ill effects of the event on the inmate.
3. These visits will take place in Administration Office 006 under direct supervision of Corrections staff from inside the Main Control Room.
  - a. Corrections Officers will supervise the visit visually through the window from Main Control into the office.
4. All visitors will place their personal belongings in a locker and keep the locker key with them during the visit.
5. Food, drinks, bags, purses, backpacks, books, magazines, or any electronic devices such as cell phones, cameras, etc. are not to be permitted.
6. These visits will be logged as a VLOG (Visitation Log) Event in the Jail Log of the JMS. This record should include:
  - a. The date and time of visit.
  - b. Visitor's names.
  - c. Visitor's address.
  - d. Inmate visited.
  - e. And length of visit.
7. A Jail Incident Report should also be written detailing:
  - a. Date and Time of visit.
  - b. Inmates' Name.
  - c. Visitor's Name.
  - d. Who authorized the visit.
  - e. Reason for authorizing the visit.

**Section 10: Medical / Mental Health**

**Subject: Health Authority**

**Minimum Standard: 5120:1-8-09(A)**

**Revised: 07/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a designated health authority with responsibility for health and/or mental health care services pursuant a written agreement, contract, or job description. The health authority may be a physician, health administrator, or agency. When the health authority is other than a local physician, final clinical judgment rest with a single, designated, responsible, local physician licensed in Ohio.

**PROCEDURE**

- A. **The Health Authority for the Erie County Jail is the Erie County Health Department.**
- B. The Erie County Health Department is responsible and authorized to:
  - 1. Provide written policies and procedures specifically designed for the jail for all aspects of this standard that shall be reviewed on an annual basis.
    - a. Written policies and procedures shall be easily accessible to staff and simple to understand.
  - 2. Arranges for all levels of health care, mental health care, and dental care and assures quality, accessible, and timely services for inmates. When necessary medical, mental health, and dental care is not available at the jail, including youth services, inmates are referred to an appropriate setting.
  - 3. Ensure where there is a separate organizational structure for Mental Health Services
    - a. The Erie County Jail will utilize Firelands Regional Medical Center Counseling and Recovery Services.
  - 4. Ensure decision and actions regarding health care and mental health needs are the sole responsibility of qualified health care and mental health professionals.
  - 5. No inmate shall be denied necessary health care, as designated by the health authority.
- C. Final Clinical Judgment rest with:
  - a. **Wendell Craig Eldridge, MD**

**Section 10: Medical / Mental Health**  
**Subject: Credentials**  
**Minimum Standard: 5120:1-8-09(G)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

All health and mental health care personnel who provide services to inmates in the Erie County Jail are appropriately credentialed according to the licensure, certification, and registration requirements of Ohio. Verification of current credentials is on file at the Erie County Jail. Health care staff work in accordance with profession-specific job descriptions approved by the Health Authority.

**PROCEDURE**

1. It is the responsibility of the Jail Administrator to keep the appropriately credentialed, according to the licensure, certification, and registration requirements of Ohio on file at the Erie County Jail.
2. The Erie County Health Department shall develop written policy and procedures for all medical staff in the Erie County Jail.
  - a. Policy and Procedures shall state that the work of the nurses is performed under the supervision of the jail physician.

## **Section 10: Medical / Mental Health**

### **Subject: Continuing Education for Health Trained Personnel**

**Minimum Standard: 5120:1-8-09(U)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

All qualified health care professionals participate annually in continuing education appropriate for their position.

### **PROCEDURE**

- A. During the first year of employment Nurse Staff members will receive 24 hours of training.
- B. Each subsequent year of employment they will receive 2 hours of in-service training addressing specific job assignments and/or jail related issues.
- C. These trainings may include:
  - a. Security procedures and regulations.
  - b. Signs of suicide risk.
  - c. Suicide precautions.
  - d. Use of force regulations and tactics.
  - e. Inmate rules and regulations.
  - f. Key Control.
  - g. Rights and responsibilities of inmates.
  - h. Safety procedures.
  - i. All emergency plans and procedure.
  - j. Interpersonal relations.
  - k. CPR/First Aid.
  - l. Sexual harassment / sexual misconduct awareness.
  - m. Purpose, goals, policies, and procedures for the jail and health department.
  - n. Security and contraband regulations.
  - o. Appropriate conduct with inmates.
  - p. Universal precautions.
  - q. Occupational exposure.
  - r. Personal protective equipment and bio-hazardous waste disposal.

**Section 10: Medical / Mental Health**  
**Subject: Medical and Mental Health Records**  
**Minimum Standard: 5120:1-8-09 (J)**  
**Revised: 07/2004, 05/2011, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall maintain an accurate health and mental health record in written or electronic format. The health authority shall develop policies and procedures concerning; health records remain confidential and area only accessible to personnel designated by the health authority, Corrections Staff may be advised of inmate's health and/or mental health records status only to preserve the health and safety of the inmate, other inmates and/or jail staff (any such authorization shall be at the discretion of the health authority), retention and reactivation of said records if an inmate returns to the facility, and transfer of medical and/or mental health information or record to external provider.

**PROCEDURE**

1. Health Department Nurses assigned to the Jail shall be responsible for maintaining medical records.
2. All inmate medical records are confidential.
3. Medical Records will be kept in the Medical area of the Jail.
  - a. Current inmate medical records are kept in a file that is protected by a locked door in the Nurse's Office.
  - b. Medical Records of previous inmates are stored in locked files in the Medical Storage Room.
  - c. These records are accessible by the Physician, Nursing Staff, and Erie County Health Department medical record auditors.
4. Corrections Staff may be advised of inmate's health and/or mental health records status only to preserve the health and safety of the inmate, other inmates, and/or jail staff.
  - a. Any such authorization shall be at the discretion of the health authority.
5. Medical records are not removed from the Erie County Jail.
  - a. If an external provider requests any inmate(s) medical records they will:
    - i. Submit a request for release of medical information that is either signed by the inmate or a legal order.

**Section 10: Medical / Mental Health**  
**Subject: Confidentiality**  
**Minimum Standard: 5120:1-8-09 (X)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Information about an inmate's health status is confidential. Non health trained staff only has access to specific medical information on a need to know basis in order to preserve the health and safety of the specific inmate, other inmates, volunteers, visitors, criminal justice professionals, or correctional staff. Information provided to correctional staff, volunteers, and visitors address only the medical needs of the inmate as it relates to housing, program placement, security, and transport.

**PROCEDURE**

1. Health Department Nurses assigned to the Jail shall be responsible for maintaining medical records.
2. All inmate medical records are confidential.
3. These records are accessible by the Physician, Nursing Staff, and Erie County Health Department medical record auditors only.
4. Corrections Staff may be advised of inmate's health and/or mental health records status only to preserve the health and safety of the specific inmate, other inmates, volunteers, visitors, criminal justice professionals, or correctional staff.
  - a. Any such authorization shall be at the discretion of the health authority.
  - b. Information provided to correctional staff, volunteers, and visitors address only the medical needs of the inmate as it relates to housing, program placement, security, and transport.



**Section 10: Medical / Mental Health**  
**Subject: Privacy**  
**Minimum Standard: 5120:1-8-09 (Z)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The health authority shall develop a policy whereby health care encounters, including medical and mental health interviews, examinations, and procedures are conducted in a setting that respects the inmate's privacy.

**PROCEDURE**

- A. When discussing or examining an inmate for medical or mental health reasons:
  - 1. The Corrections Officer will:
    - a. Speak to the inmate in a private area away from other inmates using lowered voices.
  - 2. The Nurse will:
    - a. If speaking with the inmate during Medication Pass, ensure other inmates are not around the door and speak using lowered voices.
    - b. If during a Health Appraisal, Sick Call, or other medical reasons in the Medical Exam, ensure that only one inmate is in the Exam Room at a time.

**Section 10: Medical / Mental Health**  
**Subject: Pharmaceuticals**  
**Minimum Standard: 5120:1-8-09 (K)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Pharmaceuticals are managed in accordance with policies and procedures approved by the health authority and in compliance with state and federal law regulations and include; the policies require dispensing and administering prescribed medications by health trained personnel or professionally trained personnel, adequate management of controlled medications, and provisions of medication to inmates in special management units, the jail shall develop a policy, approved by the health authority, regarding incoming medications.

**PROCEDURE**

**A. Accepting Medication**

**1. Medication at Booking:**

- a. Medications in the form of pills or tablets only that are prescribed to a prisoner and that are in properly labeled and currently dated prescription bottles will be accepted, but will not be handled by Corrections Officers.
- b. The transporting officer presenting a prisoner for incarceration will be directed to place any such medications in the inmate medication deposit box located in the jail vehicle sally port prior to the prisoner being admitted into the jail properly, and the Corrections Officer who is made aware of the presence of that medication will be responsible for properly recording the deposit of this medication such that the jail medical staff will be made aware of the existence of the medication.
- c. In the event that a transporting officer presents a prisoner for incarceration with liquid medication that is not suitable for deposit in the jail vehicle sally port medication deposit box, a Corrections Officer may accept that medication and immediately report its receipt to any on-duty jail medical staff employee.
  1. If no such employee is working, the Corrections Officer is authorized to accept such medication, to properly document its receipt, and to properly store that medication in the refrigerator provided until the medication can be retrieved by a member of the jail medical staff.
- d. The keys for the medication deposit box will be placed on the jail nurse's key chain.
  1. An extra set of keys, to be used only in properly documented emergency situations by a Corrections Officer, will be in the key locker in Main Control.
  2. A third set of keys will be placed in the key cabinet in the Dispatch Center, again to be utilized only during a properly documented emergency situation.
- e. At no time will any medications be stored with an inmate's personal property.

**Section 10: Medical / Mental Health**  
**Subject: Pharmaceuticals (Continued)**  
**Minimum Standard: 5120:1-8-09 (K)**  
**Revised:**

- f. The nurse will be responsible for retrieving and verifying the medication from the medical boxes.
- 2. Medication left by Visitor:
  - a. Any member of the public wishing to drop off medication for an inmate will be instructed to place the medication in the inmate medication deposit box located in the Sheriff's Office lobby near the jail access door.
  - b. The deposit of that medication will be properly documented by the Corrections Officer receiving such information so that the jail medical staff will be made aware of the medication's deposit.
    - i. The keys for the medication deposit box will be placed on the jail nurse's key chain.
      - 1. An extra set of keys, to be used only in properly documented emergency situations by a Corrections Officer, will be in the key locker in Main Control.
      - 2. A third set of keys will be placed in the key cabinet in the Dispatch Center, again to be utilized only during a properly documented emergency situation.
  - c. The nurse will be responsible for retrieving and verifying the medication from the medical boxes.
- 3. Medication ordered from the Pharmacy:
  - a. Medications will be delivered by the dispensing pharmacy daily.
  - b. The person making the delivery will make the transfer of the closed, secure container to the nurse or shift supervisor.
  - c. The nurse will compare the contents of the delivery container with the order and sign indicating acceptance.
  - d. At that time the nurse will give the pharmacy delivery person all of that day's medications to be returned to the pharmacy.

**B. Control of Medication**

- 1. All medications will be properly labeled with the inmate's name and locked in the Medication Cart, Narcotic Box, or Cupboards in the Medical Exam Room.
  - a. These storage locations must be locked at all times.
- 2. No inmate is allowed to have possession of any medication, unless approved by medical staff (e.g. inhaler, nitro, eye drops, or cream).

**Section 10: Medical / Mental Health**  
**Subject: Pharmaceuticals (Continued)**  
**Minimum Standard: 5120:1-8-09 (K)**  
**Revised:**

**C. Administration of Medication**

1. The Erie County Health Department Nurses will be responsible for administration of medications to inmates in the Erie County Jail.
  - a. No Corrections Officer will administer any type of medication.
2. All medication shall be administered or distributed according to the orders of the prescribing practitioner (physician or dentist) or jail physician.
  - a. Medication and/or medical supplies are administered in a timely manner and in the prescribed amount and form (e.g. liquid, table) as directed by the physician.
3. Dispensing of medication shall be prohibited.
  - a. Dispensing is the issuance of one or more doses of prescription medicine from a stock of bulk containers with required labeling by a registered pharmacist.
4. Prior to administration of any medication the nurse will:
  - a. Double check mathematical calculations and dosages of drugs.
  - b. Not crush sustained-release tablets or open sustained release capsules.
  - c. Not crush enteric coated tablets, which are meant to be absorbed or activated by stomach acid.
  - d. Not alter carcinogenic or teratogenic tablets or capsules. This might expose the nurse to harmful substances that might be inhaled or absorbed through the skin.
5. During the administration of medication the nurse will:
  - a. Have the inmate complete a mouth sweep after each oral medication is administered.
  - b. Document the medication given.
    1. The administering of all medications (prescription and non-prescription) and medical supplies shall be documented, including the information specified in this policy and the name of the inmate receiving the medication supplies.
6. Any errors in administration of medications will be immediately reported to the shift supervisor, the supervising RN, and the ordering physician.
7. Medication to inmates in special management units (Segregation / Medical Isolation) will be administered in the manner described in this policy.

**D. Release of Medication**

1. The nursing staff will be responsible for all medication releases.
  - a. If the nurse is not on duty when an inmate is released, the inmate will be instructed to return when they are on duty.
2. Corrections Officers will not release medication under any circumstance.

**Section 10: Medical / Mental Health**  
**Subject: Mental Health Services**  
**Minimum Standard: 5120:1-8-09 (M)**  
**Revised: 07/2004, 05/2011, 12/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Inmates evidencing signs of mental illness or developmental disability shall be referred immediately to qualified mental health personnel. The health authority shall develop policies for screening for mental health problems, referral to outpatient services, including psychiatric care, crisis intervention and management of acute psychiatric episodes, stabilization of the mentally ill and prevention of psychiatric deterioration in the jail, referral and admission to inpatient facilities, and informed consent.

**PROCEDURE**

**A. Screening**

1. All inmates will be screened for mental health concerns during the reception process.
  - a. The admitting Corrections Officer will ask mental health specific questions from the Preliminary Health (Receiving) Screen.

**B. Request**

1. Any inmate may request counseling or other psychological services.
  - a. Corrections Officers who have an inmate requesting mental health services will help the inmate fill out a Referral for CDTC assessment.

**C. Referrals**

1. Non-Emergency:
  - a. Corrections Officer would observe an inmate exhibiting signs of emotional or psychological distress, or have an inmate request mental health services will help the inmate fill out a Referral for CDTC assessment.
  - b. Using this form the Corrections Officer will determine the priority level.
    1. If high, the inmate will be moved to an observation cell, placed on watch, and Firelands Mental Health contacted immediately.
    2. If medium, the Corrections Officer will contact Firelands Mental Health to conduct a phone assessment as soon as possible.
    3. If low, the form will be submitted for follow up with the Jail Adjustment Consultation Services.
  - c. Mental Health issues are referred to Firelands Regional Medical Center Counseling and Recovery Services, not the Jail Physician.
    1. There is staff who regularly visits the jail to see inmates in need of consultation.
      - a. When an inmate is seen by Jail Adjustment Consultation Services the Mental Health Professional will complete a Jail Adjustment form.
      - b. This form will be forwarded to the Medical Staff.

**Section 10: Medical / Mental Health**  
**Subject: Mental Health Services (Continued)**  
**Minimum Standard: 5120:1-8-09 (M)**  
**Revised: 07/2004, 05/2011, 12/2011, 10/2015**

- c. Any recommendation made in this form will be immediately followed by the jail staff.
- 2. Emergency:
  - a. The Corrections Officer who discovers a mental health emergency (signs of severe depression, drastic mood changes, suicidal ideation, and hallucinations) will immediately notify other officers on duty of the type of mental health emergency.
    - 1. If the nurse is confronted with a situation when there is a concern that the inmate is in immediate danger of hurting themselves, they will stay with the inmate and call for assistance from officers.
    - 2. If the emergency involves a suicide attempt, officers will follow the Jail Emergency Response Plan – Suicide policy.
  - b. When possible the Corrections Officer will isolate the inmate to a holding cell and place the inmate on an observation watch.
  - c. Firelands Mental Health will be contacted immediately to conduct either a phone assessment or a face to face interview.
  - d. Firelands Mental Health will:
    - 1. Determine if the mental health emergency warrants the inmate being referred to Northern Ohio Psychiatric Hospital (NOPH).
    - 2. Coordinate the necessary tests and information to be provided and requested by NOPH in order for the transportation to be arranged.
    - 3. Provide crisis intervention.
    - 4. Ensure informed consent.
  - e. At the conclusion of any assessment conducted by Firelands Mental Health the Mental Health Professional will complete a Crisis Incident Report.
    - 1. A Copy of this report will be forwarded to the Medical Staff
  - f. In the Event the inmate is to be admitted to NOPH, the shift supervisor will:
    - 1. Notify the Jail Administrator or designee.
    - 2. Prepare an Order to Hold.
  - g. All involved officers will complete a Jail Incident Report in the Jail Record Management System as soon as possible.

**Section 10: Medical / Mental Health**  
**Subject: Intoxication and Detoxification**  
**Minimum Standard: 5120:1-8-09 (W)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The health authority shall develop specific policies and protocols in accordance with local, state, and federal laws for the treatment and observation of inmates manifesting symptoms of intoxication or detoxification from alcohol, opiates, hypnotics, or other drugs. Specific criteria are established for immediately transferring inmates experiencing severe, life-threatening intoxication (overdose) or detoxification symptoms to a hospital or detoxification center.

**PROCEDURE**

**A. Screening**

1. All inmates will be screened for intoxication or detoxification from alcohol, opiates, hypnotics, or other drugs during the reception process.
  - a. The admitting Corrections Officer will ask intoxication and detoxification specific questions from the Preliminary Health (Receiving) Screen.

**B. Observations**

1. Prior to an assessment being conducted, if the inmate is determined to be an intoxication or detoxification risk they will be placed to a Holding Cell.
2. The shift supervisor may place the inmate on a special observation watch, if necessary.

**C. Assessment / Treatment**

1. The Nursing staff shall be responsible for assessing the inmate and notifying the jail physician to begin a treatment plan in accordance with Erie County Health Department Policies and Procedures for the Erie County Jail.

**D. Hospitalization**

1. Inmates experiencing severe, life-threatening intoxication (overdose) or detoxification symptoms will be immediately transferred to Firelands Regional Medical Center, after ordered so by a nurse.
2. Officers shall respond to this situation in accordance with the Jail Emergency Response Plan – Medical Emergencies.

**Section 10: Medical / Mental Health**  
**Subject: Infectious Disease Control Program**  
**Minimum Standard: 5120:1-8-09 (P)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The health authority shall have a written infectious disease control program which collaborates with the local health department and shall include, at minimum an Exposure Control Plan and Standard Isolation Precautions for inmates and staff, which are update annually. The health authority will develop written policy and procedure. Provisions should be made for the screening, surveillance, treatment, containment, and the reporting of infectious diseases. Procedures should be in place for handling bio-hazardous waste and decontaminating medical, dental, and contaminated areas/equipment, which shall comply with applicable local, state, and federal regulations.

**DEFINITIONS**

- A. **Infectious Disease:** A disease that can be transferred from an infected person to another individual. A disease that can be transmitted from one infected organism to another. Infectious Disease can include but not limited to A.I.D.S., Hepatitis, Tuberculosis and M.R.S.A.
- B. **Universal Precautions:** approaches to infectious disease control are designed to prevent transmission of blood-borne diseases, such as AIDS and hepatitis. These guidelines include specific recommendations for use of gloves, masks, and protective eyewear when contact with blood or bodily secretions containing blood or blood elements is anticipated. The protocols used to maintain an aseptic field and to prevent cross-contamination and cross- infection. These include, but are not limited to:
  - a. The isolation and disinfection of the immediate environment
  - b. The use of sterile disposables; scrubbing, masking, gowning, and gloving
  - c. The proper disposal of contaminated waste.

**PROCEDURE**

- A. Screening
  - 1. Reception
    - a. All inmates will be processed using universal precautions.
    - b. During the reception process the admitting Corrections Officer will ask specific questions relating to infectious diseases from questions on the Preliminary Health (Receiving) Screen.
    - c. If an inmate is admitted with a possible communicable disease the shift supervisor will immediately notify the nurse on duty, or on call nurse if after hours.
    - d. The shift supervisor will properly document all actions and any directions received from the nurse regarding treatment of the inmate
    - e. The inmate will be housed in a holding cell until the medical staff evaluates the inmate.



## **Section 10: Medical / Mental Health**

### **Subject: Infectious Disease Control Program (Continued)**

**Minimum Standard: 5120:1-8-09 (P)**

**Revised:**

#### **2. Testing**

- a. A confidential interview shall be performed by the nurse during the Health Appraisal of the inmate.
- b. All inmates received will be screened to determine whether they may be considered from a high risk group for contracting or exposing others to a communicable disease
- c. Inmates who have a history of exposure to a communicable disease shall be interviewed by a medical staff member who may advise of the necessity of further medical attention.
- d. Inmates who show a positive response to a contagious disease test shall receive appropriate follow up medical attention:
  1. All test results shall be maintained in a confidential manner and released only to persons having a medical need to know.
  2. All inmates with a positive infections disease status will be evaluated to determine the stage of their illness. Appropriate treatment will be provided by the jail physician.
  3. Under certain circumstances, court ordered mandatory testing of persons may be necessary.
- e. Procedure for informing inmates of positive test results of a communicable disease shall be:
  1. Inmates who have had tested positive for any reason shall have their test results maintained in a confidential manner.
  2. Inmates are to be informed of the results by the jail physician or his/her designee. Mental or Medical counseling may be considered at the time the results are given.

#### **B. Surveillance**

- a. Inmates who have tested positive for an infectious disease will be evaluated for their need for inpatient care or segregation by the medical director/jail physician.
- b. Positive tested inmates without special medical needs may be housed in the general population.
- c. Any inmate who states he has an infectious disease should be segregated until his/her status and medical needs can be evaluated by the jail physician.
- d. Inmates who have tested positive for a communicable disease and shows constant disregard for the safety of themselves or others may be referred for consideration of administrative segregation.

#### **C. Treatment**

- a. The Jail Physician is responsible for providing appropriate medical treatment and determining the stage of the illness.
- b. The Jail Nursing Staff will ensure the physician's orders are followed.

