

# **JOSEPHINE COUNTY ADULT JAIL**

1901 NE F STREET  
GRANTS PASS, OR 97526

## **INMATE ORIENTATION** **AND INMATE MANUAL**

### **NOTICE:**

***This manual is the property of the Josephine County Sheriff's Office. It is being issued to you temporarily. Your account will be charged if you deface, damage, or lose this manual.***

This inmate manual and the rules contained herein are hereby adopted and enacted by Dave Daniel, Sheriff of Josephine County Oregon, pursuant to the authority of Oregon Revised Statute 169.076, Paragraph 12.

*Dated this 8th day of January 2015*

Dave Daniel, *Sheriff*

## Table of Contents

JAIL POLICY .....	4
FOREWORD .....	4
BOOKING AND RELEASE .....	5
REIMBURSEMENT: .....	5
BOOKING: .....	5
PHONE CALL:.....	5
BAIL: .....	5
CONDITIONAL RELEASE:.....	6
RELEASE ASSISTANCE OFFICER: .....	6
ARRAIGNMENT: .....	6
COURT APPOINTED ATTORNEY: .....	6
SOBRIETY: .....	6
HOUSING ASSIGNMENT: .....	7
NON-PUNITIVE RESTRICTIONS: .....	8
INMATE REQUEST FORMS:.....	9
VISITING: .....	10
SPECIAL VISITS: .....	10
ATTORNEY VISITS:.....	10
TELEPHONES: .....	11
PREPAID PHONE CARDS:.....	11
BLOCKED CALLS:.....	11
INCOMING MAIL: .....	12
OUTGOING MAIL: .....	12
LEGAL MAIL: .....	12
BOOKS: .....	12
CORRESPONDANCE WITH VICTIMS: .....	12
MONEY: .....	13
PROHIBITED MAIL:.....	13
COMMISSARY: .....	15
MEDICAL: .....	15
EMERGENCY: .....	15
DISABLED: .....	15
RECREATION: .....	16
LAW LIBRARY:.....	16
GED:.....	16
RELIGIOUS PROGRAMS: .....	16
PHOTOCOPIES:.....	16
MEALS: .....	16
MEAL TIMES:.....	16
SMOKING POLICY:.....	17
SENTENCING INFORMATION .....	17
RELEASE DATE:.....	17
RELEASE TIME: .....	17
CREDIT FOR TIME SERVED:.....	17
CREDIT FOR GOOD BEHAVIOR:.....	17
CREDIT FOR WORK TIME: .....	18
INMATE WORKER STATUS: .....	18
EMERGENCY LEAVE:.....	18
TRANSPORT: .....	18
INMATE RESPONSIBILITES .....	19
SANITATION:.....	19

JOSEPHINE COUNTY ADULT JAIL INMATE MANUAL

BEHAVIOR: ..... 20  
ADDRESSING STAFF: ..... 20  
SECURITY CHECKS: ..... 20  
INTERCOMS: ..... 20  
PHOTO ID WRIST BANDS: ..... 20  
PERSONAL PROPERTY: ..... 21  
RELEASE OF PROPERTY: ..... 21  
JAIL ISSUED ITEMS: ..... 21  
CLOTHING: ..... 21  
PROHIBITED CONDUCT: ..... 22  
DISRUPTIVE BEHAVIOR: ..... 22  
UNAUTHORIZED AREA: ..... 22  
ASSAULT: ..... 22  
CONTRABAND: ..... 22  
DESTRUCTION OF PROPERTY: ..... 23  
COVERING OF LIGHTS: ..... 23  
VENTS: ..... 23  
SEXUAL ACTIVITY: ..... 23  
REPORTING SEXUAL MISCONDUCT: ..... 23  
DISRESPECT TO ANOTHER: ..... 23  
DISOBEDIENCE OF AN ORDER: ..... 24  
FALSE STATEMENTS TO STAFF MEMBERS: ..... 24  
GAMBLING: ..... 24  
CONSPIRACY: ..... 24  
ATTEMPT: ..... 24  
FIRE: ..... 24  
PASSING OF ITEMS: ..... 24  
HARASSMENT: ..... 24  
RETRALIATION: ..... 24  
GANG ACTIVITY: ..... 24  
TELEVISION VIEWING: ..... 24  
MEDICATIONS: ..... 24  
INMATE DISCIPLINE: ..... 25  
MINOR VIOLATIONS: ..... 25  
MAJOR VIOLATIONS: ..... 25  
DUE PROCESS: ..... 25  
GRIEVANCES: ..... 26  
GRIEVANCE PROCEDURE: ..... 26  
EMERGENCY GRIEVANCES: ..... 26  
RETRALIATION PROHIBITED: ..... 26  
SANCTIONS AND DISCIPLINARY ACTIONS: ..... 27  
CATEGORY 100 OFFENSES: ..... 28  
CATEGORY 200 OFFENSES: ..... 29  
CATEGORY 300 OFFENSES: ..... 30  
CATEGORY 400 OFFENSES: ..... 31  
PUBLIC DEFENDERS: ..... 32  
PAY FOR STAY ..... 34

## **JAIL POLICY**

This manual is for inmates and detainees who are incarcerated in the Josephine County Adult Jail. It establishes rules to ensure safe custody, control, comfortable living conditions, fair treatment, protection of constitutional rights, and implementation of good working habits, self-discipline and personal worth.

## **FOREWORD**

The Josephine County Jail Inmate Handbook has been prepared for your benefit. It explains what is expected of you during incarceration. The rules and regulations are listed, as well as practical details for daily living. Read this book thoroughly as you are expected to comply with these regulations. If you do not understand what is written here, ask for assistance from staff members.

***Any offense you commit while you are in custody in this facility that violates the Criminal Code of the State, or violates facility rules will result in disciplinary actions and/or criminal charges being filed against you.***

A list of violations is provided in this handbook. The rules listed are by no means all inclusive and the fact that a rule or regulation may not be included herein is not to be understood that a rule or regulation does not exist. The jail staff has complete knowledge of all rules and regulations and you are to follow their directions. The rules and regulations are uniformly applied to all inmates incarcerated in the Josephine County Jail regardless of classification status.

This manual shall not prohibit the Sheriff of Josephine County, or his representative, from establishing any regulation not covered in this manual. Nothing in this manual shall be binding upon the Sheriff or his staff if it conflicts with the safety, security, or efforts to best manage the Jail.

## **BOOKING AND RELEASE**

### **REIMBURSEMENT:**

If you have previously been an inmate at the Josephine County Jail, and have an unpaid debt for medical or other services, you are still responsible for that debt. Once booked into the facility, any money owed from a previous stay will be deducted from any money you had with you when you were booked into the facility.

### **BOOKING:**

The Josephine County Jail will ensure all inmates brought into custody are processed through the booking system in an efficient and timely manner. The booking process will ensure proper information is retained on inmates and inmates are identified accurately. Prior to an inmate being accepted into the facility, staff will determine the legal commitment of the inmate and whether there is an immediate need for medical attention.

The admission/booking process for inmates received into the Josephine County Jail will include searching, fingerprinting, recording of personal data and information, verification of criminal history, identification number, photographing, medical screening, classification, and the inventory and storage of the inmate's personal property.

The Josephine County Jail will ensure each inmate is provided with an orientation to the facility prior to being placed in permanent housing. Inmates will receive necessary information during the orientation program concerning rules and regulations, rule violations and sanctions, classification, facility placement housing and available programs.

### **SOBRIETY:**

The Jail will neither release subjects, nor house inmates, who are still intoxicated or under the influence of drugs. Prior to being released or housed in a cellblock, you may be asked to provide a breath sample on the intoxilyzer to demonstrate that you are no longer intoxicated. If you are suspected to be under the influence of drugs, you will be required to stay in booking until staff determine you are no longer under the influence. Staff will then approve you to be housed or a supervisor may allow for your release. If you refuse to provide a breath sample, you will remain in booking for at least 12 hours.

### **PHONE CALL:**

Once the booking process is completed, an inmate may be allowed a collect phone call. Inmates are able to call an attorney, or any person other than the victim of a crime alleged against the inmate. Calls to an attorney are free and non-recorded. The Josephine County Jail has made every attempt to place all local attorneys on the free calls list. At times attorneys may change their phone numbers or attorneys outside the local area may not be on the list. If an inmate attempts to call an attorney and the call is not free, send an inmate request via the kiosk located in the cell block. Include the attorney name and phone number. Staff will verify the information provided is correct and will then add it to the free call list.

