

OFFICE OF ADMINISTRATIVE LAW

300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323-6225 FAX (916) 323-6826

ENDORSED FILED
IN THE OFFICE OF

2013 SEP -3 PM 3:21



Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

Date: September 3, 2013

To: Robert Dahl

From: Chapter Two Compliance Unit

Subject: **2013 OAL DETERMINATION NO. 6 (S)**
(CTU2013-0715-01)
(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5;
Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation the "Behavioral Incentive Program" contained in the California State Prison – Sacramento Psychiatric Services Unit Orientation Handbook

On July 15, 2013, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether the "Behavioral Incentive Program" constitutes an underground regulation. The challenged rule is in the California State Prison – Sacramento Psychiatric Services Unit (PSU) Orientation Handbook (revised December 2012). This California State Prison – Sacramento Psychiatric Services Unit Orientation Handbook (revised December 2012) was approved by B. Brizendine, Psy.D., Senior Psychologist Supervisor – PSU I, K. Morgan, Ph.D., Senior Psychologist Supervisor – PSU II and R. O'Brien, PSU Captain, and is attached hereto as Exhibit A.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600,¹ which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).² Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

¹ "Regulation" means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

² Such a rule is called an "underground regulation" as defined in California Code of Regulations, title 1, section 250, subsection (a):

"Underground regulation" means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

Generally, a rule which meets the definition of a "regulation" in Government Code section 11342.600 is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. Penal Code section 5058, subdivision (c), establishes exemptions expressly for the California Department of Corrections and Rehabilitation (CDCR):

(c) The following are deemed not to be "regulations" as defined in Section 11342.600 of the Government Code:

(1) Rules issued by the director applying solely to a particular prison or other correctional facility....

This exemption is called the "local rule" exemption. It applies only when a rule is established for a single correctional institution.

In *In re Garcia* (67 Cal.App.4th 841, 845), the court discussed the nature of a "local rule" adopted by the warden for the Richard J. Donovan Correctional Facility (Donovan) which dealt with correspondence between inmates at Donovan:

The Donovan inter-institutional correspondence policy applies solely to correspondence entering or leaving Donovan. It applies to Donovan inmates in all instances.

...
The Donovan policy is not a rule of general application. It applies solely to Donovan and, under Penal Code section 5058, subdivision (c)(1), is not subject to APA requirements.

Similarly, the rule challenged by your petition was issued by California State Prison – Sacramento Psychiatric Services Unit and applies solely to the inmate-patients of the California State Prison – Sacramento Psychiatric Services Unit. Inmates housed at other institutions are governed by those other institutions' criteria for their behavioral incentive programs. Therefore, the challenged rule is a "local rule" and is exempt from compliance with the APA pursuant to Penal Code section 5058(c)(1). It is not an underground regulation.³

³ The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

(A) The challenged rule has been superseded.

(B) The challenged rule is contained in a California statute.

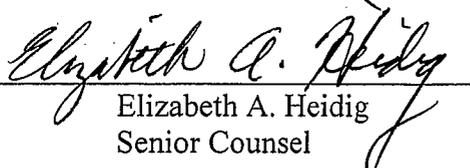
(C) The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.

(D) The challenged rule has expired by its own terms.

(E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule. [Emphasis added.]

The issuance of this summary disposition does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.


Debra M. Cornez
Director


Elizabeth A. Heidig
Senior Counsel

Copy: Dr. Jeffrey Beard
Tim Lockwood

Exhibit A

**California State Prison-Sacramento
Psychiatric Services Unit**



Orientation Handbook

INTRODUCTION

This booklet has been written for you. It will help orient you to the Psychiatric Services Unit (PSU) program. We want you to review and understand the information. If you have difficulty reading, or have questions about anything in this booklet, please ask for help from your counselor, your primary clinician or any of the PSU unit mental health staff. Your complete understanding of the rules and regulations is extremely important.

The PSU is a mental health treatment program for inmate-patients who require maximum-security housing. The Correctional Officers who are regularly assigned to the program have received special training in identifying and understanding your mental health problems. However, a mental disorder does not excuse you from being held accountable for your actions. Inmate-patients in PSU are expected to follow the same rules and regulations as any other inmate. Our purpose is to provide the opportunity for you to receive treatment for your mental health needs. We hope that you will be able to get your needs met through direct and appropriate communication with the PSU staff.

- 4) When staff approach your cell, the bright light must be turned on. Failure to comply with this procedure is understood as an inmate's refusal of service, i.e., supplies, meals, yard, visits, etc.
- 5) Radios and TV's may be used with headphones. It is the responsibility of all inmates to keep the section a quiet place to live.
- 6) If you are required to be placed in leg irons prior to being removed from your cell, holding cell, or shower, you will be required to kneel down while the leg irons are being applied.

CELL MAINTENANCE

- 1) Discrepancy cell checks shall be conducted by Second and Third Watch staff to ensure each inmate-patient has the proper issue of clothing, bedding and supplies. In addition, inmate-patients shall be required to report any routine maintenance problems to their section officer. Failure to report discrepancies in either supplies or cell maintenance will result in delays in correcting problems.
- 2) Emergency maintenance problems should be reported immediately to your section/control staff.

INMATE APPEALS (CDC FORM 602)

- 1) Appeals will be handled as defined in the CCR, Title 15, Article 8, Sections 3084-3085. All appeals will be picked up with the evening mail and the CDCR 602 Appeals and yellow CDC 1824's forwarded to the Appeals Office for further processing. Pink CDCR 602-HC forms are for medical/dental/mental health appeals and will be forwarded to Health Care Appeals for processing. Green CDCR 602 is for all other appeals.
- 2) Appeal forms (CDCR Form 602 [green], CDCR Form 602-HC [pink], CDCR 1824 Reasonable Modification or Accommodation Request [yellow]) may be obtained from unit staff.
- 3) You must submit the appeal within 30 calendar days of the event that led to the filing. One appeal per every 14-day period is permitted.
- 4) All forms are available in every housing unit and in the Library.

CDCR FORM 22

- 1) CDCR Form 22 is a request for interview form to be used for routine requests for interviews, items and services (non-medical only).
- 2) CDCR Form 22 is not used for medical or mental health related issues. This form is only for custody related matters.
- 2) You can either give it directly to the staff from whom you want a response or to another staff to give to the staff if needed.
- 3) The person to whom you hand the Form 22 will give you a receipt before passing it on.
- 4) Staff should respond to your Form 22 within 3 working days.

BEHAVIORAL INCENTIVE PROGRAM (BIP):

The Psychiatric Services Unit (PSU) uses a Behavioral Incentive Program (BIP), a 5-step system designed to assist the inmate-patient in making positive changes by increasing daily living skills, stress management, and coping skills, while decreasing negative and self-defeating behavior. The BIP also supports the inmate-patient in gaining the motivation necessary to achieve the goals of programming functionally in the PSU setting or transitioning to a less structured and more socialized prison program.