#### **D. Containment**

- a. Universal Precautions approaches to infectious disease control are designed to prevent transmission of blood-borne diseases, such as AIDS and hepatitis.

**Section 10: Medical / Mental Health****Subject: Infectious Disease Control Program (Continued)****Minimum Standard: 5120:1-8-09 (P)****Revised:**

- b. These guidelines include specific recommendations for use of gloves, masks, and protective eyewear when contact with blood or bodily secretions containing blood or blood elements is anticipated.
- c. The protocols used to maintain an aseptic field and to prevent cross-contamination and cross- infection. These include, but are not limited to:
  - d. The isolation and disinfection of the immediate environment.
  - e. The use of sterile disposables; scrubbing, masking, gowning, and gloving.
  - f. The proper disposal of contaminated waste, which comply with applicable local, state, and federal regulations.

**E. Reporting**

- a. Communication with media regarding infectious diseases will be the responsibility of the Erie County Sheriff with the support of the Erie County Health Department Medical Director and the Community Health Coordinator.

**Section 10: Medical / Mental Health**  
**Subject: Informed Consent**  
**Minimum Standard: 5120:1-8-09 (Y)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The health authority shall develop a policy and procedure requiring that all examinations, treatments, and procedures are governed by informed consent practices and applicable in the jail's jurisdiction.

**PROCEDURE**

1. Inmates will sign the Preliminary Health (Receiving) Screen indicating they have given their informed consent.
  - a. Using question 32 the admitting Corrections Officer will ask the inmate if they consent to be seen and/or treated by medical personnel if need, except in emergency circumstances.
2. Further written consent is required for any treatment or procedure that is invasive and carries some risk of an adverse outcome.
  - a. Not all health encounters require written consent. If the treatment and/or procedure is neither risky nor invasive, consent may be implied when the inmate shows up for the treatment and/or procedure.

**Section 10: Medical / Mental Health**  
**Subject: Health Appraisal**  
**Minimum Standard: 5120:1-8-09(D)**  
**Revised: 07/2004, 05/2011, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Within fourteen days, a licensed nurse, physician, physician's assistance, EMT or paramedic shall complete a health appraisal to determine the medical and mental health condition for each inmate in custody in the Erie County Jail.

**PROCEDURE**

1. The Nurse on duty at the Erie County jail will conduct a Health Appraisal of each inmate that was incarcerated within the previous 24 hours.
  - a. Health Appraisals will take place at a mutually agreed upon time (preferably during A Shift).
2. The Nurse will generate a list of inmates that need to be seen by:
  - a. Running an 'In and Out' Report from the Jail Record Management System Report List Menu for the day of and previous day.
3. Health Appraisals will be conducted daily in the Medical Exam Room of the Erie County Jail.
  - a. Corrections Officers are to provide a safe and secure environment for the Nurse by:
    1. Escorting inmates to and from the Medical Holding Cell.
      - a. The Nurse will advise the officer which inmates are to be seen.
    2. Secure inmates in the Medical Holding Cell.
      - a. A maximum of 6 inmates will be placed in the cell at one time.
    3. Escort each inmate from the holding cell to the Medical Exam Room.
      - a. Ensuring only one inmate at a time is seen by Nurse.
    4. Remain within sight of the inmate while in the exam room.
  - b. The Corrections officer escorting the inmates for the Health Appraisal will log it as a SCAL (Sick Call) Event in the Jail Log of the Jail Record Management System. This record should include:
    1. Date and time.
    2. Name of inmates and officer involved.
    3. Reason for seeing the nurse (Health Appraisal).
4. The Health Appraisal shall at least include the following:
  1. Review of receiving screen.
  2. Collection of additional data to complete the medical, dental, and mental health history.
  3. Laboratory and/or diagnostic tests to detect tuberculosis and other suspected communicable diseases as designated by the health authority.
  4. Recording the height, weight, pulse, blood pressure, and temperature.

**Section 10: Medical / Mental Health**  
**Subject: Health Appraisal (Continued)**  
**Minimum Standard: 5120:1-8-09(D)**  
**Revised: 07/2004, 05/2011, 12/2011, 09/2015**

5. Medical examination as determined by the examiner.
6. Mental health assessment.
7. Initiation of therapy when determined necessary by the examiner.
8. Development and implementation of a treatment plan.
9. Other test and examination as determined by the examiner or health authority.

## **Section 10: Medical / Mental Health**

### **Subject: Complaints**

**Minimum Standard: 5120:1-8-09**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall ensure that there is a daily procedure whereby inmates have an opportunity to report medical and mental health complaints through health trained personnel, or for urgent matters, to any jail employee. The jail employee shall contact the appropriate medical or mental health department immediately. An inmate grievance system for medical and mental health treatment shall be established by the health authority. Both daily complaints and grievance shall be addressed in a timely manner, recorded and maintain on file, reviewed daily by qualified health care personnel and treatment or follow-up shall be provided as necessary.

### **PROCEDURE**

- A. Inmates are able to express medical complaints daily for review by the nursing staff by filling out an Inmate Request Slip, marking the Nurse Box. In the comment field they will list the reason for the medical complaint.
  - a. Any Corrections Officer who receives a request slip from an inmate will place a MDRQ (Medical Request) Event in the Jail Shift Log in the Jail Record Management System.
  - b. This event will include:
    - 1. Date and Time request received
    - 2. Officer entering the event.
    - 3. Inmate making the request.
  - c. These complaints will be:
    - 1. Addressed in a timely manner
    - 2. Recorded and Maintained on File
    - 3. Reviewed Daily by qualified health care personnel and treatment of follow-up shall be provided as necessary.
- B. Inmates may file a grievance concerning medical staff and/or treatment using the procedure outline in this policy in Section 14 Grievances.
  - a. These grievances will be:
    - 1. Addressed in a timely manner.
    - 2. Recorded and Maintained on file.
    - 3. Reviewed Daily by qualified health care personnel and treatment of follow-up shall be provided as necessary.
- C. Any Corrections Officers who becomes aware of a medical and/or mental health complaint that requires urgent attention will notify the shift supervisor:
  - a. The Shift Supervisor will:
    - 1. Speak with the inmate and assess the situation.
    - 2. Contact the on duty or on call Nurse and advise them of the situation.
    - 3. Notify the Jail Administration and/or designee, if necessary.

**Section 10: Medical / Mental Health****Subject: Sick Call****Minimum Standard: 5120:1-8-09(F)****Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

A physician and/or qualified health care professional conducts sick call three times per week. To ensure inmates receive appropriate care, the designated physician or allied medical personnel (LPN, RN) under physician supervision, shall be present at the jail to conduct sick call a minimum of three times per week.

**PROCEDURE**

1. Sick Call will be conducted daily in the Medical Exam Room of the Erie County Jail.
  - a. Sick Call will take place at a mutually agreed upon time (preferably during A Shift).
2. The Nurse will inform the officer assisting with Sick Call of the names of the inmates to be seen.
  - a. The Nurse will generate this list by running a MDRQ (Medical Request) Shift Log Report from the Reports List in the Jail Record Management System.
  - b. Any officer or nurse who receives a request, either in writing or verbally, from an inmate will place a MDRQ Event in the Jail Shift Log in the JMS. This event will include:
    - i. Date and Time request received.
    - ii. Officer entering the event.
    - iii. Inmate making the request.
3. Corrections Officers are to provide a safe and secure environment for the Nurse by:
  - a. Escorting inmates to and from the Medical Holding Cell.
    - i. The Nurse will advise the officer which inmates are to be seen.
  - b. Secure inmates in the Medical Holding Cell.
    - i. A maximum of 6 inmates will be placed in the cell at one time.
  - c. Escort each inmate from the holding cell to the Medical Exam Room.
    - i. Ensuring only one inmate at a time is seen by Nurse.
  - d. Remain within sight of the inmate while in the exam room.
4. The Corrections Officer escorting the inmates for Sick Call will log it as a SCAL (Sick Call) Event in the Jail Log of the JMS. This record should include;
  - a. Date and time.
  - b. Name of inmates and officer involved.
  - c. Reason for seeing the nurse (Sick Call).

**Section 10: Medical / Mental Health**  
**Subject: Personal Physician Treatment**  
**Minimum Standard: 5120:1-8-09 (I)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Inmates can be treated by a personal physician in the jail at their own expense, upon the approval by the jail physician, provided that the current credentials of the personal physician are verified.

**PROCEDURE**

1. Inmates may request services by their private physician or dentist.
2. Services by a private physician or dentist may be rendered either at the jail or at the physician's private office.
3. The nurse will make arrangements for the medical or dental appointment and inform the Jail Administration of them.
4. All inmates that are approved to see a private physician or dentist outside of the jail will need to obtain a furlough through the court.
  - a. Inmates will pre-arrange private transport to and from the appointment.



**Section 10: Medical / Mental Health**  
**Subject: Pregnant Inmate**  
**Minimum Standard: 5120:1-8-09 (Q)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Pregnant inmates shall receive appropriate and timely prenatal care, delivery, and postpartum care, as determined by the health authority.

**PROCEDURE**

- A. The jail nursing staff will be responsible for the verification of the pregnancy.
  - 1. This will be done with a UCG test or sacrum pregnancy, if ordered by the physician.
  - 2. If an inmate reports a missed period, the nurse will do a UCG test the same day.
  - 3. A Verification of Pregnancy form is completed at time of test by the nurse.
  - 4. The nurse will ensure all data is documented promptly and accurately.
- B. If the test is positive, the inmate will be scheduled to see the physician at the next opportunity.
  - 1. The inmate will be placed on a Special Diet (Prenatal). Meals will have extra fruits, vegetables, and milk.
  - 2. Vitamin Supplements will be ordered by the physician.
  - 3. No restricted activity unless ordered by the physician.
- C. Thereafter the inmate will be seen at the Erie County Health Department Prenatal Clinic base on the following schedule:
  - 1. Up to 32 weeks: Monthly physician exam. The jail nurse will assess as needed.
  - 2. 32 to 36 weeks: Physician will see every 2 weeks. The jail nurse will check inmate's weight, vital signs, urine dip, and check for edema weekly or as needed.
  - 3. 36 to 40 weeks: Physician will see every week. The jail nurse will check inmate's weight, vital signs, urine dip, and check for edema weekly or more frequently as needed.
- D. All deliveries will be done at Firelands Regional Medical Center. In the event of signs of labor Corrections staff shall follow the Jail Emergency Response Plan – Medical Emergency policy.
- E. All postpartum care will be provided by Firelands Regional Medical Center Counseling and Recovery Services. Corrections Staff shall follow the Medical / Mental Health – Mental Health Services policy.

**Section 10: Medical / Mental Health**  
**Subject: Special Nutritional and Medical Diets**  
**Minimum Standard: 5120:1-8-09 (V)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Inmate diets are modified when ordered by the appropriate licensed individual to meet specific requirements related to clinical conditions. Special nutritional and medical diets are prepared and served to inmates according to the orders of the treating clinician or as directed by the responsible health authority official.

**PROCEDURE**

- A. If an inmate requests a special diet for medical reasons, the officer receiving such request will channel it by normal sick call procedures to the nurse. After the Jail physician or nurse reviews the request and determines that a modified diet is appropriate, written instructions as to the dietary needs of the inmate will be forwarded to the Jail Administrator and kitchen personnel.
- B. It will be the responsibility of the food service employees to ensure special nutritional and medical diets are prepared and served to inmates according to the orders of the treating clinician or as directed by the responsible health authority official.

**Section 10: Medical / Mental Health**  
**Subject: Dental Care**  
**Minimum Standard: 5120:1-8-09 (L)**  
**Revised: 07/2004, 03/2011, 12/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Inmates shall be provided dental and oral care under the direction and supervision of a dentist licensed in the State of Ohio. There is a system of established priorities for care, when in the dentist's judgment; the inmate's health would otherwise be adversely affected. Emergency dental care shall be available for inmates either through a dentist or clinic for acute dental problems (e.g. severe pain, infection, bleeding gums, and broken dental prosthesis necessary for eating).

**PROCEDURE**

**A. Emergency Dental Care**

1. When an inmate reports a dental emergency (such as broken tooth, swelling of the jaw area, or extreme pain) to a Corrections Officer they shall notify the Shift Supervisor immediately.
2. The Shift Supervisor shall verify:
  - a. Verify the emergency.
  - b. Notify the nurse and request assistance.
  - c. If a nurse is not available, the Supervisor will contact the nurse on call.
3. After consultation with the nurse, the Shift Supervisor shall determine if the inmate should be transported to Firelands Regional Medical Center for emergency treatment.
4. When an inmate reports a dental emergency to the nurse, they shall:
  - a. Refer the inmate to the jail physician at the earliest possible time.
  - b. The jail physician may refer the inmate to the jail dentist.
5. If the inmate is transported, the Jail Emergency Response Plan - Medical Emergency procedures will be followed.
6. Involved officers and medical staff shall document all pertinent reports and observations.

**B. Routine Dental Care**

1. Each inmate is provided with a toothbrush and toothpaste.
2. Additional dental hygiene supply items may be purchased from the commissary.

**C. Extended Dental Care**

1. For those inmates who have been in the Erie County Jail more than six months, professional dental services are available
2. The inmate should request to see the jail physician and explain to the jail physician the dental procedures requested.
3. The jail physician shall refer the inmate to the jail administrator using the Medical Referral Form.
4. The Jail Administrator will approve the appointment for the inmate and return the form to the jail physician.
  - a. If the appointment is not approved, the Jail Administrator will note the reason for non-approval on the form and notify the inmate.

## **Section 10: Medical / Mental Health**

### **Subject: Optical Care**

#### **Minimum Standard:**

**Revised: 09/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

It is the policy of the Erie County Sheriff to provide Erie County Jail inmates with appropriate optical care and to ensure that, to the extent practicable, inmates are in possession of prescription eyeglasses and/or contact lenses.

### **PROCEDURES**

- A. Any inmate requesting optical care shall inform the jail nurse during regular sick call of his/her request.
  - 1. The jail nurse will notify the jail physician of the inmate's request.
  - 2. The jail physician will review the request and, if necessary, will address the request according to accepted medical standards. Generally, jail inmates will be afforded optical care on an emergency basis; however, all optical care provided is at the discretion of the jail physician.
  - 3. An emergency optical care situation—including obvious physical injuries to an inmate's eye and/or complaint of sudden onset of impaired vision—shall be immediately addressed as would any other medical emergency by the Corrections Officer being so notified of the issue and/or the jail medical staff.
- B. Corrections Officers, upon inmate intake or at any time thereafter upon the inmate's request, will attempt to make arrangements on behalf of an inmate for the delivery to the jail of any prescription glasses, contact lenses, and/or contact lens supplies that the inmate may claim to need for proper vision if such items were not in the inmate's possession upon intake. If there is any reasonable doubt about the need for such glasses, contact lenses, or contact lens supplies, then the Corrections Officer to whom the request is made and/or his/her supervisor—at his/her discretion—and/or the jail nursing staff may contact the inmate's optometrist or ophthalmologist for confirmation of the prescription.

Upon delivery of the eyeglasses, contact lenses, and/or contact lens supplies to the jail the Corrections Officer receiving such items will inspect them for the presence of contraband. If no contraband is located, the Corrections Officer receiving the items will immediately cause for those items to be provided to the inmate in question, and the delivery of those items will be promptly and properly logged in association with the inmate's personal record. Conversely, if contraband is located during the inspection of the items, the inmate will receive none of the items; the items will be secured as evidence; and an appropriate report will be immediately completed and forwarded to the

**Section 10: Medical / Mental Health**

**Subject: Optical Care (continued)**

**Minimum Standard:**

**Revised: 09/2017**

Jail Administrator. The fact that the inmate was denied the items due to the presence of contraband will be properly logged in association with the inmate's personal record.

**Section 10: Medical / Mental Health****Subject: Body Lice****Minimum Standard:****Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the policy of the Erie County Jail to identify and treat all cases of Pediculosis (lice) or other forms of Ectoparasitic Infestations, such as scabies, as soon as practical on admission. However, to avoid potential facility-wide infestations, all inmates, upon admission, will follow the procedure below.

**PROCEDURE**

- A. During routine showering procedures, the inmate will be required to use A-200 Pediculocide shampoo according to directions listed below and found on the package.
  1. The Corrections Officer will dispense 1 ounce of A-200 Pediculocide shampoo (the amount dispensed may be increased accordingly if hair is long or hairy areas are extensive).
  2. Inmate will apply shampoo to dry hair and scalp and other potentially infested areas, using enough to completely wet areas being treated.
    - a. Massage shampoo in being careful to avoid getting product in eyes.
    - b. Allow product to remain for 10 minutes (no longer).
    - c. Add small amount of water and work into a lather.
    - d. Rinse thoroughly using warm water.
    - e. Towel dry.
    - f. If shampoo gets in eyes, flush with large amounts of water.
  3. If infestation is evident, follow the above procedure. Additionally, the following steps need to be followed:
    - a. Following the above procedure the hair should be combed with special fine-toothed comb to remove dead lice and eggs.
    - b. Treatment may be repeated in 7 to 10 days.
    - c. If re-infestation is evident, treatment may be reported sooner, however no more frequently than 2 applications in 24 hours.
    - d. All infested clothing and bedding should be plastic bagged and marked. Once bagged and marked, they should be laundered and dried separately.
    - e. Articles bagged but not washable should remain bagged in an intact plastic bag for 10 days before being re-used.
    - f. Following treatment for infestation, the inmate should be re-checked by the nurse for demonstrable living lice or new nits.

**Section 10: Medical / Mental Health**  
**Subject: Inmate Death**  
**Minimum Standard: 5120:1-8-09 (AA)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

In all inmate deaths, the health authority determines the appropriateness of clinical care; ascertains whether corrective action in the system's policies, procedures, or practices is warranted; and, identifies trends that require further study.

**PROCEDURE**

1. In the event of an in custody death at the Erie County Jail, Corrections Officers will act in accordance with the Jail Emergencies Response Plan – Deaths policy.
2. The medical examiner or coroner should be notified of the inmate's death immediately.
  - a. The Jail Administrator, or designee, will notified the Chief Deputy of the death, who will then notify the Erie County Coroner's Office.
  - b. A postmortem examination should be performed, according to the laws of the jurisdiction, if the cause of death is unknown, the death occurred under suspicious circumstances, or the inmate was not under current medical care.
3. The Erie County Health Department will be responsible for determining the appropriateness of clinical care, whether corrective action in the system's policies, procedures, or practices is warranted and to identify trends that require further study.

## **Section 10: Medical / Mental Health**

### **Subject: Medical Co-Pay**

#### **Minimum Standard:**

#### **Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

In accordance with Resolution Number 02-210, the Erie County Sheriff Office Policies, Ohio Revised Code Section 341:06 and the Minimum Standards for the State of Ohio (5120:01-08-09, Medical Services), the Erie County Sheriff's Office will institute a Medical Co-Pay policy, charging sentenced inmates a nominal fee for medical services and medications. The cost of such services shall not exceed the actual cost, nor shall services or medication be denied due to insufficient funds. In all cases the current Medical Services policy shall be observed. The purpose of this policy is an attempt to curtail and control the increasing medical expenditures generated by the inmates at the Erie County Jail. At no time shall proper medical treatment be denied for any reason, including insufficient funds.

## **Definitions**

**Initial sick call:** shall be defined as the first initial evaluation completed by the Jail Medical Staff that is mandatory for all inmates incarcerated for a period longer than 24 hours.

**Immediate Medical Care:** is defined as that care which needs immediate medical attention.

**Billable Sick Call:** is defined as medical services for non-emergency illness or injury.

**Doctor Call:** shall be when an inmate requests to see the doctor for a non-emergency illness or injury, or when the Nursing Staff determines that an inmate needs to see the Doctor for follow-up to any sick call event. If an inmate visits the Doctor they will not be charged for both a sick call and doctor call unless it is at the inmate's request.

**Sentenced Inmate:** shall be defined as any inmate who has been adjudicated to a specific term of confinement as ordered by a court of law.

## **PROCEDURE**

### **A. Medical Fee Schedule**

1. Doctor Visit: \$10.00
2. Prescription Medication: \$4.00 each
3. Tylenol: \$0.30
4. Antacid: \$0.25
- 5.

### **B. During the initial sick call event, the jail nursing staff, as part of the initial evaluation, will explain to the inmate the procedure for additional sick calls, and the policies pertaining to the Medical Co-Payment procedures. A copy of the policy that lists fees may be provided at the inmate's request.**



**Section 10: Medical / Mental Health**  
**Subject: Medical Co-Pay (Continued)**  
**Minimum Standard:**  
**Revised:**

- C. During the daily procedures, the nurse on duty will document the services rendered in which the Medical Co-Payment policies apply. At the end of each shift the nursing staff will forward the medical Co-Pay report to the Jail Administrator or his designee for withdrawal of funds from the inmate's account.
- D. If the inmate is indigent at the time of services, the inmate commissary account system will record a negative balance allowing for payments to be recouped at a later date.
- E. The Jail Administrator will be responsible for maintaining accounts and keeping a detailed ledger of all transactions associated with the inmate Medical Co-Payment Policy. A monthly report shall be submitted to the Sheriff for his review. All revenue encumbered shall be paid to the Inmate Commissary Account in accordance to RC 341.06(B)(1).
- F. The normal grievance procedure as defined in the Erie County Jail Rules and Regulations Pamphlet shall be utilized for any discrepancies or complaints pertaining to Medical Co-Payment issues.

**Section 10: Medical / Mental Health**  
**Subject: Continuous Quality Improvement Program**  
**Minimum Standard: 5120:1-8-09 (S)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The health authority shall develop a Continuous Quality Improvement Program (CPI) system of monitoring and reviewing, at least annually, the fundamental aspects of the jail's health and mental health care system, including but not limited to, access to care, the intake process, emergency care and hospitalizations, and adverse inmate occurrences, including death. Periodic chart reviews are included to determine the timeliness and appropriateness of the clinical care provided to inmates.