### **BAIL:**

Bail is defined as cash that you give to the court as security for your appearance at a court hearing. If you are in custody and awaiting trial, you may be eligible for release by a cash bond. The correctional staff will

be able to tell you the amount of bail that has been set in most circumstances. The Judge will have set a bail, if you are eligible for bail, if you have already appeared in court.

You will appear in front of a Judge within 48 hours of your arrest; excluding weekends and holidays, for an initial arraignment and you may ask the Court to reduce your bail amount if you cannot put up enough security to post bail.

In Oregon, 10-percent of the total bail amount must be posted, unless otherwise stated on an arrest warrant. In Josephine County, bail is to be posted with the Josephine County Circuit Court located at 500 NW 6<sup>th</sup> Street in Grants Pass. The Circuit Court hours for receiving bail may vary but generally are from 8:30am through 4:00pm. After hours, and on holidays, bail can be posted at the Josephine County Jail lobby through the Turnkey Kiosk. The money is deposited to the inmates trust fund account so that he/she can bail out of jail. The Josephine County Jail staff do not accept any cash, unless approved by a jail supervisor. The Turnkey kiosk will only accept cash. Credit cards and debit cards can only be used on-line at [INMATECANTEEN.COM](http://INMATECANTEEN.COM).

### **RELEASE ON OWN RECOGNIZANCE (OR):**

This is generally at no cost to the inmate. Jail supervisors or the RAO (Release Assistance Officer) evaluate inmates who are arrested on misdemeanor or felony charges and assess whether they qualify for a conditional release. If the charges against you are minor, and you have no previous criminal history, you may be considered for a conditional release without having to post bail. If you are approved for a conditional release you will be required to sign a written agreement to appear in court on a certain date and time. You will not be permitted to leave the state without first obtaining the court's permission and you will have to waive extradition if you fail to appear and are apprehended outside of the state. A willful failure to appear may constitute an additional charge. If you have a history of failing to appear for court appearances your chances of receiving a conditional release will be significantly reduced.

### **RELEASE ASSISTANCE OFFICER:**

An officer of the courts, called a Release Assistance Officer (RAO), will interview you and assess your potential for release. The RAO can grant releases that Jail staff cannot. There is no guarantee the RAO will see you on weekends or holidays. The RAO usually arrives at the jail between 7a.m. and 9 a.m. Monday through Friday, excluding Holidays. If you are arrested after 12:00 a.m. the release officer will not see you until the following day. i.e. (Monday morning 12:01 a.m. you will see the RAO Tuesday morning.)

### **COURT APPOINTED ATTORNEY:**

If you cannot afford an attorney, one will be appointed to represent you by the judge when you appear for arraignment. During the initial booking process you will be required to complete 2 forms. The first form is the "Affidavit of Eligibility and Request for Court Appointed Attorney. The second form is the "Eligibility for Release Form". The Release Assistance Officer (RAO) will review the forms you have completed, interview you in person and then make recommendations to the courts for a court appointed attorney and may approve you for a conditional release.

### **ARRAIGNMENT:**

(Does not include US Marshall inmates or INS detainees) Arraignment is a court process wherein the charge(s) against you are presented to a Judge. You will be arraigned within 96 hours of your arrest. The judge will verify your name, and advise you of the charges being presented against you. At that time, the

judge may: raise or lower your bail, order your release, set your next court date, and assign a court appointed attorney to represent you.

### **HOUSING ASSIGNMENT:**

If you remain in custody in this facility you will be assigned to one of several housing units, known as “cell blocks”. There are many cells inside a cell block, and one of them will be assigned to you. You do not choose your cell assignment, this is performed by the classification unit.

Once you are booked into the jail, you will be classified and assigned a security level. This classification involves a review of your current charges and bail amounts, your past criminal history, your past behavior during any incarcerations, and any information about you provided by other agencies. Once you are assigned a security level, you will be assigned a housing unit, cell and bed number. You may be placed in segregation, close custody, or general population, as determined by classification personnel.

Classification levels are as follows:

**Maximum custody** – qualify as high security inmates requiring closed custody or segregation, dependent on the totality of the reason for the maximum classification. Inmates with a maximum classification may participate in various programs, but will be secured and escorted anytime they leave the housing unit, except when housed in segregation at which point the inmate’s level of participation in programs may be limited or restricted.

**Medium custody** – medium security inmates are allowed to be housed in the general population housing units. Inmates qualifying with this classification may participate in the various programs made available and may move within the facility without escort. These inmates are allowed to participate in work programs within the secure area of the facility.

**Minimum custody** – are low security inmates and are housed in general population housing, to include dorm style housing. These inmates qualify to participate in work programs.

Your security classification level will be reviewed periodically and may be raised or lowered depending on your legal status and your behavior while you are in jail. Following these reviews, you may be moved to other housing units as appropriate. Should you wish to appeal your classification level, a recent move due to classification assessment or placement in housing, you must utilize the inmate kiosk system located in your cell block and submit a request to the classification unit.

Classification Deputies evaluate the charges against you, your criminal history, your past and present behavior while in custody, escape attempts, health problems and other factors. Jail deputies are required to house you according to your classification. Classification is non-punitive. You cannot grieve your classification assignment. You may informally appeal your housing assignment to the classification unit using the Turnkey kiosk located in your cell block. If you are housed in 200, 400 or 700 you will be allowed out of your cell for a maximum of one hour a day. You may walk the hallway, talk on the phone, clean your

cell and shower while you are outside of your cell. If you are housed in one of the general population cells you may have the privilege of watching television.

The “standard” housing assignments are as follows:

Minimum-Open Dorms or General Population in 2 person cells

Medium- Open Dorms or General Population in 2 person cells

Maximum-Restricted Housing in 1 or 2 person cells

### **NON-PUNITIVE RESTRICTIONS:**

Inmates who threaten staff or other inmates can expect to be housed in a single cell, lose privileges, and have their movement restricted. Such non-punitive restrictions are generally temporary, and may be lifted when the threat no longer exists. Non-punitive restrictions cannot be grieved, and are not subject to due process. Jail supervisors will review non-punitive restrictions when the inmate’s behavior demonstrates significant improvement.

### **PERSONAL CLOTHING AND ISSUANCE OF JAIL ATTIRE, LINEN AND HYGIENE KIT:**

Prior to assigning inmates to a housing unit, inmates are issued clean laundered jail attire and bed linen in exchange for their personal clothing. Inmates will also receive a hygiene kit, and will be charged \$1.00 to cover the cost of the supplies. All issued items are to be returned in the same condition as issued. If you choose to damage or destroy these items your inmate trust fund will be charged for the replacement cost. All items are to be returned upon release except for the hygiene items.

Issued items are:

- 1 - sheet
- 1 - mattress cover
- 2 - sets of jail uniforms
- 2 - pairs of boxers for men or underwear for women
- 1 – pair of inmate shoes
- 2 – night shirts (women only)
- 2 – bras (women only)
- 2 – towels
- 2 – blankets
- 1 – roll of toilet paper
- 1 – cup
- 1 – hygiene kit (soap, toothbrush, pencil, comb)

### **HOUSING INFORMATION:**

Once you are assigned and moved to your housing assignment you are responsible for the condition of your cell. You are required to make sure that your cell remains in the same condition it was on the day you first occupied it. Any inmate who knowingly damages his/her cell will be prosecuted.

You are required to keep yourself, your cell and your dayroom neat and clean at all times. Cleaning supplies will be available for your use each day. You are also required to participate in the daily housekeeping of your cell block. Your bunk must be made when it is not occupied.

You will not come closer than the painted line on the floor in front of the cell block door, window or the officers' station, without permission from a deputy. At no time will you lean on or over the deputy work stations. You will respect the rights and property of other inmates. The only cell you may enter is the one assigned to you. It is a violation to stand in front of or to peer through the window, knock on the door of another inmate's cell, pass items under the door, or closing another inmate's door. Inmates are not allowed on the stairs when deputies are on the staircase. Inmates housed in open dormitories are not permitted on the staircases, nor allowed to go up to the 2<sup>nd</sup> floor.

A dayroom area is provided in each cell block. They are available for your use during inmate free times. While in the dayroom area, inmates must wear their full jail uniform. The jail uniform is to be buttoned in its entirety.

An outdoor recreation yard is available for inmates housed in medium and minimum classification cell blocks. Inmates are required to wear jail uniform while utilizing the exercise area. Combs, paper, pencils and all other commissary items are not allowed in the recreation yard. Exercise is offered each day of the week except Thursdays and as the weather permits.