A PSU provides secure housing and care for inmate-patients with a diagnosed psychiatric disorder not requiring inpatient hospital care, but who require placement in housing equivalent to a Security Housing Unit (SHU), as described in DOM subsection 3341(5)(c), at the Enhanced Outpatient Program (EOP) level of the mental health delivery system. According to the Mental Health Services Delivery System Program Guide 2009 Revision, EOP is the most intensive level of outpatient mental health care, and the overall objective is to return the inmate-patient to the least restrictive clinical and custodial environment. In so doing, most inmate-patient's require a short to intermediate term of 3-12 months at EOP LOC, until transition to the Corrective Clinical Case Management System (CCCMS) level of care. PSU is a remedial and rehabilitation program, based on positive reinforcement. It was designed to be an intensive treatment program to assist the inmate-patient in stabilizing and gaining the skills necessary to function safely and effectively in the general population and return to a less restrictive setting. Because more intensive treatment is required, PSU treatment is based on principles and techniques of behavioral psychology which meet the professional standards for the delivery of psychological services.

The Behavioral Incentive Plan consists of a step system in which functional behavior and attendance/participation in treatment shall earn additional privileges/rewards and negative behavior shall result in their removal. Privileges, such as expanded canteen, property, and appliances, are considered treatment rewards or motivators to participate in treatment. As such, they are conditioned on the attendance and participation of the inmate-patient in the treatment program. Although placed in the program by custody, the inmate-patient is not mandated to participate in mental health treatment and retains the right to refuse. However, as in other correctional programs, the inmate-patient is expected to conform to the requirements of the treatment/rehabilitation program. If the inmate chooses to participate, he shall have to follow the program requirements in the step system. If the inmate-patient refuses to participate in the program, he forfeits the opportunity to access the rewards and privileges offered in the program.

BASIC COMPONENTS

The BIP allows the inmate-patient to earn more privileges over time when he maintains disciplinary-free behavior and participates actively in scheduled therapeutic activities. Objective attendance percentages, along with clinical and custodial judgment, are used to determine an inmate's level of participation. Important factors considered are:

- Behavioral disciplinary history
- Attendance at individual therapy
- Attendance at group therapy
- Compliance with psychiatric medication
- Attendance at ducated psychiatrist contacts
- Attendance at treatment planning committees (IDTT)

Any violation of the above-mentioned rules will result in the termination of your scheduled yard, and the issuance of a CDCR 115 Rules Violation Report and possible loss of your yard privileges for a ten-day period.

USE OF TELEPHONES

Telephone calls are approved on an emergency basis only. Only the PSU Lieutenant, CCL, or Facility Captain may approve these.

RELIGIOUS SERVICES

Inmates assigned to PSU will not be permitted access to the General Population Chapel. All scheduled religious activities and services will be conducted within the unit and according to treatment plan restrictions.

The Facility Chaplain is available for PSU inmates by submitting a Request for Interview (GA-22) and to take requests for religious materials.

If you need to contact a chaplain, submit a Request For Interview Form (GA-22) through your section officer (specify faith). The chaplain will respond when practical.

MAIL PROCEDURE

Inmate mail in the PSU will be processed in compliance with CCR, Title 15, Mail, Sections 3130 through 3148 and Operational Procedure #17, Inmate Mail.

Mail will be delivered on Third Watch each day with the exception of Sunday.

Out-going mail will be collected following the 2300 hours count.

All out-going mail is to be addressed using the following example:

Inmate Name / Inmate CDC Identification Number
 Inmate's Facility (Block and Cell)
 PO Box 290066
 Represa, CA 95671-0066

Legal Mail will be issued and picked up during 3rd Watch.

Inmates will be required to sign for all incoming and out-going legal mail.

POSTAGE FOR INDIGENT INMATES

Indigent inmates can receive free postage for up to five (5) one-ounce letters per week. All requests for indigent mail status shall be addressed to the Mail Room Supervisor on a CDCR Form 22.

The Mail Room will distribute twenty (20) metered envelopes (five per week) for the month (via the legal mail). Distribution will be accomplished on the Friday of your respective canteen draw date. You may possess a maximum of 40 envelopes at one time.

MISCELLANEOUS INFORMATION

Fish lines are not permitted. A CDCR 115 will be issued for possession or use of any fish line. When state issued items have been used to construct a fish line, you will be charged for the cost of the item(s).

You may not pass any property to another inmate-patient.

Tobacco products and flame producing devices are prohibited.

Any inmate-patient's are placed on Step 1 status during the initial evaluation period, generally 14 days, which may be extended if necessary.

Clinical Program

Assignment of a primary clinician who functions both as a therapist and a case manager.

Evaluations by the primary clinician, staff psychiatrist and nursing staff.

Psychodiagnostic testing as indicated.

Orientation to the goals of the clinical program and development of the initial treatment plan.

Monitoring of mental health needs, crisis assessment and suicide risk assessment.

Initial Interdisciplinary Treatment Team Committee (IDTT).

Custody Program

Evaluation and review of Central File.

Maximum custody.

Orientation to PSU and provision of Inmate Orientation Handbook.

PSU yard up to 10 hours per week.

Restricted property (State-issued property only) until initial ICC/IDTT.

Out of cell time as required for evaluations and committee.

Criteria to advance to Step 2

Completion of evaluation period.

Attendance at the initial ICC/IDTT committee.

Placement in the PSU program at the initial ICC/IDTT committee.

Completed treatment plan, including medication, individual and group treatment goals.

Initial evaluation indicates EOP level of care is appropriate.

Step 1A

For inmates who have not met minimum requirements for mental health program participation or have dropped one of more steps because of disciplinary actions or write-ups (CDCR 115s).

Clinical Program

Implementation of individual treatment plan.

Custody Program

Maximum custody.

property, canteen, appliance, package, and phone privileges for a period of 90 days for a first offense or 180 days for every subsequent offense.