**PROCEDURE**

- A. The Erie County Health Department will conduct on-site monitoring of health service performance that may include:
1. Chart reviews of signed orders by the physician and their designee, including investigation of complaints and quality of health records.
  2. Reviewing of prescribing practices and administration of medication practices
  3. Logging the investigation of complaints and grievances
  4. Reviewing all deaths in custody, serious suicide attempts, and contagious illness outbreaks.
  5. Monitoring of corrective action plans.
  6. Maintaining appropriate records of internal review activities, issuing an annual report to the jail administrator of the findings of internal review activities, and ensuring records of internal review activities comply with legal requirements on confidentiality of records.

## **Section 11: Food Service**

### **Subject: Food Service**

**Minimum Standard: 5120:1-8-10(A)(B)(C)(D)(E)(F)(G)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

All food service operations shall comply with rules and regulations set forth by the Erie County Department of Health in an effort to maintain the health of inmates at the Erie County Jail. Foods prepared and served in the jail will be of the highest nutritional quality and with the greatest variety possible within budgetary constraints. Inmates shall be served three meals daily at regularly scheduled intervals, not to exceed fourteen hours between meals. Menu cycles and contents shall be evaluated and approved annually by a licensed nutritionist or registered dietitian nutritionist. Records of food items shall be maintained pursuant to the jail's record retention schedule. The jail shall make provisions for modified diets by physician's order or to accommodate the mandatory dietary requirements of a recognized religion practice by an inmate. All persons involved in the preparation of food shall receive a pre-assignment medical examination and annual re-examinations. All food handlers are to wash their hands upon reporting for kitchen duty, after restroom breaks, and/or after handling unsanitary items. The assigned food service manager is responsible for a healthy and sanitary kitchen environment and shall immediately address any health or cleanliness issues with kitchen staff or inmate workers. Food shall not be withheld from inmates as punishment.

### **PROCEDURE**

#### **A. Health Department Rules and Regulations**

1. It shall be the responsibility of the food service manager to ensure all food service operations comply with the rules and regulations of the Erie County Health Department.

#### **B. Inspection**

1. The County Health Department or Ohio Department of Food Service may conduct an inspection of the food service program of the Erie County Jail at any time.
2. The kitchen shall also be inspected for fire safety by the Perkins Fire Department.

#### **C. Meal Schedule**

1. All inmates, including those in disciplinary confinement, shall be served three meals a day at regularly scheduled intervals, with no span to exceed 14 hours between meals.
  - a. Breakfast – between 0600 and 0630.
  - b. Lunch – between 1130 and 1200.
  - c. Dinner – between 1700 and 1730.

#### **D. Menu Cycles and Contents**

1. The food service vendor shall plan menus. Menus, menu cycles, and contents shall be evaluated and approved in writing by a qualified dietician. Food shall be served fresh, in reasonable variety.

## **Section 11: Food Service**

### **Subject: Food Service (Continued)**

#### **Minimum Standard: 5120:1-8-10(A)(B)(C)(D)(E)(F)(G)**

#### **Revised:**

##### **E. Documentation**

1. All meals and their contents shall be documented on the jail log using the FEED (Meal Pass) Event in the Jail's Record Management System. The documentation should indicate:
  - a. What area of the jail the meal pass was in.
  - b. The officer conducting the meal pass.
  - c. A description of the meal (i.e. Dinner served: hotdogs, fries, salad, orange, coffee.)
2. Any inmate refusing to accept a meal should be documented as a MLRF (Meal Refused) Event.

##### **F. Special Diets**

1. Medical: If an inmate requests a special diet for medical reasons, the officer receiving such request will channel it by normal sick call procedures to the nurse. After the Jail physician or nurse reviews the request and determines that a modified diet is appropriate, written instructions as to the dietary needs of the inmate will be forwarded to the Jail Administrator and kitchen personnel.
2. Religious: All reasonable efforts shall be made to accommodate the dietary needs of an inmate for religious reasons. Requests for such modifications shall be forwarded, in writing, to the Jail Administrator, who shall consult with an appropriate authority regarding necessary compliance.

##### **G. Screening / Examinations**

1. Non-Inmate personnel working in food service shall be initially screened for contagious diseases by qualified personnel provided by the food service vendor and annual re-examinations.
2. All inmate workers assigned to the kitchen will be screened for contagious diseases by jail medical personnel prior to their assignment.
3. All inmate workers must be checked for wants and warrants through LEADS prior to being assigned to the kitchen.
4. Inmate workers should review and sign their job assignment information sheet.

##### **H. Sanitary**

The Food Service Manager or designee is responsible for a healthy and sanitary kitchen environment. All health and cleanliness issues must be immediately addressed by kitchen staff or inmate workers. All food handlers will wash their hands upon reporting for kitchen duty, after restroom breaks, and/or after handling unsanitary items.

##### **I. Service**

1. Breakfast Pick-up: All breakfast trays should have been prepared by the prior kitchen staff shift. Officers will enter the kitchen in the morning and retrieve the counted trays and beverage containers to be served.
2. Kitchen staff will notify main control when food carts containing the afternoon and evening meal trays are ready for distribution. Officers will receive and account for the trays accepted. Officers may assign kitchen workers to assist in passing out food trays.

##### **J. Tray disbursement:**

1. Officers will directly supervise those workers who are assisting in passing out trays. Only

## **Section 11: Food Service**

### **Subject: Food Service (Continued)**

**Minimum Standard: 5120:1-8-10(A)(B)(C)(D)(E)(F)(G)**

**Revised:**

corridors inside the security area will be used when transporting food carts to or from the kitchen area.

2. The control officer will summon each housing unit by voice intercom to the food pass located at the entrance into each housing unit. Where applicable, trustees will place food carts into the sally port area and secure before food passes are opened.
3. The officer, when supervising serving, will be especially vigilant to guard against any attempts of an inmate intimidating another into surrendering any part of a meal. Payment of debts using food is forbidden. Should an officer suspect this type of activity, a jail narrative should be written and the Shift Supervisor informed.
4. Inmates confined to their cell will have a tray delivered to the cell through the door by the rover supervising the distribution of meals.
5. Inmates will be issued one complete food tray, one spork, and one beverage serving.

#### **K. Tray return**

1. When serving has been completed, officers will directly supervise the workers collecting the trays. All issued food service items must be accounted for. Once all issued items have been accounted for and returned to the food carts, the main control operator will instruct the kitchen workers to transport the items back to the kitchen.

#### **L. Complaints**

1. Complaints from inmates about jail food are common, but the officer who receives such complaints will properly document consistent complaints from several inmates. The officer receiving the complaints shall notify the Shift Supervisor. Inmates may also use the grievance mechanism outlined in the inmate handbook to register complaints.

## **Section 12: Recreation and Programming**

### **Subject: Exercise**

**Minimum Standard: 5120:1-8-11(A)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Exercise and/or equipment for inmates shall be provided and the jail shall ensure that inmates are offered at least five hours per week. A full size indoor gym and 2 outdoor half court gyms are available for inmate use.

### **PROCEDURE**

#### **A. Recreation Programs**

##### **1. Indoor gym**

- a. Will take place in the full size indoor gym.
- b. Basketballs are available for inmate use.
- c. Inmates are permitted to jog around the outside of the gym area.
- d. Inmates are permitted to perform calisthenics in the gym area.
- e. Inmates wishing to participate in gym activities must wear
  1. Gym shoes.
  2. Gym shirt.
  3. Gym shorts.
- f. Sandals and regular uniforms should not be worn in any gym area.
- g. Officers should inspect recreation areas for security concerns and contraband that may have been left behind by others prior use.

##### **2. Outdoor Gym**

- a. Will take place following the same guidelines as Indoor Gym, except the following conditions:
  1. Will take place in the either of the outdoor half court gyms.
  2. Will be scheduled when weather permits:
    1. Outdoor Gym will only be allowed if the air temperature is at least 50 degrees with no precipitation and no standing water on the ground.

#### **B. Schedule**

1. During normal jail operating conditions, the following schedule should be used to determine opportunities for recreation.
  - a. E control:
    - i. Monday through Saturday 1000 to 1400 hours.
  - b. B Control:
    - i. Monday, Thursday, Friday, Saturday, and Sunday 1400 to 1600.
  - c. A Control Inmates:
    - i. Monday, Thursday, Friday, Saturday, and Sunday 1600 to 2100.
  - d. For special needs inmate and security risk, the shift supervisor will decide their schedule depending on schedule availability after 2100 hours.

## **Section 12: Recreation and Programming**

### **Subject: Exercise (Continued)**

**Minimum Standard: 5120:1-8-11(A)**

**Revised:**

#### **C. Eligibility**

1. All inmates will be allowed to participate for at least five hours of dayroom/indoor/outdoor recreation per week, unless medical staff determines their physical condition prevents them from participating.
  - a. The Nursing Staff will be responsible for placing inmates with physical condition that prevents them from participating in gym on the No Gym List.
  - b. The C Shift Supervisor will run a No Gym Report from the Jail's Record Management System Report List and place 1 copy in each of the control rooms and the Jail Sergeant's Office.
  - c. It is the responsibility of the officer working the control board of the area sending the inmates to gym to ensure they are not on the No Gym List.
2. Recreation should not interfere with mandatory scheduled activities such as Meals, Laundry Exchange, Visitation, etc. If a conflict between programs (church, AA, etc.) occurs, the inmate will be allowed to decide which program they wish to attend.

#### **D. Recording**

1. The Corrections Officer conducting recreation will:
  - a. Ascertain those housing areas and inmates wishing to participate in recreation activities.
  - b. Verify the eligibility of participation by checking the No Gym List.
  - c. Log the Gym Event as either a GYMI (gym indoor) or GYMO (outdoor gym) Event in the Jail Log of the JMS. This event will included:
    - i. Date and Time of Gym.
    - ii. Inmates that participated.
    - iii. Officer sending the inmates.
  - d. Only inmates from the same assigned pods or dorms will be allowed in the same gym area at the same time.
  - e. Because of safety concerns, participants are not allowed to play full court basketball games.

#### **E. Monitoring**

1. Prior to Gym being conducted, the Corrections Officer assigned as E Control Rover will inspect the Gym Area that inmates are being sent to.
  - a. They will look for any contraband and/or security issues and ensure the gym area is clean.
2. The Corrections Officer assigned to E Control Board will monitor the inmates during the gym time from the control board using the CCTV system and visually through the windows.

## **Section 12: Recreation and Programming**

### **Subject: Dayroom Activities**

**Minimum Standard: 5120:1-8-11(B)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall provide for inmate television viewing and table games.

### **PROCEDURE**

#### **A. Television**

1. Each Housing Unit will have a Television.
2. Viewing is allowed from 0700 to 2300 hours daily, provided it does not interfere with required jail activities.

#### **B. Board Games**

1. Board games are available in each housing unit.
  - i. Broken and/or games missing pieces should be removed from the unit and replaced by the corrections officer assigned to that area.
2. Play cards are available for purchase on commissary.



**Section 12: Recreation and Programming**  
**Subject: Reading Materials**  
**Minimum Standard: 5120:1-8-11**  
**Revised: 06/2005, 04/2011, 01/2012, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall provide inmate access to reading and printed materials, at the discretion of the jail administrator or designee, but should be in sufficient quantity, variety, and in good conditions.

**PROCEDURE**

**A. Library**

1. The Erie County Jail has a large selection of books available for loan within the facility.
2. Inmates will be given the opportunity to visit the jail library once a week using the following schedule:
  - a. B Control
    1. Sundays, 1200 – 1400 hours.
  - b. E Control
    1. Sundays, 1400 – 1600 hours.
  - c. A Control
    1. Sundays, 1600 – 1900 hours.
3. Inmates will be allowed to take 2 books from the library back to their housing area.
4. The Corrections Officer conducting library will log it as a LIBR (Library) Event in the Jail Log of the Jail Record Management System. This record should include:
  - a. Date and time of library.
  - b. Name of inmates going to library.
  - c. Officer conducting library.
5. At the supervisor's discretion, inmates will be allowed access to library books outside of the scheduled time.
6. Inmates must be directly supervised at all times during library.

**B. Newspapers**

1. A copy of a newspaper will be provided for each housing area.
2. Newspapers will be distributed upon receipt at the Jail.
3. Inmates will not be allowed to accumulate newspapers in their housing areas.
4. The Corrections Officer passing the newspapers library will log it as a NEWS (Newspaper) Event in the Jail Log of the Jail Record Management System, this record should include:
  - i. Date and time of pass.
  - ii. Area of the jail that received the newspaper.
  - iii. Officer passing the newspaper.

**Section 12: Recreation and Programming**  
**Subject: Inmate Program – Alcohol Abuse Treatment**  
**Minimum Standard: 5120:1-8-11(D)**  
**Revised: 07/2001, 04/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall provide the opportunity for drug abuse treatment. The Erie County Jail shall outline eligibility requirements for inmates to participate in programs and guidelines and training requirements for outside agency personnel within the facility.

**PROCEDURE**

**A. Eligible Inmates**

1. Inmates may request to participate in the weekly Alcohol Anonymous meeting by submitting a request form indicating so.
  - i. Bayshore Counseling and Recovery Services will provide a counselor to conduct the meetings.
2. The officer receiving the request will place an IPAA appointment for that month in the inmates Appointment Screen in the Jail's Record Management System (JMS).
3. The Program's Officer will use the IPAA appointment list to create a list of eligible inmates, and place them on the approved list group (EAAA, AAAA, BA1, and BA2).
4. Inmates will be eligible for IPAA based on the following:
  - a. A maximum of 10 inmates for each group.
  - b. Inmates will be placed on the list based on how long they have been incarcerated in the jail.
  - c. Inmates who have been placed on the approved list, but refuse to go will be removed from the list and will not be allowed to attend for 4 weeks, or until a spot opens again.
  - d. Inmates with Keep Separates that conflict with IPAA will not be eligible.
  - e. The final decision on eligible inmates is that of the counselors from Bayshore Counseling and Recovery Services.

**B. Schedule**

1. E Control
  - a. Mondays, 1400 – 1500 hours.
2. A Control
  - a. Mondays, 1500 – 1600.
3. B Control
  - a. Group 1, Fridays 1400 – 1500.
  - b. Group 2, Fridays 1500 – 1600.

## **Section 12: Recreation and Programming**

### **Subject: Inmate Program – Alcohol Abuse Treatment (Continued)**

**Minimum Standard: 5120:1-8-11(D)**

**Revised: 07/2001, 04/2011, 10/2015**

#### **C. Recording**

1. The corrections officer conducting IPAA will log it as an IPAA (Inmate Program AA) Event in the Jail Log of the JMS. This record should include;
  - a. Date and time.
  - b. Name of inmates going.
  - c. Officer conducting IPAA.

#### **D. Monitoring**

1. IPAA will be conducted in the Jail Classroom
2. The officer conducting IPAA will run a report list for the group to attend (EAAA, AAAA, BA1, and BA2) from the Report List of the JMS.
3. Using that list the officer will escort the eligible inmates to the classroom.
4. The officer assigned to the E Control Board will monitor the IPAA group using the CCTV system.
5. After IPAA is over, the officer conducting it will return the inmates to their housing unit.
  - a. Prior to this each inmate will be search for contraband.

#### **E. Training**

1. Prior to allowing the counselor to see inmates, the jail will screen and train the counselor in accordance with the Staff - Use of Volunteers Policy of this Policy Manual.

**Section 12: Recreation and Programming**  
**Subject: Inmate Program – Drug Abuse Treatment**  
**Minimum Standard: 5120:1-8-11(D)**  
**Revised: 07/2001, 04/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall provide the opportunity for drug abuse treatment. The Erie County Jail shall outline eligibility requirements for inmates to participate in programs and guidelines and training requirements for outside agency personnel within the facility.

**PROCEDURE**

**A. Eligible Inmates**

1. Inmates may request to participate in the weekly Bayshore Counseling and Recovery Services meeting by submitting a request form indicating so.
  - i. Bayshore Counseling and Recovery Services will provide a counselor to conduct the meetings.
2. The officer receiving the request will place a BAYS appointment for that month in the inmates Appointment Screen in the Jail's Record Management System (JMS).
3. Inmates will be eligible for BAYS based on the following:
  - a. A maximum of 10 inmates for each group.
  - b. Inmates will be placed on the list based on how long they have been incarcerated in the jail.
  - c. Inmates who have been placed on the approved list, but refuse to go will be removed from the list and will not be allowed to attend for 4 weeks, or until a spot opens again.
  - d. Inmates with Keep Separates that conflict with IPBA will not be eligible.
  - e. The final decision on eligible inmates is that of the counselors from Bayshore Counseling and Recovery Services

**B. Schedule**

1. Male Inmates
  - a. Mondays, 0900 – 1000 hours.
2. Female Inmates
  - a. Mondays 1000 – 1100 hours.

**C. Recording**

1. The Corrections Officer conducting Bayshore will log it as an IPBS (Inmate Program Bayshore) Event in the Jail Log of the JMS. This record should include:
  - a. Date and time.
  - b. Name of inmates going.
  - c. Officer conducting BAYS.

## **Section 12: Recreation and Programming**

### **Subject: Inmate Program – Drug Abuse Treatment (Continued)**

**Minimum Standard: 5120:1-8-11(D)**

**Revised: 07/2001, 04/2011, 10/2015**

#### **D. Monitoring**

1. IPBS will be conducted in the Jail Classroom
2. The officer conducting IPBS will run a report list for the group to attend (BAYS) Report List of the JMS.
3. Using that list the officer will escort the eligible inmates to the classroom.
4. The officer assigned to the E Control Board will monitor the IPBS group using the CCTV system.
5. After IPBS is over, the officer conducting it will return the inmates to their housing unit.
  - a. Prior to this each inmate will be searched for contraband.

#### **E. Training**

1. Prior to allowing the counselor to see inmates, the jail will screen and train the counselor in accordance with the Staff - Use of Volunteers Policy of this Policy Manual.

**Section 12: Recreation and Programming**  
**Subject: Inmate Program – Academic Training**  
**Minimum Standard: 5120:1-8-11(D)**  
**Revised: 07/2001, 04/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall provide the opportunity for academic training. The Erie County Jail shall outline eligibility requirements for inmates to participate in programs and guidelines and training requirements for outside agency personnel within the facility.

**PROCEDURE**

**A. Eligible Inmates**

1. Inmates may request to participate in the General Education Development (GED) Program by submitting a request form indicating so.
2. The officer receiving the request will place an IPGED appointment for that month in the inmates Appointment Screen in the Jail's Record Management System (JMS).
  - i. The officer will also notify the Jail Administrator of the request.
3. Only inmates sentenced to the Erie County Jail for 3 months or longer will be eligible for GED.

**B. Schedule**

1. Once approved for GED, the Jail Administrator will contact a GED instructor and arrange for date and times for the instructor to meet with the inmate.
  - a. GED will take place in the Jail Interview Rooms.

**C. Recording**

1. The Corrections Officer conducting the GED will log this as a PROV (Professional Visitor) Event in the Jail Log of the Jail Record Management System. This record should include:
  - a. Date and time.
  - b. Name of inmate.
  - c. Name of GED Instructor
  - d. Name of officer logging the event.

**Section 12: Recreation and Programming**  
**Subject: Inmate Program – Psychological Services**  
**Minimum Standard: 5120:1-8-11(D)**  
**Revised: 07/2001, 04/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall provide the opportunity for psychological services. The Erie County Jail shall outline eligibility requirements for inmates to participate in programs and guidelines and training requirements for outside agency personnel within the facility.

**PROCEDURE**

**A. Eligible Inmates**

1. Inmates may request to participate in the weekly Firelands Mental Health Group meeting by submitting a request form indicating so.
  - i. Firelands Regional Medical Center Counseling and Recovery Services will provide a counselor to conduct the meetings.
2. The officer receiving the request will place an IPFM appointment for that month in the inmates Appointment Screen in the Jail's Record Management System (JMS).
3. Inmates will be eligible for IPFM based on the following:
  - a. A maximum of 10 inmates for each group.
  - b. Inmates will be placed on the list based on how long they have been incarcerated in the jail.
  - c. Inmates who have been placed on the approved list, but refuse to go will be removed from the list and will not be allowed to attend for 4 weeks, or until a spot opens again.
  - d. Inmates with Keep Separates that conflict with FMHG will not be eligible.
  - e. The final decision on eligible inmates is that of the counselors from Firelands Mental Health.

**B. Schedule**

1. Male Inmates
  - a. Fridays, 0800 – 0900 hours.
2. Female Inmates
  - a. Fridays, 0900 – 1000 hours.

**C. Recording**

1. The Corrections Officer conducting IPFM will log it as an IPFM (Inmate Program Firelands Mental Health Group) Event in the Jail Log of the JMS. This record should include:
  - a. Date and time.
  - b. Name of inmates going.
  - c. Officer conducting IPFM.

## **Section 12: Recreation and Programming**

### **Subject: Inmate Program – Psychological Services (Continued)**

**Minimum Standard: 5120:1-8-11(D)**

**Revised: 07/2001, 04/2011, 10/2015**

#### **D. Monitoring**

1. IPFM will be conducted in the Jail Classroom
2. The officer conducting IPFM will run a report list for the group to attend (IPFM) Report List of the JMS.
3. Using that list the officer will escort the eligible inmates to the classroom.
4. The officer assigned to the E Control Board will monitor the IPFM group using the CCTV system.
5. After IPFM is over, the officer conducting it will return the inmates to their housing unit.
  - a. Prior to this each inmate will be search for contraband.

#### **E. Training**

1. Prior to allowing the counselor to see inmates, the jail will screen and train the counselor in accordance with the Staff - Use of Volunteers Policy of this Policy Manual.



**Section 12: Recreation and Programming**  
**Subject: Inmate Program – Social / Community Services**  
**Minimum Standard: 5120:1-8-11(D)**  
**Revised: 07/2001, 04/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall provide the opportunity for social / community services. The Erie County Jail shall outline eligibility requirements for inmates to participate in programs and guidelines and training requirements for outside agency personnel within the facility.