Televisions are provided in general housing day rooms. They will be turned on by a deputy at 8:00 am and turned off in the evening at lockdown. Deputies are the only persons authorized to operate the televisions. Any attempt to adjust or control a television is a violation of facility rules. Only deputies are permitted to change channels and/or volume.

Anytime a deputy calls "**LOCK DOWN or CELL IN**", you will **immediately** return to and enter your cell, securing the door behind you. All inmates are required to stand for headcount when ordered to do so. All inmates who fail to stand for headcount, if so ordered, will be subject to disciplinary action.

### **INMATE REQUESTS:**

Inmate Requests are initiated by the inmate using the kiosk located in the cell block. The kiosk allows inmates to request services from the Jail. Inmates will use kiosks to request the following:

- General Medical requests (**Inmates are to utilize the intercoms when experiencing an emergent medical issue**)
- Ordering commissary
- Mental Health Requests
- Informal Classification Reviews
- Requesting consideration/approval for inmate worker programs or other programs offered by the jail.
- Sending requests for release dates, or court information

- Making special requests which need supervisor approval
- Sending requests to detectives or other law enforcement personnel
- Communicating with probation officer
- Checking inmate account balances
- General requests or questions
- Sending and receiving emails to family and friends
- Requesting a change of blankets (must be in custody 30 days)
- Ordering indigent items (for inmates who have no funds in their inmate account and need soap, pencil, paper, stamped envelopes, comb, toothbrush and toothpaste.)
- Communicating with supervisors, Jail Commander, or Sheriff
- Requesting shaving razors
- Requesting use of the law library
- To request a Grievance form
- To communicate with US Marshal
- To communicate with Immigration Officials
- To report problems within the jail

**VISITING:** Visiting is provided through the kiosk. Family and friends can visit from home from their computer or smart phone, however please note there is a fee for visiting anywhere other than from the jail lobby kiosk. They must first register at [INMATECANTEEN.COM](http://INMATECANTEEN.COM) to set up an account.

The Josephine County Jail provides a visiting kiosk in the front lobby. There is no charge when visiting from this kiosk. Family and friends who wish to visit an inmate must call to make an appointment to use the kiosk. To schedule free visits, visitors must call (541)474-5140, they will be provided with available times based upon your housing assignment.

***NOTICE: CONVERSATIONS BETWEEN YOU AND YOUR VISITOR WILL BE RECORDED.***

**SPECIAL VISITS:**

Visitors who have to drive long distances to visit and will not be available on the scheduled visiting days of the inmate with whom they wish to visit can request permission from a Sergeant for a special visit. Other factors may be considered in approving a special visits such as delivery of a death message or other news of a serious and personal nature or other exigent circumstances.

**ATTORNEY VISITS:**

Attorneys may visit their clients at any reasonable time except when meals are being served. The Jail closes for breakfast from 4:45 a.m. to 6:00 a.m., lunch from 11:30 a.m. to 12:30 a.m., and for dinner from 4:45 p.m. to 6:00 p.m. All attorney visits will be suspended during these hours.

## **TELEPHONES:**

Telephones are provided in each housing unit and the booking area for your use. All phone calls made by inmates are collect to the party receiving the call. All inmates are issued a PIN number at the time they are booked into the facility that must be used when making a phone call. **Any inmate using another inmates PIN number will be subject to discipline which could include loss of all phone privileges.** Telephones are available for use between the hours of 7:00 A.M. and 10:00 P.M. You may use the phones when you are permitted access to the day room area of your cellblock. Each phone call is 15 minutes long and will disconnect at the end of that time.

Inmates who intentionally cause damage to the phones will be sanctioned and charged with a new crime of criminal mischief. If phones are not working properly, notify a deputy when they are in the cell block or enter a repair request on the kiosk.

Inmates are not permitted to call persons who are listed as victims in their criminal cases or if there is a "no contact order" from the courts. If an inmate calls a victim or a "protected person", criminal charges will be referred to the District Attorney.

***NOTICE: ALL NON-ATTORNEY PHONE CALLS ARE RECORDED***

## **PREPAID PHONE CARDS:**

Phone cards are available for purchase for \$10.00 or \$20.00. If you want to purchase a phone card, you will need to enter a request on the kiosk. You must have money in your inmate account. If you are unsure about your account balance, you can obtain the information from the kiosk.

If you are unable to place calls from the phone in your housing unit and you need to place an emergency call, you may complete an inmate request on the kiosk requesting permission to make a non-collect phone call. These requests will be forwarded to the Sergeant on duty.

All calls to consular officials, attorneys or free legal services are provided at no cost on the cell block phones. If you are a detainee of ICE (Immigration Customs Enforcement), you can refer to the posting in your cell block which provides instructions on how to place free phone calls to your consulate.

## **BLOCKED CALLS:**

Jail staff will not remove blocks on collect phone calls. There are many reasons why the phone number you are calling may be blocked. If you attempt to call a phone number and receive a message that it has been blocked you will need to contact the phone company at: 1(888) 729-4326. The operator at this number can explain why a block has been placed. You are able to call this number from your cell block without a charge to you.

If you have special calling features on your phone (such as call forwarding or three way calling), the phone system (not the Jail) will likely block the call. If family/friends have any inquiries regarding account set-ups or blocked calls, they can call 1(888) 729-4326.

### **INCOMING MAIL:**

Incoming personal mail will be scanned by staff to assure the mail does not pose a security issue. Mail will be delivered Monday through Saturday, within 24 hours from the time letters are received by the Jail. The Jail may refuse to deliver inflammatory publications, or material that violates state obscenity laws (see prohibited mail section). When publications or other personal communications are rejected on the basis of content, the entire publication shall be rejected. Inmates are not allowed to write to individuals incarcerated in this or in any other facilities/prisons, unless the incarcerated person is an immediate family member (legal spouse, child, brother, sister, parent). In that situation, approval is required from a Sergeant. Send your request by using the cellblock kiosk. "Junk Mail" is prohibited. Inmates may not change their address to the jail.

If an inmate is observed to have an excess volume of mail in his/her cell, Jail Staff will provide the inmate a reasonable amount of time to prepare the mail for storage in their property bin.

### **OUTGOING MAIL:**

Inmates may send mail that is purchased through jail commissary. Inmates may receive mail in any size that is delivered by the U.S. Postal Service. Outgoing mail will be posted the day it is received from the inmate, unless received after the hours of pickup by the US Postal Service at the Jail, or on weekends and holidays. Indigent inmates may purchase an indigent writing pack for mail through jail commissary accessed on the kiosk. The pack will consist of two postage prepaid envelopes and paper.

### **LEGAL MAIL:**

The sender is responsible for legitimately, properly, and clearly marking and addressing legal and official mail so that the jail staff recognize it and treat it as confidential. The return address on all incoming legal and official mail must have the sender's title, agency, or firm title and address either commercially preprinted on the envelope or a label, or as an ink stamp. The sender's name should be handwritten if not preprinted. The words "Legal Mail", "Official Mail", or similar designation must appear on the address side of the envelope. Legal mail will be opened in front of the inmate and checked for contraband.

Staff will treat all mail with return addresses that are completely handwritten as personal mail.

First Class business size or manila envelopes are available for purchase from commissary for legal or official mail. Indigent inmates may obtain pre-stamped envelopes for legal or official mail by completing an Inmate Request on the kiosk. Misrepresentation of legal or official mail or misuse of indigent mail kits is strictly prohibited and may result in disciplinary action against the inmate.

### **BOOKS:**

An inmate may receive up to two books in a single mail delivery day. Books must come directly from the publisher. They may not be larger than 9 inches by 12 inches. They may not have plastic or metal bindings or hard covers. The jail supplies reading material throughout the facility dorms on book carts for your use.

### **CORRESPONDANCE WITH VICTIMS:**

Inmates charged with crimes involving a victim, may not correspond with the victim. This includes charges you are pretrial or sentenced on. The Jail Commander may make exceptions with approval from the Judge and District Attorney.

## **MONEY:**

The jail will not accept cash or money orders. To have money put on your account, your family must use the kiosk in the lobby or go online to [inmatecanteen.com](http://inmatecanteen.com) or by phone at 1-715-386-5700. They must have your booking number in order to put money on your account.