YARD PROCEDURES

The yard schedule is as follows (SUBJECT TO CHANGE):

AM YARD (0730-1100)

PM YARD (1130-1500)

- 1) You will be afforded the opportunity to attend exercise yard on your scheduled yard day. The schedule changes each down week for the following cycle.
 - 2) Yard periods are scheduled seven (7) days per week and will only be canceled for:
 - Implementation of fog line procedures
 - Adverse weather conditions
 - Emergencies
 - Lockdowns
 - Order by PSU Officials
 - Specialized training exercises
 - 3) You will be given an unclothed body search prior to going to the yard and your person shall be scanned with the handheld metal detector when you are removed from the yard.
 - 4) ONLY the items listed below may be taken to the yard:
 - Jumpsuit (1)
 - Boxer shorts (1)
 - T-shirts (1)
 - Socks (1 pair)
 - State shoes, Tennis shoes or Shower shoes (1 pair)
 - Medical appliances (e.g., prescription eye-glasses, cane, etc.)
 - Thermal top (1)
 - 6) When staff approach your cell to escort you to the yard, you must turn on your bright cell light. Failure to do so will result in forfeiture of yard privileges and will be documented as a refusal on your part.
 - 7) Refusal to exit the yard when first ordered may result in a CDCR 115 and possible loss of your yard privileges for a period of up to ten (10) days.
 - 8) Your allotted yard time will be terminated and you will be removed from the yard and escorted to your assigned cell for any disciplinary problems on the yard.
- ### PSU YARD RULES
- 1) No climbing or kicking yard fence, gate, or frame.
 - 2) No urinating, spitting, or defecating in individual exercise yards. (This includes urinating in cups.)
 - 3) No yelling to other inmates on the General Population Yard.
 - 4) No passing of any items to other inmates in individual exercise yards.
 - 5) No yelling obscenities or derogatory remarks to other inmate-patients, staff, or visitors.

State issued property only. Legal property for active cases. Both state and legal property may be restricted if used for disruptive or destructive purposes. The PSU maintains a supply of books to be loaned out as available and clinically appropriate. Requests can be made to your primary clinician.
PSU yard up to 10 hours per week.

Criteria to advance to Step 2

No CDCR 115's for 30 consecutive days.

At least 30 days of participation in 50% or greater of scheduled treatment activities, including individual and group therapy, medication compliance, and psychiatrist contacts.

Attendance at regularly scheduled IDTT (either Initial IDTT or Step 1A Review) is required to advance to Step 2.

The inmate-patient must attend the 30-day IDTT for a step review placement on step 2.

An inmate-patient who refuses to attend the IDTT Step 1A Review shall be rescheduled for another review every 30 days. The primary clinician shall add the inmate to the IDTT schedule at any time (following a refusal to attend the first 30-day review) if the inmate-patient requests a review prior to the 30-day schedule.

Participation in therapeutic activities at 50%, or greater, including individual and group therapy, psychiatric medication (as prescribed) and psychiatrist contacts.

Clinical Program

Implementation of individual treatment plan.

Custody Program

Personal property in accordance with PSU authorized property (except televisions and radios) per DOM 54030.8. (Note: this aforementioned section of the DOM further specifies that "the local Inter-Disciplinary Treatment Team (IDTT) may further restrict or allow additional authorized personal property on a case-by-case basis above that allowed by the inmate's assigned Privilege Group."

Access to Canteen (Privilege Group D in accordance with DOM 54030.8).

Law Library (Paging System).

Criteria for reduction from Step 2 to Step 1A

Any CDCR 115.

Refusal to attend IDTT. Refusal of IDTT will result in an inability to progress to the next step and will also result in a step reduction. The time to advance to Step 3 again is 30 days.

Participation in therapeutic activities at LESS than 50%, including individual and group therapy, psychiatric medication as prescribed, and psychiatrist contacts.

Criteria to advance to Step 3

No CDC 115's for a minimum of 30 days.

At least 30 days of participation in 70% or greater of scheduled treatment activities, including individual and group therapy, medication compliance, and psychiatrist contacts.

If Step 2 resulted from a step drop from Step 3 because of disciplinary action, the time to advance to Step 3 again is 60 days.

Attendance at IDTT is required to advance to Step 3.

Clinical program

Continued implementation of individual treatment plan.

Custody Program

Access to all Step 2 privileges.

Expanded Canteen.

Access to the radio appliance. If the inmate-patient does not have a radio in his property and meets the criteria as indigent (less than \$20 in the Trust Account), he may be eligible for a loaner radio provided by the Mental Health Program. A review of the inmate-patients' Trust Account will be conducted to evaluate any holds he might have on the account for restitution. The application and account review may take up to 30 days to complete. The request for a mental health loaner radio must be sent directly to the PSU property officer by the inmate-patient. The request forms are passed out by custody on the supply day.

Criteria for reduction from Step 3 to Step 2

Any adverse disciplinary action.

Failure to participate in at least 70% of scheduled therapeutic activities for 30 days, including individual and group therapy, medication adherence and psychiatrist contacts.

Refusal to attend IDTT.

Criteria to advance to Step 4

No CDCR 115's for a minimum of 30 days.

At least 30 days of participation in 80% or more of scheduled treatment activities, including individual and group therapy, medication adherence, psychiatrist contacts and attendance at IDTT.

If Step 3 resulted from a step drop from Step 4 because of disciplinary action, the time period to advance to Step 4 again is 60 days; for IDTT refusal, 30 days.

Attendance at IDTT is required to advance to Step 4. Refusal of IDTT will result in an inability to progress to the next step and shall also result in a step reduction. The time to advance to Step 4 again is 30 days.

HAIRCUT/SHAVING PROCEDURES

- 1) Hair cutting/trimming tool(s) are available for your use inside the PSU housing units. Second Watch will provide inmates on the lower tier the opportunity to shave and/or cut their hair while Third Watch will provide inmates on the upper tier the opportunity. Due to differing hair growth, inmate-patients are allowed to utilize the hair cutting/trimming tool(s) on an as needed basis for the purposes of Court, Video Arraignment, Legal Visits and/or Committee and not on a set schedule. The program is afforded to the inmate-patients on a daily basis as staff scheduling permits. Unless restrictions apply, clippers will be made available to each inmate-patient on an every-other-week basis. Contact your floor officer to arrange a time in the unit rotunda hair-cutting cell.
- 2) Inmate-patients will be allowed a maximum of 15-minute usage of cutting/trimming tool(s).
- 3) You will be afforded the opportunity to disinfect the hair clippers, at staff's discretion after each use and prior to the issuance to the next inmate-patient as required by OP 153, Haircutter Tools, Equipment and Sanitation Procedure.
- 4) You will cut your own hair and you are responsible for cleaning up your own hair clippings and placing them into a plastic bag for disposal.
- 5) You will not be returned back to your cell until all equipment is accounted for and inspected.
- 6) Any alteration of the hair clippers or beard trimmers will be construed as you being in possession of a weapon. A disciplinary report will be submitted for this violation, and all items will be retrieved. If items are not retrieved, steps will be taken to determine if you will be placed on Contraband Surveillance Watch.

IEX (INDECENT EXPOSURE)

Inmate-patients who expose their genitals or intentionally masturbate in the presence of any staff shall receive a CDCR 115 Rules Violation Report. If you expose your genitals, a CDCR 837 Incident Report shall be prepared for a referral to the District Attorney for possible felony prosecution.

IEX behavior or sexual misconduct is not tolerated at CSP-SAC.