**PROCEDURE**

**A. Eligible Inmates**

1. Inmates may request to participate in the weekly Life Skills meeting by submitting a request form indicating so.
  - i. The Erie County Sheriff's Office Chaplin will provide a counselor to conduct the meetings.
2. The officer receiving the request will place it as a LIFE appointment for that month in the inmates Appointment Screen in the Jail's Record Management System (JMS).
3. Inmates will be eligible for LIFE based on the following;
  - a. A maximum of 10 inmates for each group.
  - b. Inmates will be placed on the list based on how long they have been incarcerated in the jail.
  - c. Inmates who have been placed on the approved list, but refuse to go will be removed from the list and will not be allowed to attend for 4 weeks, or until a spot opens again.
  - d. Inmates with Keep Separates that conflict with LIFE will not be eligible.
  - e. The final decision on eligible inmates is that of the counselors from the Erie County Sheriff's Office Chaplin Program.

**B. Schedule**

1. Male Inmates
  - a. Fridays, 0800 – 0900 hours.
2. Female Inmates
  - a. Fridays, 0900 – 1000 hours.

**C. Recording**

1. The corrections officer conducting LIFE will log it as an IPLS (Inmate Program Life Skills) Event in the Jail Log of the JMS. This record should include:
  - a. Date and time.
  - b. Name of inmates going.
  - c. Officer conducting IPLS.

## **Section 12: Recreation and Programming**

### **Subject: Inmate Program – Social / Community Services (Continued)**

**Minimum Standard: 5120:1-8-11(D)**

**Revised: 07/2001, 04/2011, 10/2015**

#### **D. Monitoring**

1. IPFM will be conducted in the Jail Classroom
2. The officer conducting IPLS will run a report list for the group to attend (IPLS) Report List of the JMS.
3. Using that list the officer will escort the eligible inmates to the classroom.
4. The officer assigned to the E Control Board will monitor the IPLS group using the CCTV system.
5. After IPLS is over, the officer conducting it will return the inmates to their housing unit.
  - a. Prior to this each inmate will be search for contraband.

#### **E. Training**

1. Prior to allowing the counselor to see inmates, the jail will screen and train the counselor in accordance with the Staff - Use of Volunteers Policy of this Policy Manual.

## **Section 12: Recreation and Programming**

### **Subject: Religion**

**Minimum Standard: 5120:1-8-11(E)**

**Revised: 07/2001, 04/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Inmates in the Erie County Jail shall be permitted to practice a recognized religion subject to limitations necessary to maintain security and order of the jail. Practicing religion includes, but is not limited to, access to religious publications, possession of religious symbols, being permitted to congregate to worship in an appropriate space, individual or group counseling, religious study classes, and adherence to dietary requirements. The Erie County Jail shall ensure that all recognized religions receive equal status and protection and that limitation placed upon religious practice further a compelling safety or security interest using the least restrictive means necessary.

### **PROCEDURE**

#### **A. Religious Publications and Symbols**

1. Religious Materials and/or Publications are permitted in cells as long as it is not excessive.
2. Religious Symbols will also be permitted as long as they are not a threat or offensive to the jail, staff, or other inmates.

#### **B. Individual Services**

1. All persons who are recognized ministers of an organized congregation are welcome to conduct pastoral activities at the Erie County Jail.
2. Any inmate who wishes to meet with their minister may do so.
  - a. The inmate shall submit a request (using an inmate request form) that the Jail Administrator or designee contact that minister and notify them of the request.
3. Visits between ministers and inmates will take place in the Jail Visitation Rooms.
4. Minister Visits will be conducted in accordance with the Visitation – Professional / Clergy Visit Policy of this Policy Manual.
5. If an inmate expresses a desire to see a member of the clergy, but does not know who to contact, the Corrections Officer who receives the request will advise the Erie County Sheriff's Office Chaplain of the request.

#### **C. Group Services**

1. Inmates are allowed to congregate, worship, and be involved in group counseling involving religious worship.
2. Group studies are not prohibited unless a disruption of the jail activities or violation of jail policy is created.

## **Section 12: Recreation and Programming**

### **Subject: Religion (Continued)**

**Minimum Standard: 5120:1-8-11(E)**

**Revised: 07/2001, 04/2011, 10/2015**

#### **D. Religious Study Class**

##### **1. Eligible Inmates**

- a. Inmates may request to participate in the weekly Religious Study Class by submitting a request form indicating so.
- b. The officer receiving the request will place an IPCH appointment for that month in the inmates Appointment Screen in the Jail's Record Management System (JMS).
- c. The Program's Officer will use the IPCH appointment list to create a list of eligible inmates, and place them on the approved list group (ACHURCH, ECHURCH, BCHURCH)
- d. Inmate's will be eligible for IPCH based on the following:
  1. A maximum of 15 inmates.
  2. Inmates will be placed on the listed based on how long they have been incarcerated in the jail.
  3. Inmates who have been placed on the approved list, but refuse to go will be removed from the list and will not be allowed to attend for 4 weeks, or until a spot opens again.
  4. Inmates with Keep Separates that conflict with IPCH will not be eligible.
  5. The final decision on eligible inmates is that of the ministers.

##### **2. Schedule**

- a. E Control
  1. Thursday's, 1700 – 1800 hours
- b. A Control
  1. Thursday's 1800 – 1900 hours
- c. B Control
  1. Thursday's 1700 – 1900 hours

##### **3. Recording**

- a. The Corrections Officer conducting IPCH will log it as an IPCH (Inmate Program Church) Event in the Jail Log of the JMS. This record should include:
  1. Date and time.
  2. Name of inmates going.
  3. Officer conducting the religious study class.

##### **4. Monitoring**

- a. IPCH will be conducted in the Jail Classroom for male inmates and the Jail Court Room for female inmates.
- b. The officer conducting IPCH will run a report list for the group to attend (EChurch, AChurch, BChurch) from the Report List of the JMS.
- c. Using that list the officer will escort the eligible inmates to the classroom or courtroom.

## **Section 12: Recreation and Programming**

### **Subject: Religion (Continued)**

**Minimum Standard: 5120:1-8-11(E)**

**Revised: 07/2001, 04/2011, 10/2015**

- d. The officer assigned to the E Control Board will monitor the IPCH group in the classroom using the CCTV system.
- e. The officer assigned to A Control Board will monitor the IPCH group in the courtroom using the CCTV system.
- f. After IPCH is over, the officer conducting it will search each inmate for contraband and return the inmates to their housing unit.

#### **E. Dietary Requirements.**

1. All reasonable efforts shall be made to accommodate the dietary needs of an inmate for religious reasons.
2. Requests for such modifications shall be forwarded, in writing, to the Jail Administrator, who shall consult with an appropriate authority regarding necessary compliance.

#### **F. Religious Freedoms**

1. The Erie County Jail staff will not interfere with or comment upon an inmate's religious belief.
2. Any limitations placed on religion shall be only on religious practice and not on religious beliefs.
3. Religious practice shall only be limited when there is a compelling and reasonable safety and security issue for the facility.
4. All limitations shall be made by the Sheriff and/or Jail Administrator and shall be documented as to the nature of the limitations and the compelling safety or security issue.

## **Section 12: Recreation and Programming**

### **Subject: Commissary**

### **Minimum Standard:**

**Revised: 07/1998, 04/2011, 01/2012**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

Inmates will have the opportunity to make purchases of personal items through the commissary system provided by the Erie County Jail. The commissary program will provide optional hygiene articles, snacks, and writing materials. Inmates who are deemed indigent will receive weekly 2 stamped envelopes, writing material, and a pencil free of charge.

### **PROCEDURE**

#### **A. Ordering**

1. Inmates will place their order using the Commissary Kiosk Machines.
2. A Corrections Officer will move the Kiosk between pods hourly to ensure each inmate is given the opportunity to order.
  - a. Officers will enter a CMAC (Commissary Machine Issued) Event in the Jail Log, this event will include:
    - a. Date and Time.
    - b. Area receiving the machine.
    - c. Number of the machine.
    - d. Officer issuing the machine.
3. Corrections Officers may assist special needs inmates in placing orders, if the inmate requests help.

#### **B. Delivery**

1. Commissary will be delivered daily to the jail, except Monday's and Saturday's.
2. Commissary shall be passed upon delivery to the jail and as jail activities permit.
3. The Corrections Officer passing the commissary will verify that the items on the receipt match the items being delivered.
  - a. The inmate will sign the receipt indicating they received all the listed items.
  - b. Any missing and/or damaged items will be listed on the receipt, and the receipt placed in the Jail Administrator's Box in Main Control.
  - c. The Jail Administrator will ensure the item is either replaced or refunded.
  - d. All other receipts will be placed in the Commissary Records in the Administration Office 006. These records will be pulled at the end of the month.
4. Orders for inmates that have since been released will be placed in the Jail Administrator's Office.
  - a. Inmates will have 3 days (from date of delivery) to claim their items. Any unclaimed items will be returned to the Commissary Vender.

## **Section 12: Recreation and Programming**

### **Subject: Commissary (Continued)**

#### **Minimum Standard:**

**Revised: 07/1998, 04/2011, 01/2012**

5. The officer passing the commissary will log it as a COMM (Commissary Pass) Event, this event will include:
  - a. Date and Time.
  - b. Location where commissary is passed.
  - c. Officer passing the commissary.

#### **C. Accounting**

1. The management of the commissary funds will be controlled in accordance with the procedure adopted by the Auditor of the State of Ohio.
2. The Jail Administrator or designee will reconcile the commissary cashbook and account monthly and yearly for audit and accounting purposes.

## **Section 13: Inmate Discipline**

### **Subject: Rules / Sanctions**

**Minimum Standard: 5120:1-8-12 (A)(B)(C)(D)**

**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall have written inmate rules that specify prohibited acts or conduct, degrees of violations, ranges of penalties, and disciplinary hearing procedures. There shall be a sanctioning schedule for rule violations. The jail administrator or designee shall approve any penalty exceeding suspension of rights or disciplinary isolation for more than one hundred twenty hours. The maximum sanction for rule violations shall be no more than sixty days for violations arising out of one incident. Continuous confinement for more than thirty days requires the review and approval of the jail administrator or designee. Inmate rules shall specify the fundamental rights that cannot be suspended except in an emergency or other condition beyond the control of the jail administrator. Jail disciplinary measures shall not include corporal punishment, discipline administered by inmates and withholding food.

### **PROCEDURE**

#### **A. Rules**

##### **1. Rules and Regulations Pamphlet**

- a. Erie County Jail Inmate Rules shall be accessible to all inmate and shall provide information regarding confinement including:
  1. Prohibited acts / Rules of Conduct.
  2. Degrees of Violations / Ranges of Penalties.
  3. Disciplinary Hearing Procedures.
- b. Each inmate will be provided with a copy of the Erie County Jail Rules and Regulations Pamphlet during booking.

##### **2. Minor Violations**

- a. Shall include acts, which do not constitute a present and immediate threat to the security of the facility, its staff, inmates, visitors or the inmate who committed the violation. Such violations may include, but not be limited to:
  1. Failure to comply with any Corrections Officers orders.
  2. Profanity, derogatory remarks or gestures to any member of the staff, visitors, or fellow inmates.
  3. Creating unnecessary noise such as arguing, shouting, whistling, rattling or pounding windows, doors or other parts of the jail.
  4. Loud talking or unnecessary noise after sleep hours.
  5. Talking through windows to persons on the exterior of the jail.
  6. Failure to perform routine duties, such as cleaning housing area, and other prescribed duties.
  7. Horse playing, teasing, or verbally harassing other inmates.



## **Section 13: Inmate Discipline**

### **Subject: Rules / Sanctions (Continued)**

**Minimum Standard: 5120:1-8-12 (A)(B)(C)(D)**

**Revised:**

#### **3. Major Violations**

a. Shall include repeated minor rule infractions. Instances when it is determined that the punishment for continuous minor violation serves as no deterrent effect and a continuation of minor rule violations would constitute a present and immediate threat to the security of the jail, staff, inmates or visitors. Such violations may include, but not be limited to:

1. Repeated minor violations.
2. Disobeying a Corrections Officer.
3. Lying to a Corrections Officer.
4. Fighting.
5. Rough, disruptive play.
6. Minor damage of jail property.
7. Abusing commissary, visiting, telephone and/or recreation privileges.
8. Abusing food services.
9. Attempting to control the behavior of other inmates through coercion, force, threat or assigning work to other inmates.
10. Disrupting religious, medical or food services or any jail activity or program.
11. Possession or use of any tobacco product.
12. Stoppage or placement of foreign matter into toilets or sinks.  
Retention on any medication
13. Writing on the walls.
14. Possession of anything not on the list of permitted items or not authorized by the jail staff.

#### **4. Serious Violations**

i. Shall include acts, which constitute a violation of statutory law and/or a present and immediate threat to the security of the jail, staff, inmates, visitors. Such violations shall include, but not limited to:

1. Repeated major violations.
2. Assault on another inmate or staff member.
3. Escape, attempting to escape or aiding another in escape.
4. Possession of alcoholic beverages, fermenting fruit or unauthorized drugs.
5. Theft.
6. Damage of jail property.
7. Interfering with security operations in the jail.
8. Arson.
9. Possession of a weapon or chemical agent or any object, which has been modified so that it may be used as a weapon.
10. Creating or inciting to riot.
11. Malicious destruction, alteration or misuse of property.

## **Section 13: Inmate Discipline**

### **Subject: Rules / Sanctions (Continued)**

**Minimum Standard: 5120:1-8-12 (A)(B)(C)(D)**

**Revised:**

#### **B. Sanctioning Schedule**

1. Minor Rule Violation
  - a. Punishable up to 48 hours lock down
2. Major Rule Violation
  - a. Punishable up to 120 hours lock down
3. Serious Rule Violation
  - a. Punishable up to 240 hours lock down

#### **C. Approved Sanctions**

1. Any penalty suspending of rights or disciplinary isolation must be approved by the Shift Supervisor.
2. Any penalty exceeding suspension of rights or disciplinary isolation for more than 120 hours shall be approved by the Jail Administrator or designee.

#### **D. Maximum Sanctions**

1. Sanctions for rule violations shall be no more than 60 days for violations arising out of one incident.

#### **E. Sanctions Review**

1. Continuous confinement for more than 30 days requires the review and approval of the jail administrator or designee.

#### **F. Fundamental Rights**

1. Phone calls and visits by attorney and/or clergy, adequate food (nutritional diet), light, ventilation, temperature control, sanitations, and medical care cannot be suspended except in an emergency or other condition beyond the control of the jail administrator.

#### **G. Disciplinary Measures**

1. Jail disciplinary measures will not include corporal punishment, discipline administered by inmates, and/or the withholding of food.
2. Inmates will be allowed one hour out of their cell each day during disciplinary isolation for shower, exercise, and use of phone.
  - a. This hour will take place from 0700 to 0800 hours, unless otherwise stated by the Jail Administrator.
  - b. The Corrections Officer allowing the hour out will log it in the Jail Log as a HOUR (Hour Out of Lockdown) Event, to include:
    1. Date and Time.
    2. Location.
    3. Officer involved.

**Section 13: Inmate Discipline**  
**Subject: Disciplinary Hearings**  
**Minimum Standard: 5120:1-8-12(E)(F)(G)(H)(I)**  
**Revised: 07/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written policy that specifies the circumstances under which a disciplinary hearing is conducted. Pre-disciplinary hearing requirements shall include, at minimum a written incident report, an inmate's opportunity to waive in writing the disciplinary hearing, an investigation that commences within twenty-four hours of the incident to determine whether sufficient evidence exists to support the charge, and written notification to the inmate of the nature and date of the violation within twenty-four hours of the alleged violation(s) or discovery of the alleged violation(s). The inmate shall have a minimum period of twenty-four hours after receiving written notification of the rule violation(s) to prepare for the disciplinary hearing. The inmate may waive the twenty-four hour period. The inmate is given a hearing within forty-eight hours excluding holidays, weekends, and emergencies after receiving the written notification if placed in isolation or within three business days if the inmate is not placed in isolation. Postponement of the hearing may be granted. Disciplinary hearing requirements shall include an impartial hearing officer appointed by the jail administrator or designee, the inmate's opportunity to be heard, present evidence and question witnesses subject to limitations imposed by the hearing officer, the hearing officer shall state the reasons for any limitations in writing, a written statement by the hearing officer of the facts relied upon and reasons for the imposition of any penalties shall be provided to the inmate and a copy placed in the inmate's file, and selection by the jail administrator or designee of a staff person to assist an inmate when the inmate is unable to effectively communicate. Jail inmates shall be afforded an opportunity to appeal disciplinary actions to the jail administrator or designee.

**PROCEDURE**

**A. Due Process**

1. The disciplinary process and hearing must be fair, documented, and systematic so that no staff can be bias or an inmate may plead ignorance of the rules. Sufficient evidence must exist to support the rule violation.
2. At no time will an inmate be punished, harassed, neglected, or ignored in his/her pursuit of the right to due process during disciplinary proceedings.

**B. Pre-Disciplinary Hearing**

1. When a Corrections Officer witnesses a violation of an established jail rule, that officer shall determine if immediate action on the officer's part is required.
2. That Corrections Officer will make a preliminary determination as to the nature of the violation (minor, major, or serious).
  - a. If the violation appears minor in nature, that corrections officer may:
    1. Verbally reprimand the inmate offender and inform him that continued violation of the rule may result in loss of privileges.

## **Section 13: Inmate Discipline**

### **Subject: Disciplinary Hearings (Continued)**

**Minimum Standard: 5120:1-8-12(E)(F)(G)(H)(I)**

**Revised: 07/2017**

2. Document the inmate's actions that constitute a rule violation in the form of a Jail Incident Report. This report should be submitted to the Shift Supervisor for proper disposition.
    3. The Shift Supervisor may impose Disciplinary Sanctions not to exceed 48 hours.
  - b. If the violation is major or serious, that Corrections Officer will promptly prepare a Jail Incident Report and a Rule Violation Report, and state fully and accurately all facts pertaining to the rule violation.
    1. The Rule Violation Report, along with the Jail Incident Report, shall be delivered to the Shift Supervisor immediately upon its completion.
    2. If the inmate offender is violent and there is immediate and reasonable cause to believe the inmate offender will continue to inflict injury to another person, himself, or cause immediate harm to others in the facility, action, including use of force as outlined in policy may be used to neutralize the situation, the inmate offender shall be promptly isolated or restrained to an area where his/her actions no longer pose a threat.
    3. Placement in isolation may not exceed 48 hours (excluding weekends, holidays and emergencies) without a disciplinary hearing.
3. The Shift Supervisor shall immediately begin an investigation of the incident to determine whether sufficient evidence exists to support the charge.
4. If the inmate is to be charged with a major or serious rule violation, the shift supervisor will prepare and immediately give the inmate a Jail Charges Report. This report will include:
  - a. The specific rule(s) broken.
  - b. The accuser, unless deemed inadvisable by the investigation.
  - c. The time the violation occurred.
  - d. The date and place of the violation and the facts on which the charges are based.
5. An inmate accused of major or serious violations shall be informed of the right to waive a disciplinary hearing. Such a waiver shall be obtained in writing from the inmate using the Disciplinary Hearing Waiver Form.

#### **C. Disciplinary Hearing**

1. The inmate shall have a minimum period of twenty-four hours after receiving written notification of the rule violation(s) to prepare for the disciplinary hearing.
2. The Jail Administrator or designee may appoint an impartial officer to investigate the incident. The investigating officer shall:
  - a. Conduct a complete investigation of the incident within 24 hours of the accusation.
  - b. Review statements from witnesses, parties involved, and the examination of audio and video records.

## **Section 13: Inmate Discipline**

### **Subject: Disciplinary Hearings (Continued)**

**Minimum Standard: 5120:1-8-12(E)(F)(G)(H)(I)**

**Revised: 07/2017**

- c. Prepare a complete written report and submit it to the designated hearing officer.
3. The inmate may waive the twenty-four hour period.
  - a. If waived, the inmate is required to submit a signed form indicting so.
4. The inmate is given a hearing within forty-eight hours excluding holidays, weekends, and emergencies after receiving the written notification if placed in isolation or within three business days if the inmate is not placed in isolation.
5. Postponement or Continuance of the hearing may be granted, but the reason must be documented.
6. Disciplinary hearing requirements shall include:
  - a. An impartial hearing officer appointed by the jail administrator or designee.
  - b. The inmate's opportunity to be heard, present evidence and question witnesses subject to limitations imposed by the hearing officer.
    1. The hearing officer shall state the reasons for any limitations in writing.
  - c. Written statement by the hearing officer of the facts relied upon and reasons for the imposition of any penalties shall be provided to the inmate and a copy placed in the inmate's file
  - d. Selection by the jail administrator or designee of a staff person to assist an inmate in presenting the case if:
    1. The issue is complex.
    2. There is a language barrier.
    3. The inmate is functionally illiterate or is otherwise unable to effectively communicate due to mental or physical disability.
7. The hearing officer shall provide the following information to the inmate and the accusing Corrections Officer or staff member:
  - a. The inmate has the right to be given a written notice of the charges against him/her.
  - b. The inmate may request assistance in preparing for the hearing.
  - c. The inmate has the right to testify or remain silent regarding the alleged violations.
  - d. Each side shall have the right to present witnesses on its own behalf and to question the opposing witnesses.
  - e. Each side has the right to present any letters or documents, and the right to examine or review any and all documents introduced into evidence.
8. The hearing officer shall:
  - a. Ask the inmate if he understands the purpose of the hearing and if he has any questions.
  - b. Determine if a neutral investigation of the incident in question was conducted within 24 hours of the incident that prompted the hearing.
  - c. All hearings must be held within twenty-four hours, even if the inmate has been placed in administrative segregation.
  - d. Examine written notice of charges, notice shall include:
    1. Name of the staff member who reported the violation.

## **Section 13: Inmate Discipline**

### **Subject: Disciplinary Hearings (Continued)**

**Minimum Standard: 5120:1-8-12(E)(F)(G)(H)(I)**

**Revised: 07/2017**

2. Specific rule broken.
  3. Time, date, and place of violation.
  4. Description of the conduct that constitutes the violation.
  5. The reading of the violation charges; each violation read separately.
9. Witnesses will be called to testify separately and may include:
  - a. Testimony from the Corrections Officer reporting the violation.
  - b. Testimony of Staff witness or documents and evidence.
  - c. Cross examination of witnesses.
  - d. Testimony from the accused Inmate.
  - e. Inmate's witness, documents, or evidence (any reasons for limitations placed on testimony or witness shall be stated in writing by the hearing officer).
10. The hearing officer shall find either probable cause or no probable cause on each charge, and announce the decision at the conclusion of the hearing. Substantial evidence of guilt must be found before assessing penalties.
11. The hearing officer shall specify the disciplinary action to be taken.
  - a. There must be a time limit set on every penalty imposed.
  - b. The hearing officer should provide the inmate with a written statement of facts and reasons for any action taken.
  - c. The specific disciplinary action to be taken and the time limit on the penalty will be documented and provided to the inmate.