## **PROHIBITED MAIL:**

**Sexually Explicit Material** which by its nature or content poses a threat or is detrimental to the security, good order or discipline of the facility, inmate rehabilitation, or facilitates criminal activity including, but not limited to, the following:

- Portrayal of actual or simulated sexual acts or behaviors between human beings including, but not limited to, intercourse, sodomy, fellatio, cunnilingus or masturbation.
- Portrayal of actual or simulated penetration of the vagina or anus, or contact between the mouth and the breast, genitals, or anus.
- Portrayal of actual or simulated stimulation of the breast, genitals, or anus.
- Portrayal of actual or simulated acts or threatened acts of force or violence in a sexual context, including, but not limited to, forcible intercourse (rape) or acts of sadomasochism emphasizing the infliction of pain.
- Portrayal of actual or simulated sexual acts or behaviors in which one of the participants is a minor, or appears to be under the age of 18.
- Bestiality: Portrayal of actual or simulated sexual acts or behaviors between a human being and an animal.
- Excretory Functions: Portrayal of actual or simulated human excretory functions, including, but not limited to, urination, defecation, or ejaculation.
- Personal photographs in which the subject is nude; displays male or female genitalia, pubic area, or buttocks; or exposes any portion of the female breasts below the top of the areola.

\*No distinction shall be made between depictions of heterosexual and homosexual activity in applying these standards.

\*Sexually explicit material does not include material of a news or information type, for example, publications covering the activities of gay rights or gay religious groups.

\*Literary publications shall not be excluded solely because of homosexual themes or references except for violations of these rules.

\*Sexually explicit material may be admitted if it has scholarly value, or general social or literary value.

**Material That Threatens or is Detrimental** to the Security, Safety, Health, Good Order or Discipline of the Facility, Inmate Rehabilitation, or Facilitates Criminal Activity: Material which by its nature or content poses a threat or is detrimental to the security, safety, health, good order or discipline of the facility, inmate rehabilitation, or facilitates criminal activity, including, but not limited to, material that meets one or more of the following criteria:

- It incites, advocates, aids or abets criminal activity such as illegal drug use, or instructs in the manufacture, use or conversion of weapons.
- It incites, advocates, aids or abets escape, such as picking locks or digging tunnels.

## JOSEPHINE COUNTY ADULT JAIL INMATE MANUAL

- It consists of threats of physical harm to any person or threats of criminal activity.
- It contains or concerns sending contraband within, into or out of the facility.
- It concerns plans for activities in violation of Josephine County Jail administrative directives.
- It contains code that directly threatens or is detrimental to the security, safety, health, good order, or discipline of the facility, inmate rehabilitation, or facilitates criminal activity.
- It contains information which, if communicated, would create a clear and present danger of violence and physical harm to a human being.
- It contains contraband material.
- It contains STG (Security Threat Groups) -related paraphernalia.
- It contains inflammatory material.
- It contains role-playing or similar fantasy games or materials.
- It comes from an inmate in this or any other jail, prison or correctional facility (adult or juvenile).

**Credit or Deferred Billing Transactions:** Mail involving credit or deferred billing (e.g., "bill me later" or "payment after delivery") transactions for the purchase of or subscription to publications (e.g., books, newspapers, magazines) or other items or merchandise is prohibited. Mail prohibited under this subsection includes: Outgoing inmate requests or purported agreements to enter into a credit or deferred billing transaction. Incoming publications or other items or merchandise, including promotions (e.g., free gift or premium) items given in exchange for purchase or subscription, received in the Josephine County Jail which are accompanied by a billing or other statement requiring payment upon delivery or at a later date.

**Unauthorized Business Transactions:** Mail involving a business transaction not previously approved by a supervisor.

### **Items Prohibited From Receipt by Mail:**

- Any item or material which an inmate shall not possess within the Josephine County Jail.
- Weapons or explosives;
- Narcotics or narcotics paraphernalia;
- Intoxicants or medications;
- Escape devices;
- Money, negotiable instruments, un-cancelled stamps, and stamp collections;
- Any item larger than 18" x 18" except subscription newspapers;
- Any electronic items, including batteries;
- Any substance that is foreign to the authorized mail items, including lipstick, crayon, water colors, paint, correction fluid, etc.; or
- Polaroid type photographs with a chemical substance on the back of the photograph.

**Mail Subject to Outgoing Mail Restriction:** Outgoing mail to a person or address to which the inmate has been ordered by the supervisor not to send mail. This includes mail addressed to any inmate in this or any other jail, prison, or correctional facility (adult or juvenile).

***\*\*Any other material that the Josephine County Jail deems as threatening to the safety and security of the facility. \*\****

### **COMMISSARY:**

Commissary services are available. Orders are generally placed early in the week, with commissary delivered before the end of the week. Inmates may not order items from the general commissary list unless they have money on their books. Indigent inmates may order indigent commissary packets. Their accounts will be charged for the packets, and the fees will be collected when money is deposited to their accounts during the current or future bookings. Immigration inmates will not be charged for indigent hygiene items. If you are released after ordering your commissary, but prior to receiving it, you will have 72 hours to pick it up in the jail reception area. After 72 hours the commissary will be disposed of. No refunds are given for commissary items not received due to release or transport.

If an inmate owes money to the Josephine County Jail for services rendered, they are obligated to the debt incurred. Inmates may not have money placed on another inmate's account to purchase commissary items. Inmates cannot have money transferred from their account to another inmate's account.

Ordering commissary for others is not allowed. Inmates found passing commissary items may lose the items and may have their commissary ordering privileges taken from them. Inmates found with commissary items in their cells, when they have not placed an order, may have their commissary items removed from their cell and disposed of.

### **MEDICAL:**

Medical services are available regardless of an inmate's ability to pay for them. Inmates will be billed for all medical services except: 1) the initial 14-day intake examination, 2) the initial test for tuberculosis, and 3) any required follow-up Tuberculosis exams.

All prescriptions, dental work, emergency treatment, surgery, and X-rays, will be billed for the full cost to the inmate. Even if the inmate does not have the money, the inmate's account will be charged for the medical services and the fees will be collected when money is deposited to the inmate's account during current or future bookings.

To request medical services, complete a medical request on the kiosk. You may put more than one item on the medical request forms. If you have a pink slip from medical staff allowing you possession of a specific item, you must put your pink slip in the window of your cell door. If you are in a dorm area and do not have a cell door, your pink slip must be kept in your bunk area clearly visible to housing deputies. Abuse of pink slips will result in sanctions.

### **EMERGENCY:**

In case of emergency you may press the intercom button, notify a Deputy or cell mate.

### **DISABLED:**

Inmates with disabilities should notify a deputy while in booking. If the request was not made in booking and is not emergent in nature, complete an *Inmate Request* on the kiosk. The Jail will evaluate the request in light of the *Americans with Disabilities Act*.

**RECREATION:**

Weather permitting, opportunities for recreation in the Jail's open-air exercise yards are offered to inmates in general population housing. Exercise is offered up to 5 times per week, Monday, Tuesday, Wednesday, Friday and Saturday 8:00 AM and 6:00 PM depending on which cell block you are housed in. Inmates housed in the maximum security cell blocks are encouraged to utilize the dorm areas for indoor exercises during their hour out.

**LAW LIBRARY:**

Inmates may request to use the Law Library by making a request on the kiosk. Staff will offer law library to you at their convenience after receiving a request. Only one inmate at a time is allowed to use the Law Library. Contents of the Law Library meet the requirements of the Oregon Jail Standards. Law Library will be available five days a week. Staff will contact you on the day and time at which you are to report to the law library.

**GED:**

Inmates may apply for educational programs designed to assist them in earning a General Equivalency Diploma. Make your request through the kiosk.

**RELIGIOUS PROGRAMS:**

One-on-one religious counseling is permitted throughout the week by video kiosk. If you are classified as a maximum or keep separate inmate, you may request to see a religious counselor by making a request on the kiosk.

**PHOTOCOPIES:**

The Jail does not provide photocopying services for inmates. Only when an inmate has been approved by a court to represent himself can a request for photocopying services be considered. If such service is provided, the inmate will be charged a fee. If indigent, the inmate's account will be charged and the fees collected whenever money is deposited to the inmate's account during the current or future bookings.

**MEALS:**

All meals are nutritionally balanced, dietician approved and properly prepared and served. The use of food, i.e., the withholding of, as a disciplinary measure or reward is prohibited. Food Service upon request and authorization provides special diets as required for medical/dental reasons or adherence to religious dietary law. Medical staff will order special medical diets as required.

If you have religious dietary requirements, are a vegetarian or have food allergies, you must notify a staff member as soon as possible so that arrangements can be made to accommodate your needs. If you request to be provided a special diet, you will be prohibited from accepting meals from the standard menu thereafter. Accepting items not provided as part of your diet may result in your removal from the special diet list. You will be issued an appropriate eating utensil. You are required to properly dispose of leftover food and place your tray in the appropriate place at meals end. For health and sanitation concerns, opened food items may not be retained in the living areas.