Receipt of a CDCR 115 Rules Violation Report charging you with an act of Indecent Exposure or Intentionally Sustained Masturbation Without Exposure shall result in the following preventive measures immediately being implemented:

- Yellow placards being placed in your cell windows.
- If this Rules Violation Report took place outside of your cell, you will be required to wear a behavior control jumpsuit ("IEX jumpsuit") any time you are out of your cell. Exceptions may be made when you are under direct escort for medical appointments.

PSU staff shall identify your status as an indecent exposure/public masturbation inmate by placing an "IEX" designation IN RED on the unit picture board. Following completion of the disciplinary process and a finding of guilty, this designation shall remain in place for 180 days from the date of the offense; if the finding is not guilty, the "IEX" designation shall be removed.

A guilty finding on a Rules Violation Report charging you with Indecent Exposure or Intentionally Sustained Masturbation Without Exposure will result in the loss of personal

- Pillow cases
- Sheets
- Socks
- Towels

- (1)
- (2)
- (6 pairs)
- (2)

- 4) You will be issued clothing and linen and are responsible for maintaining these items in good condition. The PSU custody staff will fill out an inventory list of the items originally issued to you.
- 5) You will be responsible for the items issued to you. If at any time staff discover altered/destroyed clothing or linen in your possession or in your cell, a disciplinary report will be submitted. If found guilty, you will be required to pay for the damaged items or your trust account will be frozen until the damaged items are paid for.

PROPERTY

Property will be issued in accordance with your current Step status and the approved PSU property list. Misuse of state or personal property may result in property restriction.

VISITING PROCEDURES

- 1) Visiting will be permitted with persons approved in accordance with the regulations as set forth in CCR Title 15 and Visiting Operational Procedures.
- 2) Every inmate in PSU will be on non-contact visiting status.
- 3) Visiting is permitted Friday through Sunday, including certain holidays, from 0800-1400 hours.
- 4) All PSU visits must be by prior appointment due to the limited space available. Your visitor(s) MUST call the Visiting Processing Center in advance and schedule a visiting period. Appointments must be scheduled at least 24 hours in advance and are limited to three visitors, including children.
- 5) Visiting periods will be limited to one and one half hours. (Only one appointment time will be allowed per person per day.) Additional time may be permitted, contingent upon availability of visiting booths. Maximum time allowed for PSU visits will be limited to three (3) hours.

ATTIRE DURING VISITS:

You will wear a PSU jumpsuit, boxer shorts, T-shirt, socks, and shoes.

SHOWER PROCEDURES

- 1) You will be provided the opportunity to shower a minimum of three (3) times a week.
- 2) Showers will be five (5) minutes in length. This time includes the time walking to and from the shower. DDP and DPP exceptions may apply.
- 3) You will exit your cell in required restraints wearing only your boxer shorts and shower shoes. You are only allowed to take a towel, soap, washcloth and a clean pair of socks and shorts from your cell.
- 4) Showers will be given on a rotating basis in the unit. Upper tiers will shower on Mondays, Thursdays, and Saturdays. Lower tiers will shower on Wednesdays, Fridays, and Sundays. Tuesdays will be a "down day" and no showers will be offered.
- 5) You will be placed in mechanical restraints and escorted to and from the shower area.

Step 4

Clinical Program

All groups and individual activities afforded to Step 3 inmate-patients. Focus of treatment is toward transition to general population at the appropriate level of care (e.g., EOP or CCCMS) in a timely manner.

Custody Program

All privileges available to Step 3 inmate-patients.

Canteen given out first and increased canteen list.

Qualify for annual package.

Colored pen fillers (4 at a time) are available upon request from recreational therapist. Pen fillers shall be distributed on a one-for-one exchange system by the recreational therapist.

Qualify for possession of personal television (note: you are authorized to possess one appliance only). If the inmate-patient does not have a television (or radio) in his property and meets the criteria as indigent (less than \$75 in his Trust Account to qualify for a mental health loaner TV or less than \$20 in his Trust Account to qualify for a mental health loaner radio), he may be eligible for a mental health loaner television (or radio). A review of the inmate-patient's Trust Account will be conducted to evaluate any holds he might have on the account for restitution. The application and account review may take up to 30 days to complete. The request for a mental health loaner television must be sent directly to the PSU property officer by the inmate-patient. The request forms are passed out by custody on the supply day.

Criteria for step reduction to Step 3 or lower

Any disciplinary action (i.e., CDCR 115).

An inmate-patient shall incur several step reductions and drop to Step 1A by repeated CDCR 115's. Any CDCR 115 classified as an "A" or "B" offense will result in an automatic reduction to Step 1A.

Failure to maintain involvement in at least 80% of scheduled therapeutic activities for 30 days, including individual and group therapy, medication adherence and psychiatrist contacts. Refusal of IDTT will result in a step reduction.

STEP ADVANCEMENT PROCESS

Once criteria are met to advance from Step 2 to Step 3, or Step 3 to Step 4, the primary clinician begins the process to approve the advance. Step advance does not take place until the participation percentage is calculated, the appropriate forms are signed, and a chrono is generated. This process generally takes several weeks and may take longer based on staff workload. Patience with this process is part of earning advance to the next step. Once the advance is approved, the property officer is informed and will bring property to the unit on property distribution day, which may not be the same week.

ASU EOP Program Participation and PSU Steps

If you are transferring into PSU from CSP-Sacramento ASU EOP, your program participation since receiving your SHU term will be considered by the IDTT in determining your step eligibility at your initial IDTT.

Consideration for advanced step placement may be given by the IDTT if you transfer in from an outside ASU EOP Program. Your primary clinician will research your previous program participation prior to arrival at PSU. At your initial IDTT, this percentage may be taken into consideration for the determination of your step status post initial IDTT. RVRs since imposition of SHU Term will also be taken into consideration and may preclude you from advance step placement at initial IDTT.

Step 3 Consideration

- No RVR's for at least 30 days
 - 30 days at 70% or better program participation for Step 3
- ### Step 4 Consideration
- No RVR's for at least 60 days
 - 60 days at 80% or better program participation for Step 4

REDUCED PROGRAMS

The Behavioral Incentive Program criteria may be modified by the Interdisciplinary Treatment Team for individuals who have unique treatment needs. The clinical team and/or the IDTT shall determine inmate-patients who require a reduced program. The reduced program and plan to assist the inmate-patient in achieving a full program shall be included in the inmate-patient's treatment plan. Inmate-patients on a reduced program are expected to work with clinical staff to increase participation. For most inmate-patients, reduced programs are considered temporary modifications until a full program can be reached.