#### **D. Appeal**

1. If the inmate desires to appeal the decision, he shall complete a Grievance Request stating such using the Kiosk System.
2. The appeal shall be addressed to the Jail Administrator and filed within 24 hours of the close of the hearing.
3. The jail administrator, upon receipt of a request for an appeal hearing, shall set a date and time for the hearing. An additional investigation may be started.
4. If the Jail Administrator was a witness to the incident, a party to the previous hearing or involved in the original investigation, he shall not serve as the hearing appeal officer, and shall appoint another impartial person to serve.
5. Records from the disciplinary hearing shall be placed in the inmate's file. If found not guilty of the violation, records of the hearing may not be used in any future disciplinary action.

**Section 14: Administrative Segregation**  
**Subject: Administrative Segregation**  
**Minimum Standard: 5120:1-8-15 (A)(B)(C)(D)(E)(F)**  
**Revised: 06/1993, 06/2000, 01/2012, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have written policies and procedures that govern the administrative segregation of inmates from the general population. The use of administrative segregation as a penalty shall be prohibited. Administrative segregation shall be employed to separate an inmate from the general population whenever one or more of the following exist; the inmate presents an inability to conform to established standards of behavior for general population, the inmate poses a threat to self, others, or the security of the jail, the inmate presents a need for protection as determined by the jail administrator or designee, the inmate is at risk of spreading a communicable disease, the jail administrator or designee has otherwise determined that such segregation is necessary and in the best interest of the inmate, staff, or the safe and secure operation of the jail. Within twenty-four hours of administrative segregation, the inmate shall be provided with written documentation of the reason for confinement. The inmate shall be provided an opportunity for a written or oral response to the jail administrator or designee, to be reviewed within seventy-two hours for determination of continued confinement. Inmates held in administrative segregation for thirty consecutive days shall receive an administrative review by the jail administrator or designee. Inmates in administrative segregation shall receive all privileges and rights unless the inmate poses a threat to the security of the jail or the health and welfare of themselves or others. Any suspension or modification of privileges and/or rights shall be documented.

**PROCEDURE**

**A. Use of Administration Segregation**

**1. Penalty**

- a. The use of Administrative Segregation as a penalty shall be prohibited.
- b. Administrative Segregation is not a disciplinary action and should not be used as a tool of punishment.

**2. The use of Administration Segregation shall be employed to separate an inmate from the general population whenever one or more of the following exists:**

- a. The inmate presents an inability to conform to established standards of behavior for general population.
- b. The inmate poses a threat to self, others, or the security of the jail.
- c. The inmate presents a need for protection as determined by the jail administrator or designee.
- d. The inmate is at risk of spreading a communicable disease.
- e. The jail administrator or designee has otherwise determined that such segregation is necessary and in the best interest of the inmate, staff, or the safe and secure operation of the jail.

**Section 14: Administrative Segregation**  
**Subject: Administrative Segregation (Continued)**  
**Minimum Standard: 5120:1-8-15 (A)(B)(C)(D)(E)(F)**  
**Revised: 06/1993, 06/2000, 01/2012, 10/2015**

**B. Request for Administrative Segregation**

1. It is the responsibility of any Shift Supervisor to submit a request for Administrative Segregation to the Jail Administrator.
  - a. The Supervisor must provide documentation to support the condition(s) existing for Administrative Segregation classification.
2. The Jail Administrator will review documentation that was submitted by the Shift Supervisor.
  - a. If conditions exist, the Jail Administrator or his direct designee may approve the classification of an inmate to Administrative Segregation.

**C. Notification of Administration Segregation**

1. Within twenty-four hours of Administrative Segregation, the inmate shall be provided with written documentation of the reason for confinement and any restrictions of privileges and/or rights being placed upon the inmate.

**D. Response to Administration Segregation**

1. The inmate shall be provided an opportunity for a written or oral response to the Jail Administrator or designee.

**E. Administrative Review**

1. The Jail Administrator will review the written or oral response from the inmate placed into administration segregation within 72 hours for determination of continued confinement.
2. Inmates held in Administrative Segregation for 30 consecutive days shall receive an Administrative Review to determine if continued Administrative Segregation is warranted.
  - a. If continued Administrative Segregation is warranted, then a review of continuation shall be conducted by the Jail Administrator or designee no less than once every 30 days thereafter.
3. All Administrative Reviews will be documented, and the inmate provided with written documentation of the outcome to include, but not limited to, reason for continued confinement and any restrictions of privileges and/or rights being placed upon the inmate.

**F. Rights**

1. The Jail Administrator or designee shall ensure inmates in administrative segregation living conditions, rights and access to programs, services and privileges available to inmates in general population are available to them.
2. Inmates in Administrative Segregation shall have access to, but not limited to:
  - a. Dayroom activities.
  - b. Recreation.
  - c. Telephone.
  - d. Visitation.



**Section 14: Administrative Segregation****Subject: Administrative Segregation (Continued)****Minimum Standard: 5120:1-8-15 (A)(B)(C)(D)(E)(F)****Revised: 06/1993, 06/2000, 01/2012, 10/2015**

3. Restrictions may be exercised in order to protect the safety and security of the jail and its occupants, or the health and welfare of the inmate or others.
  - a. Any restrictions shall be limited to the degree necessary to ensure such protection, not to be imposed longer than is justifiable, be approved by the Jail Administrator or designee, and should be documented.

## **Section 15: Grievance**

### **Subject: Grievance**

**Minimum Standard: 5120:1-8-16 (A)(B)**

**Revised: 7/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail Inmate Rules and Regulations Pamphlet shall include a grievance procedure that is available to inmates and includes at least one level of appeal. Retaliation by staff for inmate grievances is prohibited.

### **PROCEDURE**

#### **A. Grievance Request**

1. When an inmate request to file a grievance, the Corrections Officer shall instruct the inmate to complete a Grievance Request using the Kiosk System in their housing area.

#### **B. Grievance Hearing**

1. The Shift Supervisor receiving the Grievance Request will address the grievance as soon as jail activities allow.
  - a. If the grievance is against that Shift Supervisor, the following Shift's Supervisor will address the grievance.
2. The Shift Supervisor will response to their grievance using the Kiosk System.

#### **C. Appeal**

1. If the inmate is not satisfied with the Shift Supervisor's response, they will submit a Grievance Request using the Kiosk System to the Jail Administrator.
2. The Jail Administrator will address the appeal as soon as possible.
3. The Jail Administrator will response to their grievance using the Kiosk System.

#### **D. Retaliation**

1. The Erie County Jail provides a mechanism by which inmates can effectively express a grievance to the Jail Administrator or designee without fear of being penalized in any way.
2. Retaliation by staff for inmate grievances is prohibited.

**ERIE COUNTY SHERIFF'S OFFICE**

## INMATE GRIEVANCE FORM

INMATE NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

REASON FOR GRIEVANCE\_\_\_\_\_

NARRATIVE:

SIGNATURE OF INMATE \_\_\_\_\_

**Section 16: Staffing**  
**Subject: Pre-Employment Background Checks**  
**Minimum Standard: 5120:1-8-17 (B)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Pre-employment background checks shall be conducted prior to hiring of jail staff.

**PROCEDURE**

**A. Background Checks**

1. Prior to employment in the Erie County Jail, all prospective candidates will be subject to a background investigation.
  - a. The Sheriff or directly appointed designee will insure all prospective candidates be submitted to a thorough background investigation.
2. The use of LEADS, FBI, BCI, OHLEG, and local files and references will be used to examine a prospective employee's background.
3. Medical staff will be screened by the Erie County Health Department to ensure all licenses are current to perform duties as required and medical staff assigned to the jail are of good character.

**Section 16: Staffing**  
**Subject: Staff Plan**  
**Minimum Standard: 5120:1-8-17 (D)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written, implemented staffing plan that includes jail personnel assignments, days of the week, and hours of the day that assignments are covered and any deviations from the plan with respect to weekends, holidays, or atypical situations. This plan will include all post and functions, a calculated shift relief factor, sufficient numbers of male and female jail staff on duty and available to perform sensitive functions and procedures as necessary by inmate gender, and total number of employees required to fill identified posts and functions. The plan will also include that the jail has staff for administration and supervision, inmate programs, inmate supervision, custody and back up, support services including medical, food service, maintenance and clerical, staff training, and other jail-related functions. The staffing plan shall be reviewed once a year by the Jail Administrator, and revised as needed.

**PROCEDURE**

**A. Jail Staff Posts**

1. Main Control (A) Board Operator
  - a. 24 hours / 7 days a week.
2. Female Control (B) Board Operator / Female Rover
  - a. 24 hours / 7 days a week.
3. General Population (E) Control Board Operator
  - a. 0700 through 1900 hours / 7 days a week.
4. Male Booking (A) Rover 1
  - a. 24 hours / 7 days a week.
5. Male General Population (E) Rover 1
  - a. 24 hours / 7 days a week.
6. Court Officer
  - a. Monday through Friday, excluding holidays.
7. If staffing allows the supervisor may assign:
  - a. Male Booking Rover 2.
  - b. Male General Rover 2.
  - c. Female Rover 2.
  - d. Programs Officer.
8. Jail Administration
  - a. As assigned by the Sheriff.

**B. Nursing Staff**

1. The Erie County Health Department will be responsible to ensure the jail is adequately staffed with medical staff.

**C. Food Service Staff**

1. The Food Service Vendor will be responsible to ensure the jail is adequately staffed with kitchen staff.

**Section 16: Staffing**

**Subject: Staff Plan (Continued)**

**Minimum Standard: 5120:1-8-17 (D)**

**Revised:**

D. Calculated Shift Relief Factor

E. Male and Female Staff On Duty

1. One female officer must be on duty at any one time.
2. Two male officers must be on duty at any one time.

F. Plan Review

1. The Jail Administrator or designee shall review the jail's staffing plan at least once each year.
2. The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the jail's needs or referred to the jail's governing body for funding consideration.

**Section 16: Staffing**  
**Subject: Post Orders – A Control Board Operator**  
**Minimum Standard: 5120:1-8-17(D)(1)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written order established for each post, consistent with staff position descriptions and jail operating procedures.

**PROCEDURE**

- A. Hours of Duty
  - 1. 0600 – 1400 hours / 1400 – 2200 hours / 2200 – 0600 hours
- B. Days of Duty
  - 1. 7 days a week.
- C. Equipment
  - 1. Proper uniform.
  - 2. Handcuffs.
  - 3. Pen.
  - 4. Note Pad.
  - 5. Radio.
- D. General Instructions
  - 1. Check mailbox and computer mail daily.
  - 2. Follow instructions of Shift Supervisor.
  - 3. Monitors all movement within the facility (visual/CCTV).
  - 4. Remotely opens doors allowing only authorized traffic through.
  - 5. Advises appropriate jail staff of traffic requesting entry to the jail (book in/transport/professional visitors/deliveries/etc.)
  - 6. Answers and directs telephone calls.
  - 7. Directs, controls, and monitors inmate movement.
  - 8. Answers radio traffic/ intercom.
- E. Scheduled Duties (A Shift)
  - 0600 Count, Review incidents/problems with officer going off duty, account for keys, and conduct the count.
  - 0645 Open cell doors and turn on TV's.
  - 0645 Monitor rover serving breakfast.
  - 0700 Monitor tray return and inmate cleaning.
  - 0700 Monitor inmate shaving.
  - 0900 Monitor nurse making medical rounds.
  - 1145 Monitor tray return.
  - 1200 Monitor scheduled inmate programs, if any.
  - 1345 Verify current count sheet.

## **Section 16: Staffing**

### **Subject: Post Orders – A Control Board Operator (Continued)**

**Minimum Standard: 5120:1-8-17(D)(1)**

**Revised:**

#### **F. Scheduled Duties (B Shift)**

- 1400 Count, Report to assigned area, review incidents/problems with officer going off duty, account for keys, and conduct the count.
- 1415 Open cell doors.
- 1500 Monitor nurse making medical rounds.
- 1700 Monitor scheduled inmate programs, if any.
- 1745 Monitor tray return.
- 1800 Monitor nurse making medical rounds.
- 1900 Monitor rover locking all inmates down.
- 2145 Prepare for shift change.

#### **G. Scheduled Duties (C Shift)**

- 2200 Count, review incidents/problems with officer going off duty, account for keys, and conduct the count.
- 0545 Prepare for shift change.

#### **H. Non-Schedule Duties**

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write Incident Reports as directed.
5. Participate in emergency/alarm response as directed by the Shift Supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Log inmate mail sent and received.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Monitor rover access to housing areas.
16. Maintain list of Inmate Keep Separate.
17. Complete any and all other assigned duties.



**Section 16: Staffing**  
**Subject: Post Orders – Booking (A) Rover**  
**Minimum Standard: 5120:1-8-17(D)(1)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written order established for each post, consistent with staff position descriptions and jail operating procedures.

**PROCEDURE**

- A. Hours of Duty
  - 1. 0600 – 1400 hours / 1400 – 1900 hours.
- B. Days of Duty
  - 1. 7 days a week.
- C. Equipment
  - 1. Proper uniform.
  - 2. Handcuffs.
  - 3. Pen.
  - 4. Note Pad.
  - 5. Radio.
- D. General Instructions
  - 1. Check mailbox and computer mail daily.
  - 2. Follow instructions of Shift Supervisor.
  - 3. Answers and directs telephone calls.
  - 4. Directs, controls, and monitors inmate movement.
  - 5. Answers radio traffic/ intercom.
- E. Scheduled Duties (A Shift)
  - 0600 COUNT-Review incidents/problems with officer going off duty, account for keys, and conduct the count.
  - 0605 Prepare current count sheet.
  - 0645 Open cell doors and turn on TV's.
  - 0645 Log and serve breakfast.
  - 0700 Log and pass razors.
  - 0730 Collect Breakfast trays.
  - 0900 Collect razors.
  - 1130 Log and serve lunch.
  - 1145 Collect trays.
  - 1345 Secure cell doors.
  - 1345 COUNT-Verify current count sheet.

## **Section 16: Staffing**

### **Subject: Post Orders – Booking (A) Rover (Continued)**

**Minimum Standard: 5120:1-8-17(D)(1)**

**Revised:**

#### **F. Scheduled Duties (B Shift)**

- 1400 Review incidents/problems with officer going off duty, account for keys, and conduct the count.
- 1630 Log and serve dinner.
- 1730 Collect trays.
- 1900 Secure cell doors for lock down.
- 2145 Prepare count sheet.

#### **G. Scheduled Duties (C Shift)**

- 2200 COUNT-Review incidents/problems with officer going off duty, account for keys, conduct the count, log the count into computer, prepare current count sheet.
- 2300 Turn off lights.
- 0530 Verify count sheet.

#### **H. Non-Schedule Duties**

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write Incident Reports as directed.
5. Participate in emergency/alarm response as directed by the Shift Supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Assist with booking as needed.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Perform and record jail security checks using guard tour equipment at least once every 60 minutes. Checks shall be at irregular intervals. Any pertinent information or unusual events will be recorded on the log.
16. Maintain list of Inmate Keep Separates.
17. Inspect/search all cells assuring cleanliness and contraband control.
18. Pat search all inmates leaving or returning to housing areas.
19. Monitor/supervise inmates leaving or returning to work release.
20. Complete bookings and releases as required.
21. Distribute incoming mail and newspapers as soon as possible.
22. Complete clothing and linen exchange as directed.
23. Issue supplies to inmates as required (Soap, TP, hygiene supplies, etc.).
24. Monitor/respond to 401 sally port as required.

**Section 16: Staffing**

**Subject: Post Orders – Booking (A) Rover (Continued)**

**Minimum Standard: 5120:1-8-17(D)(1)**

**Revised:**

- 25. Monitor maintenance personnel while in housing areas.
- 26. Monitor/supervise use of all razors.
- 27. Complete any and all other assigned tasks.

**Section 16: Staffing**  
**Subject: Post Orders – B Control Operator**  
**Minimum Standard: 5120:1-8-17(D)(1)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written order established for each post, consistent with staff position descriptions and jail operating procedures.

**PROCEDURE**

- A. Hours of Duty
  - 1. 0600 – 1400 hours / 1400 – 1900 hours.
- B. Days of Duty
  - 1. 7 days a week.
- C. Equipment
  - 1. Proper uniform
  - 2. Handcuffs
  - 3. Pen
  - 4. Note Pad
  - 5. Radio
- D. General Instructions
  - 1. Check mailbox and computer mail daily.
  - 2. Follow instructions of Shift Supervisor.
  - 3. Remotely opens doors allowing only authorized traffic through
  - 4. Answers and directs telephone calls.
  - 5. Directs, controls, and monitors inmate movement.
  - 6. Answers radio traffic/ intercom.
- E. Scheduled Duties (A Shift)
  - 0600 COUNT-Report to assigned area: log on duty, review incidents/problems with officer going off duty, account for keys, and conduct the count.
  - 0605 Prepare current count sheet.
  - 0645 Open cell doors and turn on TV's.
  - 0645 Log and serve breakfast.
  - 0900 Collect Razors.
  - 0700 Log and pass razors.
  - 0730 Collect trays.
  - 1130 Log and serve lunch.
  - 1145 Collect trays.
  - 1200 Log/monitor scheduled inmate programs, if any.
  - 1345 Secure cell doors.
  - 1345 COUNT-Verify current count sheet.

## **Section 16: Staffing**

### **Subject: Post Orders – B Control Operator (Continued)**

**Minimum Standard: 5120:1-8-17(D)(1)**

**Revised:**

#### **F. Scheduled Duties (B Shift)**

- 1400 Review incidents/problems with officer coming on duty, account for keys, conduct the count, log the count in the computer, and log off duty.
- 1400 Report to assigned area, log on duty, review.
- 1415 Prepare current count sheet.
- 1630 Log and serve dinner.
- 1730 Collect trays.
- 1800 Log/monitor/supervise scheduled inmate programs.
- 1800 Monitor nurse making medical rounds.
- 1900 Secure cell doors.
- 1900 Inmates secured.

#### **G. Scheduled Duties (C Shift)**

- 2200 COUNT-Review incidents/problems with officer coming on duty, log off duty, account for keys, conduct the count, log the count into computer, assist with lockdown, and log off duty.
- 2210 Prepare current count sheet.
- 2300 Turn off lights.
- 0530 Verify count sheet.

#### **H. Non-Schedule Duties**

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write Incident Reports as directed.
5. Participate in emergency/alarm response as directed by the Shift Supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Assist with booking as needed.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Perform and record jail security checks using guard tour equipment at least once every 60 minutes. Checks shall be at irregular intervals. Any pertinent information or unusual events will be recorded on the log.
16. Maintain list of Inmate Keep Separates.
17. Inspect/search all cells assuring cleanliness and contraband control.
18. Pat search all inmates leaving or returning to housing areas.

**Section 16: Staffing****Subject: Post Orders – B Control Operator (Continued)****Minimum Standard: 5120:1-8-17(D)(1)****Revised:**

19. Monitor/supervise inmates leaving or returning to work release.
20. Complete bookings and releases as required.
21. Distribute incoming mail and newspapers as soon as possible.
22. Complete clothing and linen exchange as directed.
23. Issue supplies to inmates as required (Soap, TP, hygiene supplies, etc.).
24. Monitor/respond to 401 sally port as required.
25. Monitor maintenance personnel while in housing areas.
26. Monitor/supervise use of all razors.
27. Complete any and all other assigned tasks.

**Section 16: Staffing**  
**Subject: Post Orders – E Control Board Operator**  
**Minimum Standard: 5120:1-8-17(D)(1)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written order established for each post, consistent with staff position descriptions and jail operating procedures.

**PROCEDURE**

- A. Hours of Duty
  - 1. 0600 – 1400 hours / 1400 – 1900 hours.
- B. Days of Duty
  - 1. 7 days a week.
- C. Equipment
  - 1. Proper uniform
  - 2. Handcuffs
  - 3. Pen
  - 4. Note Pad
  - 5. Radio
- D. General Instructions
  - 1. Check mailbox and computer mail daily.
  - 2. Follow instructions of Shift Supervisor.
  - 3. Remotely opens doors allowing only authorized traffic through
  - 4. Answers and directs telephone calls.
  - 5. Directs, controls, and monitors inmate movement.
  - 6. Answers radio traffic/ intercom.
- E. Scheduled Duties (A Shift)
  - 0600 Count, Report to assigned area.
  - 0600 Review Incident Reports with officer going off duty.
  - 0605 Prepare count sheet.
  - 0645 Open cell doors and turn on T.V.'s.
  - 0645 Log and monitor rover serving breakfast.
  - 0700 Monitor tray return, log/monitor inmate cleaning.
  - 0730 Log/monitor inmate shaving.
  - 0900 Monitor nurse making medical rounds.
  - 1130 Log and monitor rover serving lunch.
  - 1145 Monitor tray return.
  - 1200 Log/monitor scheduled inmate programs, if any.
  - 1345 Verify current count sheet.

## **Section 16: Staffing**

### **Subject: Post Orders – E Control Board Operator (Continued)**

**Minimum Standard: 5120:1-8-17(D)(1)**

**Revised:**

#### **F. Scheduled Duties (B Shift)**

- 1400 Count, Report to assigned area.
- 1400 Review Incident Reports with officer going off duty.
- 1405 Prepare count sheet.
- 1415 Open cell doors.
- 1500 Monitor nurse making medical rounds.
- 1700 Log/monitor rover serving dinner.
- 1700 Log, monitor, and supervise scheduled inmate programs.
- 1730 Monitor tray return.
- 1800 Monitor nurse making medical rounds.
- 1900 Monitor rover locking all inmates down.

#### **G. Non-Schedule Duties**

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write Incident Reports as directed.
5. Participate in emergency/alarm response as directed by the Shift Supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Log inmate mail sent and received.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Monitor rover access to housing areas.
16. Maintain list of Inmate Keep Separate.
17. Complete any and all other assigned duties.