**MEAL TIMES:**

Breakfast is served at 5:00 AM, lunch at 11:30 AM and Dinner at 5:00 PM. It is your responsibility to get up and get your tray.

## **SMOKING POLICY:**

Smoking of tobacco products are strictly prohibited in all areas of this facility. If an inmate is found to be in possession of tobacco products, lighters or matches, he/she will be charged with criminal charges and be subject to a disciplinary sanction.

## **SENTENCING INFORMATION**

### **RELEASE DATE:**

If you are sentenced to serve time in the Josephine County Jail, a release date will be calculated. The date is only an estimate. It could change if you misbehave, or if you become an inmate worker. Please wait at least 48 hours after sentencing to request your estimated release date. *Do not ask repeatedly.*

### **RELEASE TIME:**

Processing for inmates being released normally starts at approximately 4:30 a.m. as time permits. *Do not ask staff for early releases or 12:01 kicks as this is only done in exigent circumstances.* It is more time consuming to address your request, and staff would rather be working on getting you released.

### **CREDIT FOR TIME SERVED:**

If permitted by the judge, you will be given credit for time already served at the Jail on sentenced charges. If you were held in custody at another jail on Josephine County's charges only, you may be given credit for time served there. You will not be given credit if you fought extradition back to Josephine County.

### **CREDIT FOR GOOD BEHAVIOR:**

Pursuant to ORS 169.110, good time credits will be granted as follows:

- a. Sentences of not less than ten (10), nor more than thirty (30) days = One (1) day credit for each ten(10) days of sentence.
- b. Sentences over thirty (30) days, but not more than ninety (90) days = Three (3) days of credit for each thirty (30) days of sentence.
- c. Sentences over ninety (90) days, but not more than one-hundred-eighty (180) days = Four (4) days credit for each thirty (30) days of sentence.
- d. Sentences over one-hundred-eighty (180) days, but not more than two-hundred-seventy (270) days = Five (5) days of credit for each thirty (30) days of sentence.
- e. Sentences of more than two-hundred-seventy (270) days = Six (6) days credit for each thirty (30) days of sentence.

*The length of sentence refers to the time you receive for each individual charge. For example, if you receive a 9 day sentence, then a 29 day sentence, they do not add up to a 38 day sentence. The 9 day sentence receives no good time credits and the 29 day sentence would receive only 2 days credit as it falls under the "over 10 days but under 30 days".*

*Note: Inmates serving parole sanctions are not eligible for good time credits.*

### **CREDIT FOR WORK TIME:**

Pursuant to ORS 169.120, inmates can earn time off their sentence for work performed at the Jail. Generally, inmates can earn ten (10) days a month off their sentence for performing kitchen, laundry, janitorial, or dorm worker duties.

Prior to applying for a worker position, please note these important exceptions:

- a. By state law, inmates are not eligible for worker credits on sentences shorter than ten (10) days in length.
- b. By state law, inmates sentenced to serve between 10 and 30 days can only earn a maximum of one day off for each ten days sentenced.
- c. Inmates sentenced to 30 days or less must work ten days to earn one day off their sentence.
- d. Inmates are not entitled to receive what they have not earned. An inmate does not suffer harm if his estimated release date changes due to a loss of inmate worker status. Work credits earned by an inmate prior to losing inmate worker status will not be taken away.
- e. By policy of the Oregon Department of Corrections, inmates sentenced to prison may not receive credit for time spent as an inmate worker in a county jail.
- f. By policy of the Oregon Department of Corrections, inmates serving time on a parole or post prison revocation are not eligible for inmate worker credits and *will not* be afforded inmate worker status. The Jail must release those inmates on the date specified on their parole revocation.

### **INMATE WORKER STATUS:**

Inmates wanting to become inmate workers should make an *Inmate Request* on the kiosk. Inmate worker status is based on an inmate's classification. Inmates cannot grieve a denial to be an inmate worker. They may informally appeal to the Classification Committee, using the kiosk.

### **EMERGENCY LEAVE:**

If you need an emergency leave contact your attorney, the courts, or Community Corrections, whichever is applicable to your situation or charges.

### **TRANSPORT:**

If you anticipate being transferred to another facility, you should have a relative or friend, pick up all your personal property (except clothing, legal mail, and money). Property release forms will be completed at your release in booking, just prior to your transport.

If you are being transferred to the **Department of Corrections**, be aware that only the clothing you are wearing and legal mail will be accepted. Therefore, you will be asked to complete a property release form. The property will only be released to the person you have named on the form. Once you are transported, your "released" property will need to be picked up within 30 days. Any property left at the Josephine County Jail will be discarded 30-days after your departure.

If you will be transported with US Marshals you will only be permitted to take the following items:

- a. Legal paperwork
- b. One religious medal, if its size and weight does not pose a threat as a weapon or escape device.
- c. Eyeglasses or contact lenses with case.
- d. Prescribed medication

- e. Up to fifty dollars in cash (\$50.00)
- f. Wedding band. Only plain wedding bands with no stones are permitted.
- g. The US Marshals will not transport items that you have collected during your stay in the jail. For example, personal letters, photographs, subscriptions to publications, commissary, etc...
- h. Personal property left in this facility will be considered abandoned and will be disposed of in accordance with policy and Oregon Law.

If you have placed a commissary order but have not received it, it may be picked up in the jail reception area within 72 hours. After that it will be disposed of.

## **INMATE RESPONSIBILITIES**

### **SANITATION:**

Pursuant to ORS 169.026, you are required to maintain your personal hygiene and the sanitary condition of the Jail in a manner consistent with promoting a healthy living environment.

**Please read the following rules and regulations very carefully.**

- Shower at least twice weekly.
- Assist with keeping the Jail clean and free of litter.
- Report to a Jail Deputy if any vermin such as fleas, lice, or bed bugs are observed.
- Report to a Jail Deputy any condition that endangers the health or sanitation of the facility.
- You are permitted one haircut after 30 days in custody. However, if you have a court trial you can receive a haircut prior to the 30 days. Inmates that have maximum classification must cut their own hair. Haircuts are scheduled on Saturdays from 8:00 a.m. to 10:30 a.m. and 12:30 p.m. to 4:30 p.m. ***Inmates must enter a haircut request on the kiosk prior to hair cutting day.***
- Razors (disposable) are issued immediately following breakfast and picked up during the next hourly checks. ***Inmates must put in a razor request on the kiosk in order to receive a razor on razor days.***  
Saturday, cell blocks 200, 300, & 400  
Sunday, cell blocks 500, 600, 700, 800 & 900
- Utilize the provided cleaning and disinfectant agents to keep your housing area clean and sanitary.
- Keep all clothing in your possession clean and in good repair.
- Keep your sleeping area clean and orderly. Trash, excess quantities of items not considered contraband, or items not kept in the proper place will be disposed of.
- Personal property, including commissary items, will be stored in the space provided. Your cup may be kept on the sink; your towel and clothing on the hangers provided; and your shoes may be stored under your bed.
- Nothing will be attached or hung from the walls, ceiling, windows, bunks or other surfaces. Any items attached to the walls, ceiling, or other surfaces will be confiscated and placed in your property.
- Nothing will be placed in the window of your cell door other than medical pink slips.
- You may possess up to two books at a time for recreational reading and a religious book.
- You may possess religious books issued to you personally by the chaplain or from book cart.

- You must have a pink permission slip for other items not normally issued to inmates. The pink permission slip must be placed in the window of your door or if you are in 100, 800, or 900 it must be visible where the deputies can easily view it.
- Inmates are encouraged to shave frequently. Razors are provided twice a week. If you have court enter a request on the kiosk, staff may be able to provide you with an electric razor to shave with before you leave. The court date will be confirmed.
- Inmates may possess no more than 12 photos no larger than 4x6. All other photos will be placed on your property.
- Inmates are not allowed to sit on the tables in the dayroom area.
- Inmates may not hoard food from meals. Inmates caught possessing food from meal services may be sanctioned.
- Inmates are not to have more than one mattress, unless medical authorized a second mattress, to which the inmate must have a pink slip.

### **BEHAVIOR:**

As an inmate of the Josephine County Adult Jail, you can expect to be treated as well as you will allow staff to treat you. Be patient with your requests, as a number of inmates are also seeking staff attention. If you have requests, complete an Inmate Request on the kiosk. Jail deputies are not permitted to pass messages to other inmates, or to persons outside the Jail.