RESTRICTIONS

The inmate is responsible for his own behavior. All negative behavior will be appropriately documented (i.e., CDCR 128A, CDCR 128B, CDCR 115, referral to the District Attorney's Office, etc.). In addition, inmate-patients who threaten or assault staff or other inmates will be placed on restrictions which limit future ability to assault, such as spit net, cup restriction, leg irons, etc.

When an inmate-patient leaves the PSU housing unit on Out-to-Court status, Out-to-Medical status or for placement in acute or intermediate care (including Alternative Safe Housing, MH-CBU, CTC, or DSH programs), the inmate does not earn credit for this out of PSU housing time. On return to the PSU program, the inmate-patient retains the same step as at the time of departure. However, if, at the initial ICC/IDTT committee, the inmate-patient's Central File contains one or more CDCR 115's incurred at the outside institution/program, the inmate-patient may be dropped one or more steps. Inmate-patients who are out of the PSU housing units only as a medical placement in OHU or CTC remain in the step program and shall earn credit with adherence to a treatment program developed by the primary clinician.

Any CDCR 115's that are referable to the District Attorney shall automatically reduce the inmate-patient's step to Step 1A from any step. A CDCR 115 shall also drop a step. However, if the inmate-patient is subsequently found not guilty at the CDCR 115 hearing, his prior step shall be restored. The time from the step drop to the not guilty finding shall be recomputed by the primary clinician to determine if a step advancement or reduction was generated by the inmate's participation during the wait time for the CDCR 115 hearing.

- 4) Light covers are unauthorized and will be confiscated.
- 5) Call windows will remain clear at all times — no coverings or obstructive items will be accepted for any reason unless placed there by staff.
- 6) No clotheslines or curtains are allowed.
- 7) Towels, blankets and other items of bedding are not to be used as table coverings, rugs, or to make tents over the bed areas.

COUNTS

All inmates must be counted at regular institutional count times. Designated count times are as follows:

- 0100 hours
- 0300 hours
- 0500 hours
- 1600 hours (Standing Count)
- 2100 hours
- 2300 hours

- 2) You are required to stand with both feet on the floor for the designated 1600 hours count.

- 3) You are not allowed to totally cover yourself with blankets, sheets or other items during count times. The Officer is required to wake you up and make you move if they are unsure and cannot see living, breathing flesh.

- 4) If you are a deep sleeper, you must leave parts of your upper body exposed or you will be awakened several times each night.

- 5) During the first watch counts, Officers are required to use a flashlight to count you.
- 6) All attempts will be made not to flash the light in your eyes, but sometimes this cannot be avoided.

- 7) Be aware of designated count times. You are expected to realize an officer is coming to your cell at these times. Overt masturbation at any time will be subject to disciplinary action and loss of property.

- 8) Do not attempt to interrupt an officer during count unless it is an emergency.

CLOTHING EXCHANGE

- 1) Upon your arrival in PSU, you will receive a full complement of State issued clothing and bedding as soon as possible.

- 2) Linen exchange will be conducted weekly within the unit on a one-for-one exchange basis.

- 3) The following items of clothing and linen are permitted to be exchanged weekly. You will be issued a laundry bag with your call number on it. The laundry will be picked up on Third Watch on Tuesdays and returned on Third Watch on Thursdays. In parentheses is the number of items each inmate is allowed to have as a standard issue. Inmates are not permitted to possess extra clothing.

- 3) Jumpsuits
- 4) Shorts/Boxers
- 4) T-shirts

tracking PSU inmate-patients who are on book restriction to ensure that the inmate-patient does not receive books if he has previously damaged books from the library.

LAW LIBRARY

The paging system will be utilized for those inmate-patients housed in PSU with legal needs. Preferred Legal Users will be afforded physical access to the law library. General Legal Users can request physical access and will receive physical access as space permits.

- 1) You will obey all Law Library rules.
- 2) Disruptive behavior may result in termination of Library privileges.

STATE-ISSUED SUPPLIES AND MATERIALS

- 1) You will be issued supplies on Saturday of each week, by 2nd Watch Custody Staff.
- 2) Supplies per inmate include:
 - 1 package single-ply toilet paper
 - 1 ounce tooth powder
 - 1 bar soap
 - 1 pen filler
 - 1 toothbrush - exchange only (1 per month)
 - 1 palm comb - exchange only (1 per month)Forms are available upon request.
- 3) You are not allowed to accumulate excess supplies.
- 4) You are responsible for ensuring that state supplies are not wasted or used inappropriately. Inappropriate use of state materials will be cause for disciplinary action, and may also be cause for placement on canteen/property restriction.

HOUSEKEEPING PROCEDURES

- 1) You shall be provided with sufficient cleaning materials to maintain your cell in a clean and sanitary condition. Garbage or other waste materials shall not be thrown onto the tiers.
- 2) Beginning on Monday of each week, and in accordance with the existing shower schedule, you will be given the opportunity to clean your cell.

The following shall be adhered to by inmates and enforced by staff:

 - 1) You may only possess up to six (6) cubic feet of approved items of personal and state property. **NOTE:** Included in these six cubic feet are magazines, newspapers, toilet articles, canteen items, etc.
 - 2) You may possess legal material as part of your six (6) cubic feet of property. Excess amounts of legal material will be evaluated on an individual basis.
 - 3) The only area in the cell where pictures may be attached to is inside the painted border on the wall area directly above the writing table. This area shall not exceed two by three feet (2x3).
- a. Any other items attached to the cell walls or ceiling shall be confiscated by custody staff and disposed of per institutional procedure.

b. The display of pornographic, lewd, or gang related material IS UNAUTHORIZED, these items will be confiscated and disposed of per institutional procedure.

When inmate-patients incur a disciplinary action (CDCR RVR-115) resulting in immediate step reduction(s) accompanied by entrenchment appliance and/or other restriction(s) per the BIP and subsequently requiring a disciplinary hearing for the same RVR, the Senior Hearing Officer (SHO) may sanction the inmate to suspension of privileges per CCR 3315 (f) (5) (B) or temporary loss of entitlement appliances per CCR 3315 (f) (5) (1). The SHO shall begin the date of suspension of privileges or loss of appliances the same date the inmate actually lost the privilege or appliance as a result of a step reduction in accordance with the BIP. Additionally, the SHO or Chief Discipline Officer may suspend the loss of appliances consistent with the BIP in order to maintain continuity of mental health treatment.

If you are issued a loaner appliance (TV or radio) you are responsible for that loaner appliance. Should you damage, destroy or lose the appliance loaned to you as part of the BIP program, you will receive a CDCR RVR-115 and be restricted from receiving further loaner appliances for 12 months.

Following an IEX incident, inmate-patients on exposure control jumpsuit status are required to program out of cell to retain their step by attending all scheduled out of cell therapeutic activities in the exposure control jumpsuit at the minimum percentage required for the current s. Inmate-patients who have one or more out of cell exposures may be subject to group restriction for 30 to 60 days (as provided for in DOM section 52100.4) on the decision of the DTT reviewing the CDCR 115 for indecent exposure.