**Section 16: Staffing**  
**Subject: Post Orders – General Population (E) Rover**  
**Minimum Standard: 5120:1-8-17(D)(1)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written order established for each post, consistent with staff position descriptions and jail operating procedures.

**PROCEDURE**

**A. Hours of Duty**

1. 0600 – 1400 hours / 1400 – 1900 hours.

**B. Days of Duty**

1. 7 days a week.

**C. Equipment**

1. Proper uniform.
2. Handcuffs.
3. Pen.
4. Note Pad.
5. Radio.

**D. General Instructions**

1. Check mailbox and computer mail daily.
2. Follow instructions of Shift Supervisor.
3. Answers and directs telephone calls.
4. Directs, controls, and monitors inmate movement.
5. Answers radio traffic/ intercom.

**E. Scheduled Duties (A Shift)**

- 0600 COUNT-Review incidents/problems with officer going off duty, account for keys, and conduct the count.
- 0645 Serve breakfast.
- 0700 Pass razors.
- 0730 Collect trays.
- 0900 Collect razors.
- 1130 Serve lunch.
- 1145 Collect trays.
- 1345 Secure cell doors.

**F. Scheduled Duties (B Shift)**

- 1400 Review incidents/problems with officer going off duty, account for keys, and conduct the count.
- 1630 Serve dinner.
- 1645 Collect trays.
- 1900 Secure cell doors for lock down

## **Section 16: Staffing**

### **Subject: Post Orders – General Population (E) Rover (Continued)**

**Minimum Standard: 5120:1-8-17(D)(1)**

**Revised:**

#### **G. Scheduled Duties (C Shift)**

- 2200 COUNT-Review incidents/problems with officer going off duty, account for keys, conduct the count, log the count into computer, prepare current count sheet.
- 2300 Turn off lights.
- 0530 Verify count sheet.

#### **H. Non-Schedule Duties**

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write Incident Reports as directed.
5. Participate in emergency/alarm response as directed by the Shift Supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Assist with booking as needed.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Perform and record jail security checks using guard tour equipment at least once every 60 minutes. Checks shall be at irregular intervals. Any pertinent information or unusual events will be recorded on the log.
16. Maintain list of Keep Separate Inmates in female general population.
17. Inspect/search all cells assuring cleanliness and contraband control.
18. Pat search all inmates leaving or returning to housing areas.
19. Monitor/supervise inmates leaving or returning to work release.
20. Complete bookings and releases as required.
21. Distribute incoming mail and newspapers as soon as possible.
22. Complete clothing and linen exchange as directed.
23. Issue supplies to inmates as required (Soap, TP, hygiene supplies, etc.).
24. Monitor/respond to 401 sally port as required.
25. Monitor maintenance personnel while in housing areas.
26. Monitor/supervise use of all razors.
27. Complete any and all other assigned tasks.

**Section 16: Staffing**  
**Subject: Post Orders – Court Officer**  
**Minimum Standard: 5120:1-8-17(D)(1)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written order established for each post, consistent with staff position descriptions and jail operating procedures.

**PROCEDURE**

**A. Hours of Duty**

1. 0600 – 1400 hours.

**B. Days of Duty**

1. Monday through Friday, excluding holidays.

**C. Equipment**

1. Proper uniform.
2. Handcuffs.
3. Pen.
4. Note Pad.
5. Radio.

**D. General Instructions**

1. Check mailbox and computer mail daily.
2. Follow instructions of Shift Supervisor.
3. Answers and directs telephone calls.
4. Directs, controls, and monitors inmate movement.
5. Answers radio traffic/ intercom.

**E. Scheduled Duties (A Shift)**

- 0600 Review incidents/problems with officers going off duty, account for keys, and prepare court list.
- 0800 Prepare inmates for transportation to court.
- 1100 Conduct video court.
- 1200 Prepare inmates for transportation to court.

**F. Non-Schedule Duties**

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write Incident Reports as directed.
5. Participate in emergency/alarm response as directed by the Shift Supervisor.

**Section 16: Staffing****Subject: Post Orders – Court Officer (Continued)****Minimum Standard: 5120:1-8-17(D)(1)****Revised:**

6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Assist with booking as needed.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Perform and record jail security checks using guard tour equipment at least once every 60 minutes. Checks shall be at irregular intervals. Any pertinent information or unusual events will be recorded on the log.
16. Maintain list of Inmate Keep Separates.
17. Inspect/search all cells assuring cleanliness and contraband control.
18. Pat search all inmates leaving or returning to housing areas.
19. Monitor/supervise inmates leaving or returning to work release.
20. Complete bookings and releases as required.
21. Distribute incoming mail and newspapers as soon as possible.
22. Complete clothing and linen exchange as directed.
23. Issue supplies to inmates as required (Soap, TP, hygiene supplies, etc.).
24. Monitor/respond to 401 sally port as required.
25. Monitor maintenance personnel while in housing areas.
26. Monitor/supervise use of all razors.
27. Complete any and all other assigned tasks.

**Section 16: Staffing**  
**Subject: Jail Administrator / Shift Supervisor**  
**Minimum Standard: 5120:1-8-17(A)(E)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a designated Jail Administrator who is qualified by training or experience to supervise and control inmates as outlined in a written job description. A staff person shall be designated in charge or supervisor of each shift.

**PROCEDURE**

**A. Jail Administrator**

1. The Jail Administrator will be officially charged with the responsibility of operating the jail and shall be responsible for the day to day jail operations.
2. The Erie County Sheriff's Office, in cooperation with the Erie County Office of Human Resources, will establish a written job description for a Jail Administrator to include, but not limited to, training and experience qualifications to supervise and control inmates.
3. The Erie County Sheriff shall appoint the Erie County Jail Administrator.
  - a. The Sheriff may designate an Assistant Jail Administrator to assist in administrative duties and assume duties in the absence of the Jail Administrator.

**B. Shift Supervisor**

1. The jail Shift Supervisor shall meet the criteria mandated for a jail supervisor in the Standards for Jails in Ohio and in the job description published by the Erie County Sheriff.

**Section 16: Staffing**  
**Subject: Performance Evaluations**  
**Minimum Standard: 5120:1-8-17 (C)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have annual standardized performance reviews of jail employees.

**PROCEDURE**

**A. Performance Review**

1. Annual performance reviews of jail staff shall be conducted.
  - a. The Jail Administrator or designee will instruct the Shift Supervisor when a performance review of an employee is to be conducted.
  - b. The Shift Supervisor will use the Erie County Employee Performance Evaluation Form for this purpose.

**ERIE COUNTY, SANDUSKY, OHIO – EMPLOYEE PERFORMANCE EVALUATION**  
(See instructions on other side and in manual)

<b>Employee Name (last name first)</b>	<b>Social Security Number</b>	<b>Department &amp; Division</b>	<b>Type of Rating</b> <input type="checkbox"/> Probationary <input type="checkbox"/> Annual <input type="checkbox"/> Special										
<b>PLACE AN X ON APPROPRIATE NUMBER AT TIME OF INTERVIEW</b>			<b>RATER'S COMMENTS</b> <i>(Constructive interview, participation of employee, established objective – see reverse side.)</i>										
<b>1. QUALITY OF WORK (accuracy, neatness, thoroughness)</b>													
Meets													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Inferior Work</td><td style="width: 20%;">Rather Careless</td><td style="width: 20%;">Requirements</td><td style="width: 20%;">Highly Accurate</td><td style="width: 20%;">Exceptional</td></tr><tr><td>0 1 2 3</td><td>4 5 6</td><td>7 8 9</td><td>10 11 12</td><td>13 14 15</td></tr></table>				Inferior Work	Rather Careless	Requirements	Highly Accurate	Exceptional	0 1 2 3	4 5 6	7 8 9	10 11 12	13 14 15
Inferior Work	Rather Careless	Requirements		Highly Accurate	Exceptional								
0 1 2 3	4 5 6	7 8 9		10 11 12	13 14 15								
<b>2. QUANTITY OF WORK (volume, amount, speed)</b>													
Highly Productive													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Very Slow</td><td style="width: 20%;">Insufficient</td><td style="width: 20%;">Moderate</td><td style="width: 20%;">Rapid Worker</td><td style="width: 20%;">Highly Productive</td></tr><tr><td>0 1 2 3</td><td>4 5 6</td><td>7 8 9</td><td>10 11 12</td><td>13 14 15</td></tr></table>				Very Slow	Insufficient	Moderate	Rapid Worker	Highly Productive	0 1 2 3	4 5 6	7 8 9	10 11 12	13 14 15
Very Slow	Insufficient	Moderate		Rapid Worker	Highly Productive								
0 1 2 3	4 5 6	7 8 9	10 11 12	13 14 15									
<b>3. KNOWLEDGE OF WORK (understanding of responsibilities)</b>													
Good Understanding      Excellent Comprehension													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Almost None</td><td style="width: 20%;">Limited</td><td style="width: 20%;">Adequate</td><td style="width: 20%;">Good Understanding</td><td style="width: 20%;">Excellent Comprehension</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Almost None	Limited	Adequate	Good Understanding	Excellent Comprehension	0 1 2	3 4	5 6	7 8	9 10	
Almost None	Limited	Adequate	Good Understanding	Excellent Comprehension									
0 1 2	3 4	5 6	7 8	9 10									
<b>4. ADAPTABILITY (adjustment to change, ability to learn)</b>													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Unable to Adapt</td><td style="width: 20%;">Slow in Learning</td><td style="width: 20%;">Satisfactory</td><td style="width: 20%;">Adapts Readily</td><td style="width: 20%;">Rapid Learner</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Unable to Adapt	Slow in Learning	Satisfactory	Adapts Readily	Rapid Learner	0 1 2	3 4	5 6	7 8	9 10	
Unable to Adapt	Slow in Learning	Satisfactory	Adapts Readily	Rapid Learner									
0 1 2	3 4	5 6	7 8	9 10									
<b>5. DEPENDABILITY (reliability, accountability, punctuality)</b>													
Needs Constant Supervision      Needs Frequent Checking      Usually Dependable      Seldom Needs Checking      Highly Reliable													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Needs Constant Supervision</td><td style="width: 20%;">Needs Frequent Checking</td><td style="width: 20%;">Usually Dependable</td><td style="width: 20%;">Seldom Needs Checking</td><td style="width: 20%;">Highly Reliable</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Needs Constant Supervision	Needs Frequent Checking	Usually Dependable	Seldom Needs Checking	Highly Reliable	0 1 2	3 4	5 6	7 8	9 10	
Needs Constant Supervision	Needs Frequent Checking	Usually Dependable	Seldom Needs Checking	Highly Reliable									
0 1 2	3 4	5 6	7 8	9 10									
<b>6. COOPERATION (working with other employees, attitude)</b>													
Generally Cooperative      Gets Along Well      Excellent Relations													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Troublemaker</td><td style="width: 20%;">Has Difficulty</td><td style="width: 20%;">Generally Cooperative</td><td style="width: 20%;">Gets Along Well</td><td style="width: 20%;">Excellent Relations</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Troublemaker	Has Difficulty	Generally Cooperative	Gets Along Well	Excellent Relations	0 1 2	3 4	5 6	7 8	9 10	
Troublemaker	Has Difficulty	Generally Cooperative	Gets Along Well	Excellent Relations									
0 1 2	3 4	5 6	7 8	9 10									
<b>7. JUDGMENT (ability to make decisions, plan work)</b>													
Disorganized Illogical      Limited Judgment      Plans Well      Logical Thinker      Creative													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Disorganized Illogical</td><td style="width: 20%;">Limited Judgment</td><td style="width: 20%;">Plans Well</td><td style="width: 20%;">Logical Thinker</td><td style="width: 20%;">Creative</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Disorganized Illogical	Limited Judgment	Plans Well	Logical Thinker	Creative	0 1 2	3 4	5 6	7 8	9 10	
Disorganized Illogical	Limited Judgment	Plans Well	Logical Thinker	Creative									
0 1 2	3 4	5 6	7 8	9 10									
<b>8. INITIATIVE (motivation, interest in work, work control)</b>													
Lazy Indifferent      Needs Pushing      Adequate      Considerable Initiative      Highly Motivated													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Lazy Indifferent</td><td style="width: 20%;">Needs Pushing</td><td style="width: 20%;">Adequate</td><td style="width: 20%;">Considerable Initiative</td><td style="width: 20%;">Highly Motivated</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Lazy Indifferent	Needs Pushing	Adequate	Considerable Initiative	Highly Motivated	0 1 2	3 4	5 6	7 8	9 10	
Lazy Indifferent	Needs Pushing	Adequate	Considerable Initiative	Highly Motivated									
0 1 2	3 4	5 6	7 8	9 10									
<b>9. PERSONALITY (courtesy, appearance, public relations)</b>													
Rude, slovenly      Indifferent      Adequate for job      Polite Courteous      Exceptional													
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Rude, slovenly</td><td style="width: 20%;">Indifferent</td><td style="width: 20%;">Adequate for job</td><td style="width: 20%;">Polite Courteous</td><td style="width: 20%;">Exceptional</td></tr><tr><td>0 1 2</td><td>3 4</td><td>5 6</td><td>7 8</td><td>9 10</td></tr></table>			Rude, slovenly	Indifferent	Adequate for job	Polite Courteous	Exceptional	0 1 2	3 4	5 6	7 8	9 10	
Rude, slovenly	Indifferent	Adequate for job	Polite Courteous	Exceptional									
0 1 2	3 4	5 6	7 8	9 10									
<b>SIGN TO INDICATE ACKNOWLEDGEMENT, BUT NOT NECESSARILY AGREEMENT. (comment if desired)</b>			<b>APPOINTING AUTHORITY REVIEW</b>										
<b>SIGNATURE</b>			<div style="border-bottom: 1px solid black; width: 100%; margin-bottom: 5px;"></div> <div style="display: flex; justify-content: space-between;"><span><b>Signature</b></span><span><b>Date</b></span></div>										
<b>SIGNATURE</b>			<b>REVIEWER'S COMMENTS</b>										
<b>SIGNATURE</b>			<div style="border-bottom: 1px solid black; width: 100%; margin-bottom: 5px;"></div> <div style="display: flex; justify-content: space-between;"><span><b>Signature</b></span><span><b>Date</b></span></div>										

## INSTRUCTIONS

**GENERAL PURPOSE.** The general purpose of the performance evaluation program is to improve the level of performance of the employee. This can only be done if ratings are made honestly and conscientiously are discussed with the employee in a constructive and friendly fashion. The ratings may also be used in evaluating potentialities for promotion or in considering employees for layoff.

**RATING RESPONSIBILITY.** Each employee should be rated by the immediate supervisor to whom he is regularly assigned. The review of ratings may be made by persons designated by the appointing authority.

**PROCEDURE.** His evaluation of the employee on each trait should be indicated by circling a number at the appropriate place on the scale. The employee should be evaluated with reference to the requirements of the job which he holds. If specific standards of job performance have been established, they should be considered independently of the others, so far as possible. The ratings should be discussed with the employee, attempting to show those aspects of his work which need improvement, as well as those which deserve commendation.

**INTERPRETATION.** The brief descriptive phrases inserted above each scale are intended to be illustrative of the behavior which would justify a rating in that portion of the scale. A rating in the lowest fifth of any scale is an indication of definitely unsatisfactory performance. A rating in the next section indicates that the employee's performance needs improvement. A rating in the middle section signifies that the employee adequately meets the requirements of the job which he holds. In the next section, a rating indicates performance which is definitely better than that normally expected on the job. A rating in the last fifth indicates clearly exceptional and superior performance, characteristic of only few individuals.

### Major areas for improvement

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### Major strengths

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**Section 16: Staffing**  
**Subject: Code Of Ethics**  
**Minimum Standard: 5120:1-8-17(G)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have a written code of ethics that is provided to Correction Officers.

**PROCEDURE**

- A. The proper operation of democratic government requires that actions of public officials and employees be impartial, that government decisions and policies be made in the proper channels of governmental structure, that public office not be used for personal gain and that the public have confidence in the integrity of its government. Recognition of these goals establishes a Code of Ethics as follows for all officials and employees appointed and employed by the Sheriff's Office.
1. No employee shall use his/her official position for personal gain, or shall engage in any business or transaction, or shall have a financial or other interest, direct or indirect, which is in conflict with the proper discharge of his/her official duties.
  2. No employee shall, without proper legal authorization, disclose confidential information concerning the property or governmental affairs of the sheriff's Office, nor shall he/she use such information to advance the financial or otherwise private interest of himself/herself or others.
  3. No employee shall accept any valuable gift, whether in the form of service, loan, item or promise from any person, firm or corporation which is interested, directly or indirectly, in any manner whatsoever, in business dealings with the Sheriff's Office; nor shall employees accept any gift, favor or item of value that may tend to influence an employee in the discharge of his/her official duties. Nor shall any employee grant in the discharge of his/her duties, any improper favor, service or item of value.
  4. Any employee offered a gift or favor who is not sure if its acceptance is a violation of the Code of Ethics should inform his/her supervisor of the gift offer. No employee will accept from any contractor or supplier doing business with the Sheriff's Office any material or service for the private use of the employee.
  5. No employee shall represent private interest in any action or proceeding against the interest of the Sheriff's Office in any manner in which the Sheriff's Office is a part.
  6. State law prohibits employees and officials from having a financial interest in companies, which do business with public agencies with only minor exceptions. Employees who have any doubt concerning possible violation of these statutes are advised to consult their own attorney.
  7. No employee shall engage in, or accept, private employment, or render services for private interest, when such employment or service is incompatible with the proper discharge of his/her official duties, or it would tend to impair his/her independent judgment or action in the performance of his/her official duties.
  8. Any employee having doubt as to the applicability of a provision of this code to a particular situation shall consult his/her supervisor. If the supervisor is in doubt, he/she will refer the employee to the Sheriff. Violations of this code may constitute a cause for suspension, removal from office, or other disciplinary action.

**Job Classification**

Steps	Job Classification				
	Lieutenant	Sergeant	Corrections Officer		
1. Total hours contracted per employee per year (if a regular workweek is 40 hours, then 40 (52.14 weeks = 2,086)	2,080	2,080	2,080		
2. Average number of vacation hours per employee per year	200.2	156.67	111.58		
3. Average number of compensatory hours off per employee per year	N/A	N/A	N/A		
4. Average number of sick leave hours off per employee per year	26.25	69.81	55.60		
5. Average number of training hours off per employee per year	N/A	8	8		
6. Average number of personal hours off per employee per year	40	40	40		
7. Average number of military hours off per employee per year	0	0	13.5		
8. Average number of break hours off per employee year (Optional; it may be a contractual item.)	0	130	130		
9. Other: [Specify.]	N/A	N/A	N/A		
10. Other: [Specify.]	N/A	N/A	N/A		
11. Other: [Specify.]	N/A	N/A	N/A		
12. Other: [Specify.]	N/A	N/A	N/A		
13. Total hours off per employee per year [total lines 2 through 12]	240.2	404.48	295.08		
14. Net annual work hours [subtract line 13 from line 1]	1845.80	1759.33	1790.92		

Erie County Sheriff's Office Jail Division Policies

POST ORDERS  
E-CONTROL OFFICER

Hours of Duty/Shift: 0700 to 1500                      1500 to 2300                      2300 to 0700

Days of Duty:                      Sunday through Saturday

Equipment                      Proper uniform, handcuffs, pen, note pad.

General Instructions:

1. Check mailbox and computer mail daily.
2. Check bulletin board and Daily Comments for announcements.
3. Follow instructions of shift supervisor.

SCHEDULED DUTIES – TIMES ARE APPROXIMATE

0700 COUNT-Report to assigned area: log on duty, review incidents/problems with officer going off duty.  
0705 Prepare current count sheet.  
0715 Open cell doors and turn on TV's.  
0730 Log and monitor rover serving breakfast.  
0745 Monitor tray return, log/monitor inmate cleaning, log/monitor inmate shaving.  
0900 Monitor nurse making medical rounds.  
0930 Secure cell doors.  
1100 Open cell doors.  
1130 Log and monitor rover serving lunch.  
1145 Monitor tray return.  
1200 Log/monitor scheduled inmate programs, if any.  
1230 Secure cell doors.  
1445 COUNT-Verify current count sheet.  
1500 Review incidents/problems with officer coming on duty, log off duty.  
1500 Report to assigned area, log on duty, review.  
1515 prepare current count sheet, **open cell doors**.  
1515 Monitor nurse making medical rounds  
1630 Log/monitor rover serving diner.  
1645 Monitor tray return.  
1730 Secure cell doors.  
1800 Log/monitor/supervise scheduled inmate programs.  
1800 Monitor nurse making medical rounds.  
1900 All inmates locked down  
2130 Snacks passed out  
2300 COUNT-Review incidents/problems with officer coming on duty, and log off duty.  
2300 Report to assigned area, log on duty, review incidents/problems with officer going off duty, and assist with lockdown.  
2310 Prepare current count sheet.  
2315 Turn off lights and secure E-Control Room.  
0630 Verify count sheet.  
0700 COUNT-Review incidents/problems with officer coming on duty, log off duty.

## Erie County Sheriff's Office Jail Division Policies

### NON-SCHEDULED DUTIES

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write JNAR and HHIS reports as directed.
5. Participate in emergency/alarm response as directed by the shift supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Log inmate mail sent and received.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Monitor rover access to housing areas.
16. Maintain list of Keep Separate Inmates in general population.
17. Complete any and all other assigned duties.

## Erie County Sheriff's Office Jail Division Policies

### POST ORDERS B-CONTROL OFFICER

Hours of Duty/Shift: 0700 to 1500                      1500 to 2300                      2300 to 0700

Days of Duty: Sunday through Saturday

Equipment: Proper uniform, handcuffs, pen, note pad.

#### General Instructions:

1. Check mailbox and computer mail daily.
2. Check bulletin board and Daily Comments for announcements.
3. Follow instructions of shift supervisor.

### SCHEDULED DUTIES – TIMES ARE APPROXIMATE

0700 COUNT-Report to assigned area: log on duty, review incidents/problems with officer going off duty, account for keys, conduct the count, log of duty.