### **ADDRESSING STAFF:**

When speaking to jail staff, you will use their title and last name. Example; "Commander Smith" "Deputy Johnson". The deputies will address you by your title and last name. Example; "Mr/Mrs/Ms and last name" ***Addressing deputies by their first name is not allowed.***

### **SECURITY CHECKS:**

Staff is required to conduct hourly security rounds in accordance with ORS 169.073. At least twice per day, Jail deputies will incorporate "Picture Book Checks" into their hourly rounds. During the picture book checks, deputies are responsible to compare your photo with you. Deputies can sometimes do this without you doing anything, but if they are unable to see your face they may need to wake you to make a confirmation. You are to comply with this process.

### **INTERCOMS:**

Day rooms and individual cells throughout the Jail are equipped with intercom systems. The housing intercoms are for EMERGENCIES ONLY! If you continually use the intercom for non-emergent situations, sanctions will be imposed. Instructions issued by the Jail Technicians in the Control Room are considered direct orders and must be followed.

### **PHOTO ID WRIST BANDS:**

Prior to being housed you will be issued a photo ID wrist band. The photo ID wrist band is not to be removed or tampered with. The first wrist band is included in the price of your toiletry pack. If you tamper with or break your wrist band, you will be charged \$5.00 for the replacement of that wrist band and receive a five day sanction.

### **PERSONAL PROPERTY:**

You may be allowed to possess a limited amount of personal property such as dentures and eyeglasses. All personal belongings in your possession shall be your sole responsibility. To retain eyeglasses, contact lenses, dentures, or similar items, you must sign a *Liability Release* form. You may request a telephone number or address from your personal property if you make the request at the time you are being dressed out in jail clothing. Your property will be sealed in front of you and the seal will not be broken until you are being released. Do not request phone numbers or addresses after you have been housed as your request will be denied.

### **RELEASE OF PROPERTY:**

Jail policy is NOT to release an inmate's property. A Jail Sergeant may authorize the release of property under **exigent** circumstances. If you request the release of your personal property, all property must be released with the exception of your clothing and money. No individual items will be released from your property. Generally, unless an inmate is being transported to prison, the Jail will not permit inmates to release their property.

### **JAIL ISSUED ITEMS:**

Male inmates are provided a mattress, one mattress cover and one sheet, two blankets, two jail-issued uniforms, two underwear, one footwear, one towel, 1 roll of toilet paper and an inmate manual. Female inmates receive the same items as males, but will also be issued two bras and two night shirts. Night shirts are to be worn to bed only. They are not to be worn in the dayroom areas or under the jail jumpsuits. Inmates booked into the facility will be issued and charged for a toiletry pack consisting of one tooth brush, one tube of toothpaste, one comb, one bar of soap, one pencil, one cup and one spork. Immigration inmates will be issued the same items plus body lotion and all-n-one shampoo & body wash. If you damage or lose any item, you may request a replacement, which will be charged to your account.

You cannot arrange to have clothing or other non-essential items brought to the jail to be placed on your property. The Jail will NOT accept these items. Jail supervisors may consider accepting clothing in exigent circumstances.

In addition to the items listed above, dorm workers will be issued an orange shirt along with the regular jail jumpsuit. The dorm worker is to wear the orange shirt only while working. The orange shirt will be worn over the jumpsuit. No exceptions.

NOTE: The Jail staff consists of male and female deputies. ***It is your responsibility to remain clothed and/or covered at all times.*** The only exception is going into or out of the shower. Nudity is not allowed outside of the shower area.

### **CLOTHING:**

A complete jail uniform is required to be worn correctly any time you are outside of your bunk area. Jail uniforms will be worn in the manner that is intended by the manufacturer. Altering jail uniforms or wearing them in any manner other than the commonly accepted manner is prohibited. The size of jail issued clothing is not to exceed the individual's actual size. Jail issued clothing will be laundered twice each week. Towels will be exchanged twice a week with clothing exchange. Sheets will be exchanged once a week. Blankets can be exchanged every 30 days by submitting an Inmate Request on the kiosk. The jail will not launder personal clothing unless it was contaminated upon your arrival to the jail.

Defendants may wear personal clothing for trials. All other court appearances will be in clothing provided by the Jail, unless specific authorization has been given by the shift supervisor to wear something else.

## **TOILET PAPER**

Toilet paper will be replaced twice a week at the same time as blues exchange. You must turn in the empty toilet paper core to receive a new roll. Any inmate observed with excess toilet paper will be sanctioned to 4 days lock down.

## **PROHIBITED CONDUCT:**

All inmates, regardless of commitment circumstances, are subject to the laws of the State of Oregon, and the rules of this Jail. The best control of behavior is self-discipline. Failure to comply with the following rules and regulations may result in disciplinary action, criminal charges, or both.

## **DISRUPTIVE BEHAVIOR:**

You will not engage in, encourage, promote, or create a disturbance. A disturbance is any unreasonably annoying condition caused by unruly, malicious, or noisy conduct which disrupts the orderly administration of the Jail; or any activity that poses a direct threat to the security of the facility, the safety of personnel or other inmates. Loud yelling is considered disruptive behavior.

## **UNAUTHORIZED AREA:**

You will be assigned specific housing. At times you may be told to walk unescorted to a specific location of the Jail, such as to visiting or to the hearing room. Departure from your assigned housing when not told to do so, or loitering between assigned areas, will be considered an absence from your assigned area. An unauthorized area also includes passing the yellow line found painted on the floors in areas of the cell block, officer station and booking areas. Inmates are not permitted to be in a cell they are not assigned to. If you are not assigned to that cell you are not to be in it. Inmates found to be in unauthorized areas may be charged with a violation of regulations, or charged with the crime of Escape (ORS 162.155).

## **ASSAULT:**

You will not engage in fighting, spitting, violent conduct, or intentionally inflicting physical injury upon another person. Violations may result in disciplinary sanctions, criminal charges or both.

## **CONTRABAND:**

Contraband is anything not issued to you by Jail staff, through Jail programs, or not sold through commissary. Any authorized article that is altered, changed, or utilized for any purpose other than its original intended use, without being approved by a corrections deputy, shall be considered contraband and confiscated. Contraband is described as, but is not limited to:

- Weapons
- Explosives
- Negotiable instruments, including cash or coins;
- Gambling proceeds;
- Excessive quantities of items not otherwise considered contraband;
- Controlled substances without a prescription; or prescribed substances in excess of the amount needed as determined by the Jail's medical staff;

- Intoxicants of any kind. You shall, upon request, submit to an intoxilyzer test, blood test, physical examination, or urinalysis if suspected of possession or use of any intoxicant or controlled substance. Refusal to submit to such a test will be automatic grounds for a more restrictive custody status or termination from an inmate worker program.
- All tobacco products and/or matches.
- Anything that, if possessed, could pose a threat to Jail security.
- Soda bottles must not be refilled with other liquids. When empty the bottle is to be placed in the recycle bend located in the cell block. Labels are to remain on the bottles.

Possession or introduction of contraband into a correctional facility is a Class "C" Felony under ORS 162.185.

### **DESTRUCTION OF PROPERTY:**

You will not willfully destroy, alter, tamper with, abuse, waste, or deface materials or property that is under the care, control or ownership of the County or another person. Destruction of property includes writing on or defacing Jail walls; placing items in cell door jambs, tearing of bedding or clothing; etc. The cost of the damaged item will be deducted from the inmate's account, possible criminal charges and a sanction may be issued.

### **COVERING OF LIGHTS:**

You will not turn off or cover any light, cover any window, or cause a reduction in lighting or visibility into any area. You will not place toothpaste or any other product onto the light covers. Blankets, towels or any other items are not to be hung from bunks causing a reduction in visibility.

### **VENTS:**

You will not cover air vents, block air vents, and/or place objects inside air vents or hang objects from air vents.

### **SEXUAL ACTIVITY:**

You will not engage in sexually stimulating activity with another person. This includes sexual intercourse, caressing, kissing, fondling or manipulation of the genitalia.

### **REPORTING SEXUAL MISCONDUCT:**

Sexual misconduct or contact in any form between visitors, staff and inmates is strictly prohibited and is a violation of PREA(Prison Rape Elimination Act), and/or ORS 162.405, Official Misconduct in the Second Degree, ORS 162.415; Official Misconduct in the First Degree; ORS 421.354 Custodial Sexual Misconduct.

All visitors, staff and inmates have an affirmative duty to report all allegations, complaints and/or observations of sexual misconduct. You may report to a deputy, clinic staff or in writing to the Jail Commander.