A ducat to the psychiatric medication line is a priority medical ducat. Inmate-patients who are ducated to both group and the psychiatric medication line at the same time shall not be allowed to attend group. The inmate-patient will receive credit for an excused group. Refusing to attend the psychiatric medication line in order to go to group instead will result in the non-attendance recorded as a refusal. Refusing a direct order to cuff-up and be escorted to a priority medical or mental health ducat may result in a CDCR RVR-115. Any inmate-patient may exercise their right to refuse treatment by an in-person refusal to the ducating medical, dental, and/or psychiatric professional without incurring an RVR.

Inmate-patients who are disruptive in groups or in the Treatment Center or during transport to or from the Treatment Center shall be restricted from groups for five program days. Inmate-patients are expected to conform to the group rules as directed by the group leader.

CALCULATION OF TREATMENT PARTICIPATION

The primary clinician shall obtain a printout of the inmate-patient's group therapy participation for the 30-day review period from the MHTS.net. The primary clinician shall review the MHTS.net to determine participation in individual sessions, psychiatrist sessions and interdisciplinary treatment team meetings. The primary clinician may also obtain from nursing staff the medication adherence percentages. Each individual session, psychiatrist session, treatment team meeting (IDTT), and group session is calculated as one unit of participation. If an inmate-patient refuses an individual ducat and is seen for a follow-up cell side contact, the ducat will be considered a cell side contact due to inmate-patient refusal and this will affect your program participation with the BIP. The primary clinician shall add the total number of units offered during the 30-day review period. Cancelled and excused sessions are included and count as one unit of participation. Activities from which the inmate-patient was restricted (e.g., treatment center restriction due to behavior) are included as refusals. The primary clinician shall then calculate the total number of units attended.

SHU SUSPENSION AND DISCHARGE TO EOP/GP

An inmate's SHU term may be suspended and the inmate-patient discharged to the general population (EOP), at the discretion of the Warden or designee. The Warden will review the disciplinary file, obtain recommendations and reports from medical and mental health staff and consult with other custodial staff to make a determination for suspension and release.

Factors considered include, but are not limited to:

Program performance at Step 4 continuously for a minimum of 1 year.

Medication adherence

Absence of disciplinary write ups for a minimum of one year.

On the day that ICC makes the decision to release you to another program appropriate to your current level of care, a determination will be made by the mental health treatment team regarding whether or not you are currently in possession of a mental health program loaner television or radio. If you do have a loaner television or radio at the time of your ICC, the IDTT team will request block custody staff to remove the appliance from your possession that day and return it to the PSU Property Officer.

GROUP THERAPY RULES

The basic group rules include:

- During group time, your conversations should generally be about the group topic.
 - Speak only to people in the group room with you.
 - Be courteous and respectful to other group participants and staff.
 - Take turns speaking. Give others a chance to talk.
 - Listen to others and accept feedback.
 - Toilet and water breaks are only allowed between groups in the Treatment Center. There are no toilet facilities in the unit group rooms. Use the restroom before your group. Speak to your primary clinician if you have a medical condition that requires more frequent use of the restroom.
 - No behavior that can result in a CDCR 115 (e.g., assaults, IEX behaviors, threats, etc.)
 - Participation credit for Behavioral Incentive Program (Step) purposes is given only to individuals who attend more than half of the group.
 - Inmate-patients scheduled for group session or interviews are requested to attend the group/interview in order to receive credit for the session when having percentages calculated for continued progress in the Behavioral Incentive Program. If an inmate-patient refuses to attend group or an interview in order to attend yard, instead, during the scheduled group or interview time this will be counted as a refusal for purposes of percentage calculations for the BIP.
- Your group facilitator may specify other rules for any specific group. If you are disruptive in a group session, you will generally be given a warning. If your disruptive behavior does not stop, you will be directed by custody staff to leave the group and your behavior may result in a CDCR 115.

GROUP RESTRICTION POLICY

PSU inmate-patients will not be escorted to the Treatment Center when custody staff assess that escorting the inmate-patient poses an immediate safety and security risk. The Treatment Center Sergeant will notify the primary clinician of any inmate-patient who has been restricted from attending a Treatment Center therapeutic activity. The Treatment Center Sergeant will notify the PSU Lieutenant of any cases in which an inmate-patient is restricted from the Treatment Center for two or more days (consecutive) or more than two days in a week.

The PSU Lieutenant may restrict a PSU inmate from attending treatment in the Treatment Centers at any time based on Safety and Security needs.

5) You will have an opportunity to dispose of any trash when food trays are picked up. You will be expected to dispose of your trash properly at that time. Throwing trash on the tier is unacceptable and could result in disciplinary action.

6) If you hold your food tray slot "hostage", force may be utilized to regain control of the food port. Furthermore, the PSU Lieutenant may place you on in-cell secure movement and feeding (paper bag) status for ten (10) days, followed by thirty (30) days on "paper tray" status. This behavior will also be referred to IDTT.

CANTEEN PROCEDURES

1) Inmates are scheduled for one draw per month according to the last two digits of their prison identification number. Draw dates will be in accordance with the established general population canteen schedule. Canteen privileges will be in accordance with CCR Section 3044(a)(b).

2) No fish draws allowed.

3) Canteen ducats and canteen order forms will be passed out by custody staff the week before the designated draw is to begin.

4) Unit custody staff will collect all completed ducats and order forms and deliver them to the Canteen Manager on the posted due date.

5) Canteen will be delivered by PSU custody staff during the week of their respective draw.

6) All canteen will be searched by the PSU Canteen Officer in front of the inmate prior to being issued.

7) All items will be removed from packaging that represents a threat to the safety and security of the institution.

8) You will be required to sign the canteen receipt and place your thumbprint on the canteen ducat.

9) You may only purchase items on the approved PSU Canteen List.

10) Inmate-patients may be placed on property restriction by a mental health sub-committee, IDTT or disciplinary action restricting draw from the canteen.

LIBRARY

1) Upon request, all PSU inmate-patients will be issued a list of available books in the library that can be checked out for leisure time reading.

2) PSU inmate-patients wanting books must turn in a CDC 193 Trust Account Withdrawal book request form indicating the books they wish to check out. Each request can list up to five (5) books, but only two (2) books will be issued. The PSU Third Watch Yard Officer will pick book requests up Tuesday evening between 1800 and 1900 hours.

3) The PSU Third Watch Yard Officer will distribute all books on Saturday and/or Sunday evenings. Prior to receiving any books, each inmate-patient will have to sign a check out list.