0705 Prepare current count sheet.

0715 Open cell doors and turn on TV's.

0730 Log and serve breakfast.

0745 Collect trays.

1930 Secure cell doors.

1100 Open cell doors.

1130 Serve lunch.

1145 Collect trays.

1200 Log/monitor scheduled inmate programs, if any.

1230 Secure cell doors.

1445 COUNT-Verify current count sheet.

1500 Review incidents/problems with officer coming on duty, account for keys, conduct the count, log the count in the computer, and log off duty.

1500 Report to assigned area, log on duty, review.

1515 Prepare current count sheet.

1630 Serve dinner.

1645 Collect trays.

1730 Secure cell doors.

1800 Log/monitor/supervise scheduled inmate programs.

1800 Monitor nurse making medical rounds.

19:00 Inmates secured

2300 COUNT-Review incidents/problems with officer coming on duty, log off duty, account for keys, conduct the count, log the count into computer, assist with lockdown, and log off duty.

2310 Prepare current count sheet.

2315 Turn off lights.

0630 Verify count sheet.

0700 COUNT-Review incidents/problems with officer coming on duty, account for keys, conduct the count, log the count into the computer, log off duty.

## Erie County Sheriff's Office Jail Division Policies

### NON-SCHEDULED DUTIES

1. Provide security and supervise inmate behavior in the housing area according to Erie County Jail Policy.
2. Log/monitor/supervise inmate movement as required.
3. File paperwork as required.
4. Write JNAR and HHIS reports as directed.
5. Participate in emergency/alarm response as directed by the shift supervisor.
6. Assist with security checks as required.
7. Report all equipment malfunctions and maintenance problems as soon as possible.
8. Log/monitor all security activity, including checks, shakedowns, discipline, incidents, etc.
9. Log/monitor/supervise participation in inmate programs.
10. Assist other officers as required or directed.
11. Monitor control board continuously for open doors, intercom calls, alarms, etc.
12. Assist with booking as needed.
13. Create events for sick call when request slips are received, and file the slips in the inmate's file by the end of the shift.
14. Monitor inmate use of cleaning supplies as needed.
15. Perform and record jail security checks using guard tour equipment at least once every 60 minutes. Checks shall be at irregular intervals. Any pertinent information or unusual events will be recorded on the log.
16. Maintain list of Keep Separate Inmates in female general population.
17. Inspect/search all cells assuring cleanliness and contraband control.
18. Pat search all inmates leaving or returning to housing areas.
19. Monitor/supervise inmates leaving or returning to work release.
20. Complete bookings and releases as required.
21. Distribute incoming mail and newspapers as soon as possible.
22. Complete clothing and linen exchange as directed.
23. Issue supplies to inmates as required. (soap, TP, hygiene supplies, etc.)
24. Monitor/respond to 401 sally port as required.
25. Monitor maintenance personnel while in housing areas.
26. Monitor/supervise use of all razors.
27. Complete any and all other assigned tasks.

Erie County Sheriff's Office Jail Division Policies

**POST ORDERS  
A-CONTROL OFFICER**

Hours of Duty/Shift: 0700 to 1500                      1500 to 2300                      2300 to 0700

Days of Duty: Sunday through Saturday

Equipment Proper uniform, handcuffs, pen, note pad.

General Instructions:

1. Check mailbox and computer mail daily.
2. Check bulletin board and Daily Comments for announcements.
3. Follow instructions of shift supervisor.
4. Monitors all movement within the facility (visual/CCTV)
5. Remotely opens doors allowing only authorized traffic through
6. Advises appropriate jail staff of traffic requesting entry to the jail (book in/transport/professional visitors/deliveries/etc.)
7. Answers and directs telephone calls.
8. Runs individuals through LEADS
9. Directs, controls and monitors inmate movement
10. Answers radio traffic/ intercom
11. Records A control incoming mail

**SCHEDULED DUTIES – TIMES ARE APPROXIMATE**

07:00 The on coming A board operator will inspect the general condition of the Control Room, looking for missing, mal-functioning equipment and inspecting the general cleanliness of the control room. The officer going off duty is not considered properly relieved until the on coming officer deems the control room secure and acceptable. Any discrepancies that cannot be resolved at shift change should be directed to the shift supervisor.

07:15 Cell doors in Segregation and Classification are opened.

07:30 Monitor officers as morning activity proceeds (razors, cleaning supplies, breakfast trays passed out).

07:45 Monitor tray pick up

09:30 Cell doors in Segregation and Classification are closed.

11:30 Monitor officers as lunch trays are passed out

12:30 Cell doors in Segregation and Classification are secured

14:45 Inmates locked down for headcount

15:00 Headcount. The on coming A board operator will inspect the general condition of the Control Room, looking for missing, mal-functioning equipment and inspecting the general cleanliness of the control room. The officer going off duty is not considered properly relieved until the on coming officer deems the control room secure and acceptable. Any discrepancies that cannot be resolved at shift change should be directed to the shift supervisor.

15:15 Cell doors in Segregation and Classification are opened.

16:30 Monitor officers as supper trays are passed out.

16:45 Monitor tray pick up

17:00 Observe officers as they conduct hourly checks in Segregation, Classification and holding. Direct inmate movement during visitation and program hours.

1645 Monitor tray return.

1730 Secure cell doors.

1800 Log/monitor/supervise scheduled inmate programs.

1800 Monitor nurse making medical rounds.

1900 All inmates locked down

## Erie County Sheriff's Office Jail Division Policies

- 2130 Snacks passed out
- 2300 COUNT-Review incidents/problems with officer coming on duty, and log off duty.
- 2300 Report to assigned area, log on duty, review incidents/problems with officer going off duty, assist with lockdown.
- 2310 Prepare current count sheet.
- 2315 Turn off lights and secure E-Control Room.



**Section 17: Staff Training**  
**Subject: Support Staff**  
**Minimum Standard: 5120:1-8-17(A)(D)**  
**Revised: 02/94, 07/96, 12/11, 9/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

It is the policy of the Erie County Jail to provide for competent support staff to ensure the safety and security of the staff, inmates and facility. Prior to being allowed to be support staff all will be subject to a thorough background investigation. Support Staff will be subject to the same background evaluation such as for correctional officers and must be approved by the Sheriff or Jail Administrator. All Support Staff (routine and occasional inmate contact) will receive training in pertinent agency policies and procedures prior to or in conjunction with assignment to jail duties.

**PROCEDURE**

**A. Screening**

1. The Sheriff or directly appointed designee will ensure all Support Staff of the Erie County Jail be submitted to a thorough background investigation.
  - a. The use of LEADS, FBI, BCI, OHLEG, local files and references will be used to examine a prospective support staff background

**B. Training**

1. All newly assigned Support Staff will receive training in, but not limited to, the following areas:
  - a. During first year of assignment twenty four hours training in:
    - a. Legal aspects of Corrections.
    - b. Basic Security Concepts.
    - c. Emergency Preparedness.
    - d. Interpersonal Communications.
    - e. First Aid / CPR.
    - f. Unarmed Self-Defense.
    - g. Standards for Jails in Ohio.
  - b. Two hours of in-service training each subsequent year of employment addressing specific job assignments and/or jail related issues.

**C. Use Of Support Staff**

1. The Erie County Jail will utilize Support Staff for the following:
  - a. Medical Staff
  - b. Kitchen Staff



# ERIE COUNTY SHERIFF'S OFFICE

PAUL A. SIGSWORTH  
SHERIFF

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## Erie County Jail Support Staff

I \_\_\_\_\_ , \_\_\_\_\_ , \_\_\_\_\_ , understand my  
Name DOB SSN  
assignment to the Erie County Jail for the purpose of \_\_\_\_\_ .  
Support Staff Assignment

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

LEADS Check : \_\_\_\_\_ Officer: \_\_\_\_\_ Date: \_\_\_\_\_

OHLEG Check: \_\_\_\_\_ Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Training Packet: \_\_\_\_\_ Officer: \_\_\_\_\_ Date: \_\_\_\_\_

**Section 17: Staff Training**  
**Subject: Volunteers**  
**Minimum Standard: 5120:1-8-17(F)**  
**Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall have written policy and procedures that govern the screening, training, and use of prior to utilizing volunteers in the jail. It is the policy of the Erie County Jail to provide for competent volunteers to ensure the safety and security of the staff, inmates, and the jail. Prior to being allowed to be volunteer all will be subject to a thorough background investigation. Volunteers will be subject to the same background evaluation such as for correctional officers and must be approved by the Sheriff or Jail Administrator.

**PROCEDURE**

**A. Screening**

1. The Sheriff or directly appointed designee will ensure all volunteers of the Erie County Jail be submitted to a thorough background investigation.
2. The use of LEADS, FBI, BCI, OHLEG, local files and references will be used to examine a prospective volunteers' background.

**B. Training**

1. All newly assigned Volunteers will receive training in, but not limited to, the following areas:
  - a. Intercom use.
  - b. Contraband.
  - c. Jail Emergencies.
  - d. Any Jail Policy or Procedure that would relate to their volunteer assignment.

**C. Use Of Volunteers**

1. The Erie County Jail will utilize Volunteers for the following:
  - a. Bible Study.
  - b. AA Meetings.
  - c. Bayshore Mental Health.
  - d. CDTC Assessment.



# ERIE COUNTY SHERIFF'S OFFICE

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SHERIFF

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## Erie County Jail Volunteer

I \_\_\_\_\_ , \_\_\_\_\_ , \_\_\_\_\_ , volunteer my  
Name DOB SSN

services to the Erie County Jail for the purpose of \_\_\_\_\_ .  
Volunteer Assignment

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

LEADS Check : \_\_\_\_\_ Officer: \_\_\_\_\_ Date: \_\_\_\_\_

OHLEG Check: \_\_\_\_\_ Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Training Packet: \_\_\_\_\_ Officer: \_\_\_\_\_ Date: \_\_\_\_\_

**Section 17: Staff Training**  
**Subject: Training-Corrections Officers**  
**Minimum Standard: 5120:1-8-18 (B)**  
**Revised: 02/94, 07/96, 12/11, 09/2014**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Correctional Officers shall receive training in jail policies and procedures within sixty day of employment, training consistent with Chapter 109-2-9 of the Ohio Administrative Code within the first year of assignment, and eight hours of in-service training each subsequent year of employment addressing specific job assignments and/or jail related issues. It is the policy of the Erie County Sheriff to develop and maintain a training program that will ensure jail personnel perform their various duties in accordance with agency policies, Standards for Jails in Ohio, and state and federal law. Corrections Officers must complete the Ohio Peace Officer Training Commission Corrections Academy and pass the mandated examination as required in order to be employed as a Jail Corrections Officer by the Erie County Sheriff.

**PROCEDURE**

- A. All Corrections Officers will be trained at the earliest opportunity within the first year of employment in the jail.
- B. Any Corrections Officer whose primary responsibility is inmate supervision, and who is required to enforce jail rules and policies, respond to facility safety/security needs, and/or directly interact with prisoners in the performance of his/her duties, must receive training consistent with Chapter 109-2-9 of the Ohio Administrative Code within the first year of assignment to such duties.
- C. In addition to the above listed training, Corrections Officers may also receive:
  - 1. On the job training.
  - 2. Instruction during in-service meetings.
  - 3. Instructional documents for training and review.
  - 4. Instructional videos for training and review.
  - 5. Taser training and certification.
  - 6. Cell extraction procedures training.
  - 7. Monthly policy review training.
- D. Training for newly hired Corrections Officers shall also include:
  - 1. Review of Erie County Sheriff's Office Policies and Procedures, including Jail Policies, immediately after employment.
  - 2. Twenty-four (24) hours of in-service reviews each subsequent year of employment addressing specific job assignments and/or jail related issues.
- E. Training may be documented by:
  - 1. Written examinations.
  - 2. Training checklists.
  - 3. Oral interviews.
  - 4. Signature sheets.
  - 5. Entries into training logs.

## **Section 17: Staff Training**

**Subject: Training-Administrators, Supervisors**

**Minimum Standard: 5120:1-8-18 (C)**

**Revised: 02/94, 07/96, 12/11, 09/2014**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

It is the policy of the Erie County Sheriff that the Jail Administrator and jail supervisors must have completed the Ohio Peace Officers Training Commission prescribed Basic Corrections Officers Training Academy and must have successfully passed the examination given at the conclusion of that academy prior to their appointment(s). Corrections Officers who are promoted to, or initially employed for, administrative or supervisory duties within the jail will be trained, in addition to the training for Corrections Officers, in applicable agency policies and procedures prior to the assignment of such duties, forty hours of training including legal aspects of jail management, managerial principles, labor relations and records/information management during their first year of assignment, and eight hours of in service training each subsequent year of employment addressing special issues, skills-enhancement, and other assignment related topics.

### **PROCEDURE**

- A. Corrections Officers who are initially employed for administrative or supervisory duties within the jail must receive at least forty hours of training within the first six months of assignment.
- B. Training for the Jail Administrator, and Jail Supervisors, will be in accordance with Section 5120:1-08-18 of the Ohio Administrative Code.
- C. Corrections Officers who are promoted to, or initially employed for, administrative or supervisory duties within the jail will receive:
  - 1. Training in applicable agency policies and procedures prior to the assignment of such duties.
  - 2. Forty hours of training including legal aspects of jail management, managerial principles, labor relations and records/information management during their first year of assignment.
  - 3. At least eight hours of in service training each subsequent year of employment addressing special issues, skills-enhancement, and other assignment related topics.

## **Section 18: Release**

### **Subject: Identification and Release Documentation**

**Minimum Standard: 5120:1-8-01(A)(13)**

**Revised: 05/2005, 01/2008, 12/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing inmate's identification and release documentation shall be verified. Inmates shall not be released, removed, or otherwise transferred from the Erie County Jail unless proper written documents are available to authorize the release or removal. Such documents include bond papers, courts orders, docket entries, written release orders, warrants, and/or other similar verification. The inmate's identification shall be verified by photo identification prior to release. It shall be the policy of the Erie County Jail to hold an inmate for a minimum of 4 hours in the event he inmate is displaying erratic, violent, and/or unruly behavior that could be harmful to the public. After the 4 hour period, the shift supervisor will have the option to release the inmate to a responsible, competent adult. This person will be required to co-sign the bond.

## **PROCEDURE**

Any inmate who was arrested on an alcohol related charge or appears to be under the influence of alcohol must test below .08 prior to release from custody without a co-signer. Such test will be conducted using a portable breath tester or the BAC Datamaster. When using the PBT or Datamaster the officer conducting the test should attach the printed ticket to the inmate's file.

1. All documents or information provided for the release of an inmate shall be forwarded immediately to the Shift Supervisor prior to release of the prisoner.
2. Before the formal release, the Shift Supervisor must verify the legality of the action.
3. No inmate of the Erie County Jail shall be released unless:
  - a. They have met bond requirements set by the court.
  - b. They have fulfilled their obligations of sentence as set forth by the court.
  - c. There is a written court order or verbal directive from the court of record.
  - d. If the Corrections Officer has reason to question the validity of the documents or instructions presented for the release the Jail Administrator will be called.
4. The Corrections Officer assigned to release the inmate will satisfy all required information concerning the release of the inmate noting time, disposition, and/or reason for release on all jail forms and/or computerized records. The release section of the incarceration form shall be completed. The shift supervisor will review all data and sign the bottom of the checklist to indicate all release steps have been properly completed (See Forms: A: Incarceration Form). This is to be completed prior to the prisoner's release from custody.
5. The releasing Corrections Officer will make certain that no detainer, hold or warrants are pending by checking through LEADS, NCIC, and warrant information at the Erie County Sheriff's Office.

**Section 18: Release**  
**Subject: Bonds and Fines**  
**Revised: 02/2016**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Under certain circumstances, agency employees may accept bonds posted on behalf of an Erie County Jail inmate to the appropriate court, potentially allowing for the inmate to be released from custody. This policy has been developed to provide employees with appropriate guidelines to ensure that bonds are properly accepted and that inmates are then properly released.

**DEFINITIONS**

**Employee**—includes the Sheriff, any Deputy Sheriff, and any Corrections Officer whose job duty at any time would require that employee to engage in activity covered by this policy.

**Bond**—a written obligation between a jail inmate and the court through which the inmate/defendant is charged with a violation of law, wherein the inmate is bound to appear in court at a future time—and to abide by other conditions that may be set by the court—in exchange for the inmate providing cash or other item of value to the court as collateral for release from custody.

**Recognizance**—a written obligation in which a jail inmate/defendant wherein the inmate/defendant acknowledges future responsibility to the court through with the inmate/defendant is criminally charged. Generally used to refer to a “personal” recognizance bond, executed upon the order of a court that allows the inmate/defendant to be released from further custody upon the execution of his/her signature, with the understanding that the inmate/defendant must appear at all future court proceedings as ordered by the court.

**Cash bond**—a bond that is satisfied by the surrender of the inmate/defendant of a court-ordered amount of currency (or money order) to that court in exchange for the defendant's release from custody.

**10% bond**—a bond that is satisfied by the surrender of the inmate/defendant of a court-ordered amount of currency (or money order) in the amount of 10% of the amount of the full bond in exchange for the defendant's release from custody.

**Property bond**—a bond that is satisfied by the promised surrender of certain real estate, valued at an amount set by the involved court, to that court if a defendant does not follow the dictates of bond conditions in exchange for the inmate/defendant's release from custody.



**Section 18: Release**  
**Subject: Bonds and Fines (Continued)**  
**Revised: 02/2016**

Surety bond—a bond that is satisfied by the issuance of an insurance certificate in the name of the inmate/defendant in an amount equal to, or exceeding, the amount of the required bond as set by the court. Surety bond certificates are issued by bail bond agents, who have a fiduciary responsibility to the court to which the certificate is issued, to ensure the future appearance of the jail inmate/defendant as ordered by the court.

**BOND ACCEPTANCE**

Employees will only accept bonds posted through a court having jurisdiction in Erie County, and only on behalf of a jail inmate, and only at the Erie County Jail, as follows:

- A. Personal recognizance and surety bonds for any offense—felony or misdemeanor—will be accepted at any time.
- B. In felony cases filed in the various municipal courts or the Erie County Common Pleas Court, cash bonds cannot be accepted and must be posted with the Clerk of that Court.
- C. In misdemeanor cases requiring the posting of a cash bond, the bond must be posted with that particular court's Judge, Magistrate, or Clerk if they are available. If they are not available, then an employee is authorized to take such cash bond (money order) on behalf of the court in accordance with a bond schedule published by that court, unless the specific amount of the bond is noted on the charging document, i.e.: arrest warrant, bench warrant. Employees will consider the Judge, Magistrate, or Clerk unavailable for purposes of this policy if the court is closed.
- D. An employee will not accept any bond for an inmate for the Vermilion Municipal Court at any time, unless specifically requested to do so by the Judge, any Magistrate, the Clerk, or any Deputy Clerk of that Court. Anyone wishing to post a bond through the Vermilion Municipal Court will be referred by the employee to that Court during its business hours, and to the Vermilion Police Department if that Court is closed. Vermilion Police Department dispatchers are Deputy Clerks of the Vermilion Municipal Court.

**PROCEDURES**

An employee accepting a bond and/or completing a bond form prior to the release of an inmate will follow the procedures listed below.

- A. The charge screen will be checked to determine the amount and type of bond that is required for release of the inmate. The inmate's file should also be checked to determine if the bond type and amount is correct.

**Section 18: Release**  
**Subject: Bonds and Fines (Continued)**  
**Revised: 02/2016**

**B. Personal Recognizance bond.**

1. If the inmate may be released on his/her own recognizance:
  - a. The appropriate bond form shall be properly completed.
    1. The box indicating a personal signature and an amount will be marked.
    2. It will be the responsibility of the releasing employee to ensure the bond is accurately completed.
  - b. The releasing employee shall explain the bond to the inmate emphasizing that this is a personal recognizance bond and the inmate may be held responsible for the amount should he/she not appear for a court date.
  - c. The inmate will sign the bond, including address and phone number if available, on the lines provided on the right side of the bond marked defendant.
  - d. The releasing employee will sign the bond on the line above Deputy/Corrections Officer.
  - e. The inmate will be given a Bond Release Information Form with the name and address of the court, phone number of the court, date and time of scheduled court date, and any conditions of release set by the court.
  - f. The releasing employee will place the bond in the box in Main Control to be forwarded to the court.

**C. Personal Recognizance bond with co-signer.**

1. If the inmate may be released on his/her own recognizance with a co-signer:
  - a. The appropriate bond form shall be properly completed.
    1. The box indicating a personal signature with co-signer and an amount will be marked.
    2. The co-signer's name should be typed (or written) in after "along with the following named person(s)" on the bond form.
    3. It will be the responsibility of the releasing employee to ensure the bond is accurately completed.
  - b. The employee shall determine if a specific person has been designated by the court to be the co-signer. The employee will verify through acceptable photo identification that the co-signer is the person designated by the court. If a specific person has not been designated by the court, the non-designated co-signer's photo identification will also be verified. All co-signers, prior to co-signing a bond, will be checked through LEADS/NCIC to ensure that no outstanding warrants exist for the co-signer, and to also ensure that there are no outstanding protection orders that prevent

**Section 18: Release**  
**Subject: Bonds and Fines (Continued)**  
**Revised: 02/2016**

the co-signer from having contact with the inmate. An employee will not allow an individual who appears to be under the influence of alcohol or drugs, who appears to be mentally ill, or who otherwise appears to be unfit to assume the responsibility for the inmate as a co-signer, to co-sign a bond.

- c. The releasing employee will explain the bond to the co-signer, emphasizing that both the inmate and the co-signer may be held responsible for the bond amount in the event the inmate does not appear for the scheduled court date.
- d. The co-signer will sign the bond, including address and phone number if available on the lines provided on the left side of the bond marked Co-Signer / Bond Posted By.
- e. The releasing employee shall explain the bond to the inmate, emphasizing that both the inmate and the co-signer may be held responsible for the bond amount in the event the inmate does not appear for the scheduled court date.
- f. The inmate will sign the bond, including address and phone number if available, on the lines provided on the right side of the bond marked Defendant.
- g. The releasing employee will sign the bond on the line above Deputy/Corrections Officer.
- h. The inmate and/or the co-signer will be given a Bond Release Information Form with the name and address of the court, phone number of the court, date and time of scheduled court date, and any conditions of release set by the court.
- i. The releasing officer will place the bond in the box in Main Control for forwarding to the court.