### **DISRESPECT TO ANOTHER:**

You will not direct antagonistic, hostile speech, noise, abusive or threatening language, gestures or acts towards another person. This includes, but is not limited to, profane or vulgar language.

**DISOBEDIENCE OF AN ORDER:**

You will promptly comply with the orders of staff members. An order includes written, verbal, or gestured communication, which directs or forbids the doing of some act over which you have control.

**FALSE STATEMENTS TO STAFF MEMBERS:**

You will not knowingly make false statements or present false or misleading information to staff members.

**GAMBLING:**

You will not wager money or other things of value.

**CONSPIRACY:**

You will not knowingly agree with another person to violate any rule or regulation.

**ATTEMPT:**

You will not knowingly engage in conduct that constitutes a substantial step towards the intentional violation of a rule or regulation.

**FIRE:**

Burning of any material is prohibited.

**PASSING OF ITEMS:**

You will not pass any items to another inmate without authorization from a Jail Deputy. Any item passed without authorization will be considered contraband, seized, and disposed of.

**HARASSMENT:**

The Constitution protects your rights, and also protects the rights of others. You may not harass any person due to gender, age, race, national origin, religion, sexual orientation, marital status, or handicap.

**RETALIATION:**

You may not retaliate in any measure for offenses alleged against you. Use appropriate grievance or appeal procedures to make your case.

**GANG ACTIVITY:**

You will not engage in any activity that is construed as gang activity. This includes recruiting, wearing of insignias, gesturing signs or messages, wearing clothing in a gang suggested style, producing or displaying "colors" or other symbols.

**TELEVISION VIEWING:**

Television is a privilege that can be withdrawn for misbehavior. Television channels are not to be changed using a broom handle. Inmates must ask deputies to change channels and volume; and the changes are to be made only with a remote. A request to change channels or volume can be made when deputies make their rounds. Inmates shall not use the intercoms to make requests regarding television viewing.

**MEDICATIONS:**

"Cheeking" your medications instead of swallowing them is a violation of Jail rules.

## **INMATE DISCIPLINE:**

Any Jail deputy may impose sanctions if you participate in prohibited conduct, violate any facility rule, any statutory requirement, threaten or cause harm to any individual. Disciplinary sanctions for behavioral issues can NOT be grieved. A disciplinary sanction may be a Minor Violation or a Major Violation. You will receive a copy of the sanction by the Deputy who is handling your incident. **Disciplinary actions shall not be capricious or retaliatory.**

### **MINOR VIOLATIONS:**

Sanctions for Minor Violations are punishment for improper behavior. A minor sanction is described as a loss of a privilege for 14 days or less, or being restricted to a single cell for 5 days or less. Inmates can NOT grieve their punishment for a Minor Violation. In accordance with a Supreme Court ruling, inmates are not entitled to due process for Minor Violations. Inmates may informally appeal a sanction for a Minor Violation to a Jail supervisor, by making an *Inmate Request* on the kiosk. Supervisors, however, are not obligated to respond to appeals in matters regarding Minor Violations.

### **MAJOR VIOLATIONS:**

Sanctions for Major Violations are significant punishment for improper behavior. A major sanction is described as a loss of privilege for more than 14 days; restriction to a single cell for more than 5 days; or loss of an inmate's good time credit (credit for good behavior). Inmates can NOT grieve punishment for Major Violations. Inmates are entitled to a DUE PROCESS hearing for Major Violations.

### **DUE PROCESS:**

A Due Process Hearing shall be provided for inmates accused of Major Disciplinary Violations. The Jail will notify the inmate at least 24 hours in advance of the hearing date. An impartial deputy will conduct the hearing. Inmates may present documentary evidence, and may request a witness or witnesses. The use of witnesses will be up to the hearings deputy, whose decision is final.

By Supreme Court ruling, inmates are not entitled to confront accusers, cross-examine adverse witnesses, or view confidential written evidence. The U.S. Supreme court has ruled that inmates are not entitled to an attorney at a disciplinary hearing but should be provided assistance in special circumstances. Accused inmates may request the assistance of a staff member in preparing for the disciplinary hearing in special circumstances. Such circumstances may include: If the inmates is not competent to defend himself or if the issues are unusually complex. Inmates are protected from self-incrimination at disciplinary hearings, but the hearings deputy can make an adverse inference if an inmate refuses to answer questions.

The Supreme Court has set the standard of proof for a finding of guilt in a disciplinary hearing as "some evidence." The hearings deputy will prepare written findings for the disciplinary hearing. An inmate may appeal the ruling of the hearings officer, but appeals will be limited to the following:

- a. due process procedures were not adequately followed;
- b. the hearings deputy failed to meet the "some evidence" standard of proof; or
- c. disciplinary sanctions were unconstitutionally harsh.

Appeals shall be directed to the Jail Commander.

## **GRIEVANCES:**

You cannot grieve your classification. You cannot grieve non-punitive restrictions (administrative segregation). You cannot grieve punitive sanctions for either Minor Violations or Major Violations. You may grieve Jail policies, procedures, practices, regulations, conditions of confinement, and staffs conduct.

If you wish to file a grievance, ask a deputy for an *Inmate Grievance* form or request one by making an *Inmate Request* on the kiosk. You must inform staff of the nature of your grievance. If the issue is one that can be grieved, the deputy will provide you a grievance form. If the issue is not a grievable matter, staff can offer an informal resolution to you. Inmates and staff are encouraged to use informal resolutions to solve problems.

## **GRIEVANCE PROCEDURE:**

Grievances over specific incidents must be filed within 72-hours of the alleged offense. Grievances over on-going conditions may be filed anytime. Write your grievance on an *Inmate Grievance* form. The deputy who picks up the form is responsible to address your grievance, unless the grievance concerns staff conduct. In that case, the grievance will be given to a shift supervisor.

Grievance forms must be signed or they will be discarded. The inmate must list his housing assignment. The grievance form must be dated. The inmate will detail the complaint. Only one grievance can be made on each form. Only one inmate can sign a grievance. Inmates cannot grieve matters on behalf of other inmates.

If you are not satisfied with the deputy's response, you may appeal to a Jail Sergeant on another *Inmate Grievance* form. The deputy who receives your grievance will confirm this is the second grievance for the same issue and mark the grievance for a Sergeant to review. The Sergeant will review the original grievance response before addressing the appeal. The Sergeant has ten calendar days to respond to the appeal. If you are not satisfied with the Sergeant's response, you may appeal to the Jail commander on another *Inmate Grievance* form. The Jail commander will review the two previous responses before addressing the appeal. The commander will have ten calendar days to respond. The decision of the commander is final.

## **EMERGENCY GRIEVANCES:**

Grievance response time shall be expedited for grievances regarding a) claims of life-threatening medical issues; b) fire safety and other life-safety issues; c) claims regarding missed release dates; and d) other matters which if delayed could harm the inmate in some legal or physical manner.

## **RETALIATION PROHIBITED:**

Grievances are intended to be a means of resolving conflicts between Jail staff and inmates. Retaliation of any kind by any and all parties is strictly prohibited.

If an inmate violates rules of the facility, deputies have the discrepancy of issuing sanctions.

Sanctions can include, lock down in a single cell, loss of commissary, loss of visits, or other appropriate discipline depending on the violation. Supervisors will review sanctions to assure the sanctions are appropriate for the violation.

## **SANCTIONS AND DISCIPLINARY ACTIONS:**

**Category 100 offenses** are the highest offenses. A deputy may impose any combination of penalties from Category 200, 300, or 400 offenses as well as the following penalties:

- Refer for Criminal Proceedings
- Admin Segregation for up to 60 days

**Category 200 offenses** are high offenses. A deputy may impose any combination of the following:

- Refer for Criminal Proceedings
- Admin Segregation for up to 60 days
- Loss of privileges
- Change of housing
- Removal from programs/group activities
- Loss of worker status
- Loss of personal items
- Lockdown 5 days

**Category 300 offenses** are high moderate offenses. A deputy may impose any combination of the following:

- Refer for Criminal Proceedings
- Lock down for 72 hrs
- Loss of privileges
- Change of housing
- Removal from programs
- Loss of worker status
- Loss of personal property
- Reprimand
- Warning

**Category 400 offenses** are low moderate offenses. A deputy may impose any combination of the following:

- Loss of privileges
- Change in housing
- Removal from Programs
- Loss of worker status
- Loss of personal property
- Change of housing
- Reprimand
- Warning

**CATEGORY 100 OFFENSES:**

Listed below are Category 100 or Greatest offenses.