4) Inmate-patients will have three weeks to read the books they have checked out. Books will be returned to the PSU Third Watch Yard Officer on Saturdays (or Sundays) when the new books are passed out. No inmate-patient will be issued new books until all the books checked out are returned.

5) Inmate-patients who abuse the PSU Book Program will be placed on book restriction for a time to be decided by the PSU Lieutenant. Library staff will be responsible for

- 3) The RN or LPT will assess you. If the staff member determines the need is not immediate, they will route the form to the appropriate department.
- 4) If the need is immediate, the RN or LPT will contact custody and arrange for an escort to the facility clinic for further evaluation.
- 5) Illnesses not considered medical emergencies are as follows.

NAUSEA
VOMITING
DIARRHEA
COLDS
STOMACH ACHES

SORE THROATS
RASH
BACK PAIN
HEADACHES
HEMORRHOIDS

If you are feeling suicidal, this is considered an emergency. It is important to tell available staff immediately if you are thinking of hurting yourself or ending your life.

- 6) If you are scheduled for a medical appointment (i.e., priority dental), you may not attend group therapy or yard instead of attending your appointment. Even if you refuse to attend your MO line appointment, you will not be escorted to group therapy or yard during the scheduled MO line time. Group therapy missed during MO line will be considered "canceled" for the purposes of the Behavioral Incentive Program.

FOOD SERVICE

Feeding

- 1) Inmates in PSU will be cell fed.
- 2) Approximate feeding schedule is as follows:
Breakfast -- begin at approximately 0600 hours.
Lunch - Sack lunches will be issued during breakfast beverage pass out
Dinner - approximately 1630 hours (i.e., after count clears).
- 3) It is very important that staff be able to see you before they open your food port. When the Officer approaches your cell with a food tray and/or sack lunch, you must turn on your bright light. Refusal to turn on your bright light will cause you not to be fed that meal. This will be logged as a refusal on your part.
- 4) Special or allergic meals are provided per Departmental guidelines.
- 5) If you refuse several meals, this issue will be referred to your primary clinician for review.

Trays

- 1) Staff will retrieve all trays upon completion of the meal.
- 2) If you refuse to return your tray, the necessary force needed to retrieve it will be utilized.
- 3) If you hold your tray, the PSU Lieutenant may place you on "paper tray" status for up to thirty (30) days. This behavior will also be referred to IDTT.
- 4) It is not necessary for you to hold your tray or otherwise be disruptive in order to see a Sergeant or Clinician. Officers in this unit are trained communicators and can probably help you find ways to solve most of your problems. If you must see a Sergeant, tell the Officer what you need to see the Sergeant about, or send a Request for Interview to the Sergeant and an interview will be arranged. Custody supervisors make regular rounds in the unit and can also be addressed during their tours.

Any group facilitator, with approval from the PSU Senior Psychologist, may restrict a PSU inmate-patient from attending a specific group when the inmate-patient has a history of disruptive or inappropriate behavior in that group.

The Inter-Disciplinary Treatment Team may decide to restrict an inmate-patient from group therapy in the Treatment Center for any length of time when it is clinically appropriate.

Any inmate-patient who is involved in an incident in the Treatment Center involving assault or battery or any IEX or sexual misconduct will be placed on Treatment Center restriction for up to one week (i.e., 5 program days) to allow the Inter-Disciplinary Treatment Team time to assess whether or not continued restriction is appropriate.

Any inmate-patient who demonstrates a pattern of disruptive, destructive, or threatening behavior, or attempted assault (i.e., two or more incidents in any week), will be assessed by the Inter-Disciplinary Treatment Team to determine whether a Treatment Center restriction is appropriate. An inmate-patient who demonstrates a pattern of disruptive, destructive, or assaultive behavior in the Treatment Center will generally be placed on a one-week (i.e., 5-program days) Treatment restriction. However, the restriction may be shorter or longer based on the decision of the Inter-Disciplinary Treatment Team.

If you engage in Indecent Exposure or Sexual Disorderly Conduct in a group setting, the DOM section 52100.4 authorizes your IDTT to recommend the following suspension: 1) for first offense a 30-day suspension from group treatment, and Exposure Control Jumpstart status upon return to group for 30 days with IDTT review and approval; and, 2) for the second offense a 60-day suspension from group treatment, and Exposure Control Jumpstart status upon return to group for 90 days with IDTT review and approval. However, should you be enrolled or appropriate for the mental health Exhibitionism group treatment program, you will be authorized to attend that group. The DOM section 52100.4 further states that any group suspension for inmate-patients who are in the Enhanced Out Patient level of care requires authorization by clinical staff.

Inmate-patients are generally scheduled for a block of 2 hours of group therapy per day. An inmate-patient who demonstrates a pattern (two incidents in any week) of attending the beginning of scheduled group therapy sessions, and requesting to return to the unit before the scheduled sessions conclude, may be placed on Treatment Center restriction and will not receive credit for partial attendance of such groups. The restriction will generally preclude participation in group therapy for the remainder of the work-week (usually until Friday). The restriction may be shorter or longer based on the decision of the Inter-Disciplinary Treatment Team.

Group hours missed due to restriction from the Treatment Center will be counted as ref hours for the purposes of the Behavioral Incentive Program.

Any decision to restrict an inmate-patient from the Treatment Center and to count restricted hours as refused may be appealed by sending a CDCR Form, 602-HC to the PSU Senior Psychologist or PSU Facility Captain.

THE CLINICAL PROGRAM

PSU has clinical professionals who, along with the custody staff, will assist you in your treatment program.

You will each be assigned a primary clinician who is either a psychologist or clinical social worker. That person will see you weekly for individual therapy. As a general rule you will be offered a weekly confidential out of cell 1:1 by your primary clinician. However, given unforeseen circumstances your weekly 1:1 may not be out of cell but, instead, may be cell-side (this will not be counted as a refusal). You always have the right to refuse your out of cell confidential 1:1, although to do so is considered a refusal and will be counted as such in your program participation calculations for the BIP. You may contact any PSU staff if you have an emergency need to speak

with your primary clinician. If your primary clinician is not available, a medical or mental health staff person will assess your need and refer you for an appropriate follow up if necessary. CSP-Sacramento has medical staff working 24 hours a day. If you have a medical emergency at night, there is always someone who can assess whether you need immediate treatment.

Most PSU inmate-patients are scheduled for approximately ten hours of group therapy per week. Your primary clinician will tell you when your groups are scheduled. There are a wide variety of groups available such as: Anger Management, Medication Education, Stress Reduction, Parole Planning, Structured Yard and Substance Abuse.

When you enter the program, your primary clinician will meet with you within one week for an initial assessment. The assessment is designed to find out more about you so that we can better meet your mental health needs. You will be scheduled to attend the Inter-Disciplinary Treatment Team meeting (see below) within 14 days of your arrival and your primary clinician will work with you on developing your individual treatment plan.