**D. Property bond.**

1. Property bonds will not be accepted by an employee at the Erie County Jail.
2. All arrangements for a property bond must be done at the court of jurisdiction.

**E. Cash and/or 10% bond.**

1. If an inmate is posting money to be released on bond, either 10% or full amount, or for fines:
2. Funds for bonds or fines must be posted in the form of a money order(s) totaling to the exact amount. Cash, personal checks, and/or money orders or cashier's checks from foreign banks will not be accepted.
  - a. Money orders will be made out to the Court through which the charge the inmate is being held on was filed.

**Section 18: Release**  
**Subject: Bonds and Fines (Continued)**  
**Revised: 02/2016**

1. The person posting the bond/fine will sign the money order.
  2. It will be the responsibility of the releasing officer to ensure:
    - a. The money order is made out to the correct court.
    - b. The amount of the money order matches the Bond/Fine amount.
    - c. The money order is not expired.
  - b. The officer accepting the money order will issue a receipt to the person posting the bond/fine. The receipt must include:
    1. Date and court.
    2. Money order number and amount.
    3. Defendant's name and name and address of the person posting the bond.
    4. Indication of type of payment (bond, fine, etc.).
    5. Signature of the officer accepting the bond or fine.
  - c. The officer accepting the money order will complete a deposit envelope for the bond/fine. The deposit envelope must include:
    1. Date and court.
    2. Receipt number.
    3. Defendant's name and name and address of the person posting the bond.
    4. The amount of bond/fine being posted.
    5. Indication of type of payment (bond, fine, etc.).
    6. Signature of the officer accepting the bond/fine.
    7. The deposit envelope will be attached to the bond, if a bond is required. In the event that cash is being posted for the payment of a fine, a bond form will not be completed. The envelope will be placed in the lock box in Main Control.
- F. Inmate posting cash/10% bond or fine from his/her commissary account.
1. If an inmate is using his/her commissary money to post a bond or to pay a fine, a check payable to the court shall be generated. The releasing employee officer will follow the above listed procedure listing the inmate as the person posting the bond/fine.
- G. Completion of bond form for cash/10% bond.
1. If the inmate may be released after cash or 10% bond is posted, the appropriate bond form shall be properly completed by checking the box indicating that the bond is either a cash bond or a 10% bond. The completed deposit envelope will be attached to the bond form. It is the

**Section 18: Release**  
**Subject: Bonds and Fines (Continued)**  
**Revised: 02/2016**

responsibility of the releasing employee to ensure that the form is accurately completed.

2. The releasing employee shall explain the bond to the inmate emphasizing that this bond money may be forfeited if he/she fails to appear for a court date, and will also be advised that, at the discretion of the court, all or some of the funds posted may be levied as fines or court costs.
3. The inmate will sign the bond, including address and phone number if available, on the lines provided on the right side of the bond marked Defendant.
4. The releasing employee will sign the bond on the line above Deputy/Corrections Officer.
5. The inmate will be given a Bond Release Information Form with the name and address of the court, phone number of the court, date and time of scheduled court date, and any conditions of release set by the court.
6. The releasing employee will place the bond in the box in Main Control for forwarding to the court.

**H. Surety Bond.**

1. Prior to releasing a prisoner on a bond written by an bail bond agent, the releasing employee shall:
  - a. Determine the authority of the person representing the bail bond company.
    1. The employee will verify the identification of the bail bond agent.
  - b. The employee will determine if the bonding company is acceptable to the court.
    1. A list of acceptable bonding companies for all of the courts in Erie County, issued by the Clerk of the Erie County Common Pleas Court, will be kept in the bond book in the Jail Sergeant's Office for necessary reference.
  - c. The releasing employee will check the bond for accuracy before accepting it from an agent.
    1. Bond agents will provide all necessary forms for release of the inmate.
2. The releasing employee will place the bond in the box in Main Control for forwarding to the court.

End of policy

**(Ohio Revised Code Sec.2937.31/2937.44)**

**vs.**

**Charge(s):**

Deputy / Corrections Officer

**Section 18: Release**  
**Subject: Bond Refusal**  
**Minimum Standard:**  
**Revised: 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

Accurate identification is required of all inmates that are to be booked out of the Erie County Jail. An inmate shall not be released until complete and verifiable information is provided.

**PROCEDURE**

- A. Proper Identification may include submitting:
  - 1. Signature on a bond if required.
- B. In the event an inmate refuses to provide corrections staff with complete and proper identification information:
  - 1. The shift supervisor will be notified of the refusal.
  - 2. The court of record should be notified as soon as possible.
  - 3. A jail incident report should be submitted, providing details of any refusal.
  - 4. The inmate shall not be released until complete and accurate identification criteria is satisfied (unless otherwise ordered by the court of record).

***Erie County Sheriff's Office  
2800 Columbus Ave.  
Sandusky, Ohio 44870  
419-627-7569***

***Bond Release Information***

On , you were arrested for the following charge(s);

You were brought to the Erie County Jail for Incarceration. You have obtained means of posting bond, making you eligible for release.

A court date has been set for, \_\_\_\_\_ at .

***Any questions concerning your charge(s) or Court date should be directed to the following:  
As indicated with the (X)***

( ) Sandusky Municipal Court 222 Meigs St. Sandusky, Ohio 44870 419-627-5920	( ) Vermilion Municipal Court 687 Decatur St. Vermilion, Ohio 44089 440-967-6543
( ) Huron Municipal Court 417 Main St. Huron, Ohio 44839 419-433-5430	( ) Erie County Municipal Court 150 W. Mason Rd. Milan, Ohio 44846 419-499-4689
( ) Erie County Common Pleas Court 323 Columbus Ave. Sandusky, Ohio 44870 419-627-7682	( ) Erie County Common Pleas Domestic Relations Court 323 Columbus Ave Sandusky, Ohio 44870 419-627-7682
( ) Milan Mayor's Court P.O. Box 1450 9 E. Church St. Milan, Ohio 44846 419-499-2001	( ) Kelley's Island Mayor's Court P.O. Box 469 112 Addison St. Kelley's Island, Ohio 43438 419-746-2535

***Failure to contact the assigned court will result in the issuance of a Warrant***

***Conditions of Release:***



**Section 18: Release****Subject: Commitment Release Time****Minimum Standard:****Revised: 05/2005, 01/2008, 12/2011, 09/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures for the release of inmates who are serving jail commitments in the Erie County Jail.

**PROCEDURE**

1. If no specific release time is noted on the authorizing document, the inmate shall be released at 0500 hours on the date of the scheduled release.
2. In accordance with O.R.C. Section 4511.99.1, all persons serving 3 days for DUI charges (4511.19) shall be credited with one day equal to twenty-four actual hours of incarceration beginning at the actual time of booking. Therefore, a person committed to jail for three days on an OMVI charge would serve seventy-two hours of actual jail time and would be released 72 hours from the time of book in.
3. The release of jail commitments shall follow the policy and procedures outlined in Releasing an Inmate – Physical Release of Erie County Jail Policies and Procedures.

**Section 18: Release****Subject: Releasing an Inmate to Another Agency****Minimum Standard: 5120-1-8-01(A)(14)****Revised:**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

**POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing upon an inmate's release to another agency the jail shall document:

- a. The identity of the receiving officer and agency taking custody of the inmate.
- b. The date and time of release to the agency taking custody of the inmate.
- c. The authority for the release.

No inmate of the Erie County Jail will be released unless the legality of the action is clearly established and the identity of the inmate is certain.

**PROCEDURE**

- A. The Corrections Officer who is to release an inmate on a holder, detainer, warrant, or other legal document to the custody of another law enforcement agency, detention facility, or other jurisdiction will:
  1. Have the Shift Supervisor confirm the proper documentation and ensure that all necessary waivers of the extradition or court entries are in order.
  2. The releasing officer will then make arrangements for the transfer by notifying the agency from which the holder or detainer originated by notifying them through a LEADS communication.
  3. In the event that there are multiple holder or detainers on the inmate, the Shift Supervisor will contact the agency closest to the Erie County Jail that has a holder or detainers on the inmate.
  4. Before transferring custody of any inmate to another agency the Corrections Officer escorting the agents or officer inside the security perimeter will verify their identity.
  5. Prior to the release of an inmate to the care and custody of another agency the officer receiving the inmate shall complete the bottom section of the incarceration form checklist to acknowledge custody of the inmate.

## Section 18: Reception and Release

### Subject: Prison Property

### Minimum Standard:

### Revised:

Authorized: \_\_\_\_\_ Effective date: \_\_\_\_\_  
Sheriff Paul A. Sigsworth

## POLICY

The personal property of all inmates who have left the Erie County Jail for prison will be logged and stored by the Inmate Property Officer. The inmate will be granted a fourteen-day opportunity to have their property claimed. Any property not claimed in fourteen days will be disposed of.

## PROCEDURE

No personal property will be transported to any Ohio Prison from the Erie County Jail. The officer preparing the inmate for transport will:

1. Place all personal property into a plastic bag with the property sheet stapled to the bag.
  2. Have the inmate fill out a Property Release Form A (See Forms: A: Property Release Form A) making sure the inmate has placed the person's full name and address of the person he/she would like the property released to. The inmate can also acknowledge that there is no preference as to whom the property will be released to.
  3. The form will be stapled to the marked bag, which will be placed in the property storage room.
- A. **Storage** - It will be the responsibility of the releasing officer to store all prison property waiting to be claimed. The Inmate Property Officer will place the bag and label it Property Release Form A.
- B. **Releasing property** - When an individual comes to claim inmate property the releasing officer will verify using photo ID and the Form A to ensure that the correct person is claiming the property. The releasing officer will have the person claiming the property sign to verify they are receiving the property. The prisoner can elect to release their property to any unspecified person. In that event the prisoner's property will be released to any adult (claiming the property) who displays proper identification. The signed form will be placed into the Inmate Property Officer's box in Property Room Storage. The Inmate Property Officer will file all paperwork dealing with said property into the completed file. Property can be claimed and released at any time.
- C. **Records** - Once the property has been claimed or disposed of, the Property Release Form A will be placed into the completed prison property file. The Inmate Property Officer will be responsible for keeping the record of property claimed, unclaimed, and disposed.
- D. **Unclaimed Property** - If the fourteen days have passed since the inmate was transported or released from the Erie County Jail the unclaimed property will be disposed of. All unclaimed property will be sent to the Erie County Landfill for proper disposal. The Inmate Property Officer will label the Property Release Form A as destroyed and sign. A second officer will also sign the form to verify property has been destroyed properly. The form will then be placed into the completed file.

**Section 18: Reception and Release**  
**Subject: Prison Property (Continued)**  
**Minimum Standard:**  
**Revised:**

- E. **Claims of Lost property-** All claims of lost or missing property must be submitted in writing to the Jail Administrator. If the inmate who is being released or transported claims to have property missing or damaged he/she must immediately advise the officer of their claim. The officer releasing or preparing the prisoner for transport should make an attempt to locate the property said to be missing. In the event the property cannot be located the officer should indicate, in writing on the property inventory sheet, exactly what the prisoner claims is missing from their property. The prisoner should sign the receipt indicating that he/she is stating that property is missing. The prisoner will be directed to submit a written statement outlining the details of their claim. This statement should be submitted to

Erie County Jail Administrator  
2800 Columbus Ave.  
Sandusky, Ohio 44870

The Jail Administrator will then forward the claim to the Inmate Property Officer who will conduct an investigation as to the disposition of the property. This Officer will then submit a written statement of findings to the Jail Administrator.

**Erie County Sheriff's Office**  
**2800 Columbus Ave.**  
**Sandusky, Ohio 44870**  
**Phone 419-627-7569**

**Property Release Form A**

I \_\_\_\_\_ ,  
Inmate's name

give my consent to the Erie County Sheriff's office to release my property to

☐ \_\_\_\_\_

Phone Number: \_\_\_\_\_

☐ Any person that arrives to claim my property

I acknowledge that any of my personal property left in storage at the Erie County Jail is  
considered abandoned and will be destroyed after a period of 14 days.

\_\_\_\_\_  
Inmate's Signature

\_\_\_\_\_  
Date release from ECSO custody

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**RECEIPT OF INMATE'S PERSONAL PROPERTY**

I acknowledge receipt of all the above inmate's personal property.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Address \_\_\_\_\_

**\*\*\*\*\*Please Place Completed form in Property Officer's Box in Property Storage\*\*\*\*\***

## **Section 18: Release**

### **Subject: Releasing a Violent/Combative Inmate**

#### **Minimum Standard:**

**Revised: 05/2005, 01/2008, 12/2008, 12/2011, 10/2015**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

## **POLICY**

Any prisoner who is displaying violent, erratic, or dangerous behavior should be incarcerated at the Erie County Jail for a minimum of 4 hours. After this 4-hour period, and after the inmate has met the criteria for bond, the supervisor or officer in charge will have the option to release the inmate to a responsible, competent adult. The person taking charge of the inmate must act as a co-signer on the bond.

## **PROCEDURE**

- A. Any inmate who was arrested on an alcohol related charge or appears to be under the influence of alcohol must test below .08 blood alcohol level prior to release from custody without a co-signer.
  1. Such test shall be conducted using the Portable Breath Test (PBT) or the BAC Datamaster.
  2. In the event the PBT is utilized, after taking the test the Corrections Officer administering the test will:
    1. Plug the USB cord marked BAC in processing into the PBT.
    2. Open the data 500 icon on the desktop.
    3. Click the option tab
    4. Click clear instrument data afterword.
    5. Click the read instrument tab.
    6. Click on the print button at the bottom of the box.
    7. Place the results in the inmates file.
  3. If the Datamaster is used the officer conducting the test shall attach the printed evidence ticket to the inmate's file.
- B. The following shall apply to any inmate, who has been placed in restraints because of violent, assaultive, or dangerous behavior:
  1. The inmate must remain in custody 4 hours after restraints are removed.
  2. Officers shall continue to monitor and document the inmate's behavior after being released from restraints.
  3. The inmate's conduct must be such that he/she no longer poses a danger to themselves, staff, or the public prior to their release.
- C. Whenever an Action Force Response (striking, punching, kicking or use of aerosols, electrical devices, or less-lethal projectiles as outlined in the Action Force Continuum) are applied to an inmate:
  1. The inmate shall remain in custody until seen by jail medical staff.
  2. The medical staff shall document injuries or complaints of injury, if any.
  3. After being examined by medical personnel and the inmate no longer appears to be a threat to himself or others, he/she may then be released, if bond criteria are met.

## **Section 18: Release**

**Subject: Physical Release / Property Signature**

**Minimum Standard: 5120:1-8-01(15)**

**Revised: 05/2005, 01/2008, 12/2008, 12/2011**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

The Erie County Jail shall implement policies and procedures and produce documentation that evidences compliance showing upon an inmate's release of transfer, the jail shall obtain a receipt for all property returned at the time of release or transfer from the inmate or receiving officer. If an inmate complains about confiscated, allegedly missing or damaged property, and the complaint cannot be resolved prior to his/her release, the inmate shall be required to submit specific details of the complaint in writing.

### **PROCEDURE**

1. When release procedures are initiated, the Corrections Officer monitoring the particular housing area shall instruct the inmate to gather his/her belongings from the cell (including all issued and personal items) and to step forward to the front of the housing area.
2. The officer will then inspect the cell where the inmate to be released was assigned. It will be the responsibility of the officer to inspect the cell for cleanliness and immediately report to the Shift Supervisor any damage to county property.
3. The officer shall mist the plumbing fixture with an approved disinfectant before the cell is re-assigned to another inmate.
4. The officer will officially identify the inmate using the inmate's photo ID. The Corrections Officer will then escort the inmate to the processing room.
5. The Corrections Officer will begin the release process by:
  - a. Observing the inmate change into street clothes in order to detect any contraband, physical injury, illness or other abnormality, which may have occurred during confinement.
  - b. Any abnormality will be documented and forwarded to the Shift Supervisor prior to release.
  - c. A staff member of the same sex as the inmate shall conduct this observation.
  - d. Inspecting and accounting for all issued linens and uniforms and placing the same in the proper area to be picked up for laundry.
6. The releasing Corrections Officer will secure all of the inmate's property from the designated area.
7. When the inmate has received all items, he/she will be instructed to sign the property/money forms to acknowledge receipt of the same. Money will be released according to Policy.
8. Any discrepancies in the return of inmate property will be properly documented and forwarded to the Shift Supervisor prior to the release of the inmate.

**Section 18: Release****Subject: Physical Release / Property Signature (Continued)****Minimum Standard: 5120:1-8-01(15)****Revised: 05/2005, 01/2008, 12/2008, 12/2011**

9. In the event the inmate refuses to sign to verify receipt of money or property, the releasing Corrections Officer will summon the Shift Supervisor to witness the return of said items.
10. If the inmate wishes to complain in any way about allegedly missing or damaged property/money, the inmate shall be informed that he/she must register the complaint in writing with the Jail Administrator within 48 hours. If requested, the inmate shall be furnished paper, pencil and an envelope to write the complaint immediately. Such complaint will be forwarded to the Shift Supervisor immediately.



## **53.01 COMMUNITY SERVICE PROGRAM**

The Erie County Sheriff's Office operates a Community Service Program (CSP). The purpose of the program is to provide both Erie County Jail (ECJ) inmates and non-incarcerated but convicted persons an opportunity to perform needed basic labor or maintenance tasks in the community. In return, those individuals who participate in the CSP receive a reduction in their jail sentence and/or a reduction in court ordered payments.

The program will be coordinated by a full-time Deputy Sheriff who will schedule the tasks to be performed, will supervise the participants, and will accurately and efficiently report hours worked to the jail staff, appropriate court, or probation officer.

### **Criteria for Participation in the CSP (Ohio Revised Code Section 341.24)**

1. Only Erie County Jail inmates or individuals convicted of an offense and sentenced to perform community service work by a court with jurisdiction in Erie County will be considered to be eligible for participation in the CSP. No individual convicted of a statutorily defined offense of violence, convicted of any felony of the first or second degree, under the supervisory authority of the Ohio Adult Parole Authority, or having active warrants or holders issued by another jurisdiction will be eligible for participation in the CSP.
2. Participation in the CSP is strictly voluntary on the part of the potential CSP volunteer. No one will ever be forced to participate in the CSP. As a volunteer, a CSP volunteer may choose which CSP task to participate in.
3. CSP volunteers must be willing to adhere to the program's rules and regulations.
4. CSP volunteers must read, understand, and sign the CSP Agreement, attached to this policy, prior to performing any CSP task.
5. CSP volunteers must read, understand, and sign the CSP Liability Release, also attached to this policy, prior to performing any CSP task.

### **General Rules for CSP:**

1. If applicable to the volunteer, all inmate rules and regulations of the ECJ will be complied with at all times.
2. Upon re-entry to the jail from a CSP detail and prior to returning to the jail's general population, any CSP volunteer who is a jail inmate will be subject to a strip search.
3. Unless approved by the CSP coordinator, CSP volunteers will not communicate with anyone other than Sheriff's Office personnel while performing any CSP task, nor will CSP volunteers pass anything from one CSP volunteer to another.
4. CSP volunteers will never exhibit any type of disrespect to anyone.
5. Unless approved by the CSP coordinator, CSP volunteers will never accept anything from anyone while performing any CSP task.

**This policy is consistent with section 241.27 of the Revised Code, which states as follows:**

#### **341.27 Qualified immunity for injuries to work detail prisoners.**

##### **A. As used in this section:**

1. "County correctional facility" has the same meaning as in section 341.42 of the Revised Code.
2. "County correctional officer" has the same meaning as in section 341.41 of the Revised Code.

##### **B. The sheriff and board of county commissioners of any county jointly may establish in writing a prisoner work program pursuant to which prisoners and adult offenders confined in a county correctional facility**

under the control of the county work outside of the facility in a work detail administered by the facility. A program established under this division shall be separate from and independent of any program or camp established under section 341.31, 5147.28, or 5147.30 of the Revised Code or under any other provision of the Revised Code. A Sheriff and board of County Commissioners that jointly establish a program under this division shall specify rules for the operation of the program. The rules shall include, but are not limited to, rules that provide the following:

1. That no prisoner or adult offender confined in the facility under a charge of, or a sentence imposed for, an offense of violence may be assigned to a work detail under the program;
  2. That no prisoner or adult offender may be assigned to a work detail under the program unless the prisoner or adult offender volunteers for the work detail;
  3. That no prisoner or adult offender under supervisory authority of the adult parole authority may be assigned a work detail under the program.
- C. If all the prisoners or adult offenders working on a work detail administered by a county correctional facility and outside the facility have volunteered for the work detail and are imprisoned or reside in that facility for an offense other than a felony of the first or second degree and if the applicable county correctional officer complies with division (D) of this section, both of the following apply:
1. No sheriff, deputy sheriff, or county correctional officer is liable for civil damages for injury, death, or loss to person or property caused or suffered by a prisoner or adult offender working on the work detail unless the injury, death, or loss results from malice or wanton or reckless misconduct of the sheriff, deputy sheriff, or county correctional officer.
  2. The county in which the prisoners or adult offenders work on the work detail and that employs the sheriff, deputy sheriff, or county correctional officer is not liable for civil damages for injury, death, or loss to person or property caused or suffered by a prisoner or adult offender working on the work detail unless the injury, death, or loss results from malice or wanton or reckless misconduct of the sheriff or any deputy sheriff or county correctional officer.
- D. To qualify for the immunity described in division (C)(1) of this section regarding a work detail, a county correctional officer, prior to having the prisoners or adult offenders of the county correctional facility, work outside the facility on the work detail, shall inform each prisoner or adult offender on the work detail of the provisions of this section, including notifying the prisoner or adult offender that, by volunteering for the work detail, the prisoner or adult offender cannot hold the sheriff, deputy sheriff, or county correctional officer or the county liable for civil damages for injury, death, or loss to person or property unless the injury, death, or loss results from malice or wanton or reckless misconduct of the sheriff, deputy sheriff, or county correctional officer.