- 100 Killing
- 101 Assaulting any person (includes sexual assault)
- 102 Escape
- 103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of greatest severity, e.g. a riot or an escape, otherwise the charge is classified as code 219 or 322.)
- 104 Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, escape tool, device or ammunition.
- 105 Rioting
- 106 Inciting others to riot
- 107 Hostage-taking
- 108 Assaulting a staff member or any law enforcement officer
- 109 Threatening a staff member or any law enforcement officer with bodily harm.
- 110 Attempt to commit any of the above offenses or assist others to commit any of the above acts.

**CATEGORY 200 OFFENSES:**

The acts listed below shall be considered Category 200 or High Offenses.

- 200 Escape from unescorted activities or escape from facility without violence
- 201 Fighting, boxing, wrestling or any other form of physical encounter, including horseplay, that causes or could cause injury to another person
- 202 Possession or introduction of an unauthorized tool
- 203 Loss, misplacement or damage of any restricted tool
- 204 Threatening another with bodily harm
- 205 Extortion, blackmail, protection; demanding or receiving anything of value in return for protection against others, avoiding bodily harm or avoiding a threat of being informed against
- 206 Engaging in sexual acts
- 207 Making sexual proposals or threats
- 208 Wearing a disguise or mask
- 209 Tampering with or blocking any lock device
- 210 Poisoning of food or drink
- 211 Possession, introduction or use of narcotics, narcotic paraphernalia or drugs not prescribed for the individual by the medical staff
- 212 Possessing a staff member's clothing
- 213 Engaging in or inciting a group demonstration
- 214 Refusing to work
- 215 Refusing to provide a urine sample or otherwise cooperate in a drug test
- 216 Introducing alcohol in to the facility
- 217 Giving or offering an official or staff member a bribe or anything of value
- 218 Giving money to or receiving money from any person for an illegal or prohibited purpose, such as introducing / conveying contraband
- 219 Destroying, altering or damaging property (facility, government or another person's) worth more than \$100.00
- 220 Being found guilty of any combination of three or more high moderate or low moderate offenses within 90 days
- 221 Signing, preparing, circulating or soliciting support for prohibited group petitions
- 222 Possessing or introducing an incendiary device, e.g. matches, a lighter, etc.
- 223 Any act that could endanger person(s) and/or property
- 224 Attempt to commit any of the above acts or assists other to commit any of the above acts.
- 225 Tampering with or destroying Jail issued ID wrist band

**CATEGORY 300 OFFENSES:**

The acts listed below are considered Category 300 or High Moderate Offenses.

- 300 Indecent Exposure
- 301 Stealing (theft)
- 302 Misuse of authorized medication
- 303 Loss, misplacement or damage of a less restricted tool
- 304 Lending property or other item of value for profit / increased return
- 305 Possession of unauthorized item
- 306 Refusal to clean assigned living area
- 307 Refusing to obey a staff member's order (may be categorized and charged as a greater or lesser offense depending on the kind of disobedience; continuing to riot is Code 105-Rioting, continuing to fight, Code 201- Fighting)
- 308 Disrespect towards a staff member
- 309 Lying or providing false statement to staff
- 310 Counterfeiting, forging or other unauthorized reproductions of money or other official document, identification card, etc. (may be categorized a lesser offense, depending on the nature and purpose of the reproduction, e.g., counterfeiting release papers to effect escape – Code 102 or 200)
- 311 Participating in an unauthorized meeting or gathering
- 312 Being in an unauthorized area
- 313 Failure to stand at count
- 314 Interfering with count
- 315 Making, possessing or using intoxicants
- 316 Refusing a breathalyzer test or other test of alcohol consumption
- 317 Gambling
- 318 Preparing or conducting a gambling pool
- 319 Possession of gambling paraphernalia
- 320 Unauthorized contact with public
- 321 Giving money or another item of value to or accepting money or another item of value from anyone, including another detainee, without staff authorization; Passing items
- 322 Destroying, altering or damaging property (facility or another person's) worth less than \$100.00
- 323 Attempt to commit any of the above acts or assists other to commit any of the above acts.

\*\*Any combination of high moderate and low moderate offenses during a 90-day period shall constitute a high offense

**CATEGORY 400 OFFENSES:**

The following are considered to be Category 400 or Low Moderate Offenses.

- 400 Possession of property belonging to another person
- 401 Possessing unauthorized clothing
- 402 Malingering, feigning illness
- 403 Smoking
- 404 Using abusive or obscene language
- 405 Tattooing, body piercing or self- mutilation
- 406 Unauthorized use of mail or telephone (with restriction or temporary suspension of the abused privileges often the appropriate sanction)
- 407 Conduct with a visitor in violation of rules and regulations (with restriction or temporary suspension of the abused privileges often the appropriate sanction)
- 408 Conducting a business
- 409 Possession of money or currency
- 410 Failure to follow safety and sanitation regulation
- 411 Unauthorized use of equipment or machinery
- 412 Using equipment or machinery contrary to posted safety standards
- 413 Being unsanitary or untidy, failing to keep self and living area in accordance with standards
- 414 Talking thru or covering the vents
- 415 Attempt to commit any of the above acts or assists other to commit any of the above acts.

**PUBLIC DEFENDERS:**

**SOUTHERN OREGON PUBLIC DEFENDERS** Grants Pass Office (541) 471-3363

SOPD attorneys in Grants Pass include Gary Berlant, Peter Smith, Joseph Maier, Lauri Klein, Jennifer Schale, Matt Shields, and Amy Van Horn.

**SOUTHERN OREGON PUBLIC DEFENDERS** – Medford Office (541) 779-5636

Bert Putney, Andy Vandergaw, Lisa Greif, Paul Beneke, Zachary Light, Autumn Lovato, Eddie Medina, Kelly Ravassipour, Donald Scales, Rebecca Rosenstein, Michael Stedman, Alyssa Zach, Joel Wirtz, Cam Howry and Paul Moser.

**JOSEPHINE COUNTY DEFENSE LAWYERS** (Main Office number) (541) 479-3674

JCDL attorneys include Claudia Browne, Deborah Cumming, Kim Jordan, Chris Mecca, Rebecca Peterson, Holly Preslar, Dan Simcoe, Mary Landers & Kris Woodburn.

Holly Preslar	541-291-4137
Christopher Mecca	541-291-9845
Claudia Browne	541-291-9996
Burrows Hull & Browne	541-474-0234
Daniel Simcoe	541-474-1162
Deborah Cumming	541-479-2210
Rebecca Peterson	541-472-5291
Michael Cougar	541-956-6886
Bain Attorney at Law	541-472-5059
James Holmbeck Kirchoff	541-476-6677
John E. Reade	541-476-5353
Davis, Adams, Freudenbert, Day & Galli	541-476-6627
Kelly L. Andersen	541-476-6623
Sara Angeletti	541-955-8000
Margaret Steel	541-474-6605
Arne Cherkoss	541-471-8994
Roy Dwyer	541-471-8994

JOSEPHINE COUNTY ADULT JAIL INMATE MANUAL

Tim Williams .....541-471-8994  
Faith Morse .....541-476-6623  
Brian Green .....541-779-5044  
David Devilleneuve .....541-479-0192  
Black, Chapman, Webber & Stevens .....541-474-3374  
Olsendaines .....541-471-1043  
A Stevens .....541-474-3374  
Nelson & James ..... 541-476-6677  
Heuertz & Monen PC .....541-582-4115

## **PAY FOR STAY**

The Josephine County Sheriff's Office has opted to implement a Pay-For-Stay program at the adult jail. All inmates who are lodged in the Josephine County Jail and are found guilty will be charged \$50.00 for each day of incarceration. This is in addition to any medical costs incurred.

Under state law ORS 169.151, a county may seek reimbursement from a person who is or was committed to the local correctional facility of the county upon conviction of a crime for any expenses incurred by the county in safekeeping and maintaining the person.

As an incentive, persons who pay their full bill within 30 days of release will receive a 50% discount on the total amount due. If an account is delinquent for more than 90 days, the billing company has authorization to forward the debt to a collection agency. At the time of release inmates will be provided billing information. The Pay For Stay agency is Connex. Connex accepts credit or debit cards and can provide payment plans. United States Marshal and ICE inmates are exempt from this charge, unless you have local charges through the Josephine County Courts. If you are an USM or ICE inmate with local charges you will only be billed for the amount of time you were in custody on Josephine County charges.

*Location - S:\Jail\Supervisor\Inmate Manual*