TREATMENT TEAM

There are many members who make up the interdisciplinary treatment team: psychiatrists, psychologists, social workers, registered nurses, licensed psychiatric technicians, recreational therapists, correctional counselors and custody staff. You are part of the team, too! Your treatment plan has been formulated, both you and your primary clinician will present your plan to the team. In this way, all of us will be aware of your personal treatment goals.

MEDICATION

All of your medication will be administered either under the Direct Observation Therapy (DOT) or nurse administered. If you are administered your medication under DOT, either you will be placed in handcuffs by one of two officers, your cell door will be partially opened, and you will receive your medication through the partly opened cell door; or 2) you may receive your medication through the cuff port pursuant to your doctor's orders. Starting sometime in 2012/2013, you may be eligible for nurse administered medication which would be given through the cuff port. Once the registered nurse/licensed psychiatric technician has completed the DOT, a check of your mouth will be conducted. Your medication will be monitored by the psychiatrists, registered nurses, and licensed psychiatric technicians assigned to your unit. The unit psychiatrist will work with you to find the best combination of medications for you. Medications should only be taken as prescribed. If you have a problem with your medication, ask to see the doctor or the nurse. If the psychiatrist and treatment team feel that you are a danger to yourself, to others, or yourself clean, and/or feed yourself) the psychiatrist may order that you be "involuntarily medicated". This may take place in the Correctional Treatment Center, MH-CBU or in your housing unit. A legal process called PC 2602 (formerly Keyhead) may be started if you continue to refuse to take the prescribed medications and the psychiatrist feels you must have it in order to be safe. Questions about this process may be directed to the psychiatrist, primary clinician, or nurse. If you are not involuntarily medicated and do not wish to take medications prescribed to you, please discuss this decision with the unit psychiatrist and your primary clinician.

CUSTODY/TREATMENT EXPECTATIONS

It shall be the responsibility of every inmate-patient to observe posted notices and follow all instructions and orders given by institutional staff. In the event of a disagreement arising as the result of an order given by a staff member, the inmate-patient is to obey the order first and then obtain clarification at the earliest opportunity, consistent with safety and security.

Institutional procedures state that all inmate-patients in all areas are required to stop their activities "immediately" upon hearing any alarms, verbal commands or seeing staff responding to any emergency situation.

Getting on the ground consist of the following procedure:

- ** Stop standing
- ** Lower yourself to the ground
- ** Take a seated position on the ground, floor, tier
- ** Buttocks area must be in contact with the ground

Orders given during an emergency situation have priority over previous instructions and shall be obeyed immediately without hesitation pending the termination of the emergency situation!

NOTE: If you become involved in violence that is life threatening, lethal force will be used for effect.

COUNSELING PROCEDURES

- 1) Correctional Counselors deal with questions about your legal status, release date transfers, SHU terms, enemy status, classification, restoration of credits and other subjects.
- 2) Contract can be made with your assigned Correctional Counselor by completing the form entitled, "Request for Interview." PSU custody staff will forward all requests to your respective counselor. Upon receipt by the counselor, an appointment for an interview will be scheduled. The Counselor will be on the tier at least once a week for an Open Line. You will also see your counselor during your regularly scheduled classification.

HEALTH CARE SERVICE REQUEST FORM/CDC FORM 7362)

Health Service Request Forms are to be used as a self referral to request health care for sick and dental call and mental health referrals. These requests are made using the CDC Form 7362 Health Care Service Request Form, collected by a health care staff member daily, and triaged by nursing staff appropriately, and delivered to the designated program representative in mental health services, dental services and medical services.

For medication refills, please fill out a CSP-Sacramento Medication Refill Request Form provided by staff members who are responsible for passing out medication. This form should be used if you have no symptoms and are simply requesting a medication refill. If, however, you are having non life-threatening symptoms you should fill out a 7362 which will be triaged by nursing staff.

SICK CALL PROCEDURES

During the two weeks after your arrival, you will have a physical exam scheduled. This will provide you a chance to meet the PSU medical doctor. At that time, medical staff will review your medications, chronic, and any current medical problems you may have. For inmate-patients with chronic medical diagnoses (asthma, diabetes, high blood pressure... etc.), you will be started in the chronic care program. This program ensures you will be seen regularly to monitor your condition. Attending the initial physical exam helps medical staff assess your current and future medical needs.

- 1) Inmates requesting to sign-up for sick call or dental call must obtain a CDCR 7362 form (Health Care Service Request) from their respective housing unit officer.
- 2) You are to complete and sign these forms. The forms will be picked up by the 2nd Watch Registered Nurse (RN) or Licensed Psychiatric Technician (LPT) during their daily rounds. If you need help filling out the form, contact your unit officer.

DPP/DDP

1) The Disability Placement Program (DPP) and the Developmental Disabilities Program (DDP) is the Departmental set of plans, policies, and procedures to assure non-discrimination against inmates with disabilities.

2) A request for accommodation may be denied when it poses a direct threat of substantial harm to the health or safety of the inmate-patient or anyone else, including the public or would impose an undue financial or administrative burden on the agency, or would fundamentally alter the nature of the service, program, or activity.

3) The Department shall provide reasonable accommodations or modifications for known physical or mental disabilities of a qualified inmate-patient. The Department shall consider, on a case-by-case basis, accommodations for inmate-patients with disabilities that are temporary in nature. Examples of reasonable accommodations include providing special equipment (such as readers, sound amplification devices, or Braille materials), providing inmate or staff assistance, bilingual or qualified sign language interpreters, or modifying work or program schedules.

4) Each inmate-patient identified as having a hearing or vision impairment sufficiently severe shall be issued a vest. The vest will be worn anytime the inmate-patient is outside of his cell.

5) Appeals process for obtaining accommodations:

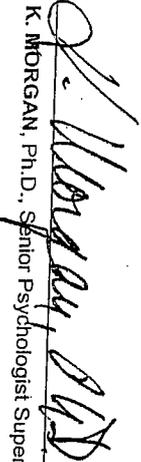
a. An inmate-patient with a disability may request an accommodation or grieve alleged discrimination through the CDC Form 1824 grievance process. The CDC Form 1824 shall be provided to all inmate-patients who claim to be disabled, and staff assistance in using the appeal process shall be provided to all disabled inmate-patients who require such assistance.

b. The inmate-patient shall submit the request for accommodation on a CDC Form 1824 to the Appeals Coordinator. The inmate-patient shall attach any possession or its easily obtainable by the inmate-patient and that is not already in his CDC file.

Approved by:



B. BRIZENDINE, Psy.D., Senior Psychologist Supervisor – PSU I


K. MORGAN, Ph.D., Senior Psychologist Supervisor – PSU II


R. O'BRIEN, PSU Captain (A)