

KERN COUNTY SHERIFF'S OFFICE

Detentions Bureau Policies and Procedures

TITLE: PREA INTAKE AND SCREENING**P-350**

EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
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REFERENCE: Title 15, Section 1050, C.C.R. PREA DOJ 115.41, 115.42, 115.62, 115.81

POLICY

The Kern County Sheriff's Office (KCSO) shall conduct a thorough PREA intake and screening process of each incarcerated person received at its jail facilities to determine any medical or mental health needs, and to inform classification staff of pertinent information for use in making appropriate housing assignments.

In addition to the JMS medical and hazard booking screens, PREA holding cell risk questions (Attachment 'A') will be asked by receiving staff in order to identify potential risks of harm, sexual victimization, or potential sexual abusers prior to placement in a general population holding cell.

A JMS PREA risk screening process for all incarcerated people will be conducted to provide classification staff with information about an incarcerated person's sexual orientation, gender identity, past sexual victimization, past sexual abuse acts perpetrated, and the incarcerated person's own perception of sexual abuse vulnerability, enabling them to make informed housing decisions in the best interest of the incarcerated person and facility operations.

DEFINITIONS

Intake – A defined process for new arriving incarcerated people consisting of assessment questions, a security "pat-down" or "body scanner" search, fingerprints, photograph, processing of paperwork.

Screening – An evaluation process, or methodical survey, to gather specific information, and/or assess the suitability for a particular role or purpose.

Classification – KCSO staff specially trained to manage incarcerated person housing, movements, programs, releases, and court information.

DIRECTIVE #1

All staff shall exercise appropriate control on the dissemination of incarcerated person responses to PREA Risk Screening questions, to ensure that sensitive information is not exploited to the incarcerated person's detriment by staff or other incarcerated people per PREA standard §115.41(i).

DIRECTIVE #2

Staff shall notify the PREA Coordinator at preacoordinator@kernsheriff.ORG of any PREA related issues or concerns discovered during the booking process including but not limited to:

- Sexual abuse, assault or harassment occurring between incarcerated people in KCSO custody;
- Sexual abuse or assault that occurred to an incarcerated person while in the custody of another agency or custodial facility that was not previously reported;
 - o **Note:** Allegations of sexual assault or abuse that have been previously reported do not require notification.
- Information from or about any incarcerated person in KCSO custody related to sexual abuse assault or harassment;
- Information about LGBTI, intersex or transgender incarcerated people that could affect their safety.

Reports of new sexual assault / abuse require **immediate verbal notification** in addition to an email notification of the details.

Procedure A: Intake Process

Receiving Staff will:

- Ensure incarcerated people are provided bilingual staff, appropriate language interpreter, or language line services for intake questions, if necessary.
- Provide same gender staff for “pat-down” or “body scanner” searches;

- Incarcerated people identifying as transgender or intersex, should be referred to the supervisor if objections are made to the gender of the searching staff.
- If the incarcerated person's genital status is unknown, it may be determined through conversations with the incarcerated person, or by having medical staff review the incarcerated person's records. Staff will not physically examine or conduct a strip search solely to determine the incarcerated person's genital status.
- Based on the incarcerated person's responses to the PREA Holding Cell Risk Questions (Attachment 'A');
 - Determine incarcerated person's risk of harm to themselves or from others
 - Determine incarcerated person's risk of sexual victimization
 - Determine incarcerated person's potential to commit sexual abuse
- Ensure protective placement of any incarcerated person at risk of imminent harm and/or sexual abuse.
- Notify the shift supervisor of any incarcerated person making statements of sexual victimization within the past 5 days.
- Ensure any incarcerated people claiming sexual victimization within the past 5 days are seen by medical staff.
- Provide all incarcerated people with a PREA new incarcerated person information sheet.

DIRECTIVE #3

Incarcerated people expressing concern for their safety in general holding cells with other incarcerated people due to their sexual orientation or gender related issues should be provided available privacy to explain their concerns to staff.

DIRECTIVE #4

Separation and placement of incarcerated people for their protection shall be in accordance with classification policies K-300, Classification criteria and K-400, Administrative Separation.

Procedure B: PREA Risk Screening

In addition to the PREA holding cell risk questions (CRF only), deputies booking incarcerated people shall also access the JMS PREA Risk Screen and ask each incarcerated person the questions in a confidential location away from other incarcerated people.

Deputies asking the screening questions shall answer the gender non-conforming question based on their own visual perceptions, taking social norms and cultural differences into account to the best of their ability. The response shall not be based on any one observation but rather a totality of the incarcerated person's appearance and behavior.

Ridgecrest / Mojave / Max Booking Deputies will:

- Include the PREA risk screening questions with normal booking procedures.

IRC Booking Deputies will:

- Book transfers from Ridgecrest or Mojave normally ensuring all screens and questions have been answered.
- Book new arrival incarcerated persons normally through the hazard screening questions.
- Suspend the booking process without asking the PREA risk screening questions.
- Transport the incarcerated person to the designated PREA area.
- Access the "PREA Risk Screening Questions" located in JMS under "BKMNT".
- Ensure the incarcerated person is provided bilingual staff, appropriate language interpreter, or language line services for intake questions, if necessary.
- Complete the PREA Risk Screening Questions
 - Incarcerated people have the right to refuse to answer some or all of these questions. For refusals:
 - Enter "N" for any refused answer

- Indicate on #6 after the why? in the comment area which were refused (e.g., Incarcerated person refused #5, 7, 8).
- Incarcerated people will not be disciplined for refusing to answer or for not disclosing complete information in response to the PREA risk screening questions.

Dress Out Deputies will:

- Ensure same gender staff conducts the dress out process.
- Incarcerated people identifying as transgender or intersex;
 - Shall be dressed out separately from other incarcerated people to ensure gender privacy and safety.
 - Should be referred to the supervisor if the incarcerated person is a transgender male and has noticeable breasts and/or requests a bra.
 - Should be referred to the supervisor if the individual objects to the gender of the searching staff.

Procedure C: Classification Review

Classification staff will:

- Review all booking screens of incarcerated people required to remain in custody for assignment of appropriate housing in accordance with K-300, Classification criteria and K-400, Administrative separated and Federal PREA standards;
 - With the goal of keeping separate those incarcerated people identified as at risk of being sexually victimized from those incarcerated people that may perpetrate sexual abuse.
- Conduct in-person interviews of any incarcerated person whose booking or screening information requires additional information and/or clarification.

Procedure D: Supervisor Responsibilities

Supervisors will:

Ensure staff compliance with PREA requirements set forth in this

- Assign a Senior Deputy or Detentions Senior Deputy who has completed sexual assault investigations training to document claims of sexual victimization according to P-600, PREA Criminal and Administrative Investigations.

Procedure E: Medical Staff Responsibilities**Medical Staff will:**

- Interview and evaluate any newly booked incarcerated persons claim of sexual victimization within the past 5 days for required response according to P-550 Victim Services Response Plan.
- Ensure any gender identification is made through conversation with the incarcerated person, review of medical records or as part of a broader medical examination conducted in private in accordance with PREA standard § 115.15(e).

Procedure F: PREA Coordinator Responsibilities

The designated PREA coordinator(s) will access a computer-generated list of incarcerated people intake screening question responses.

The designated PREA Coordinator will review the list several times a week to:

- Ensure that any PREA related issues reported during intake and screening are reviewed for compliance with PREA standards and KCSO policy.
- Ensure that incarcerated people on automated list reporting prior sexual victimization are referred to medical or mental health in a timely manner so that they can receive treatment within 14 days of the intake and screening in accordance with PREA § 115.81.
- Ensure incarcerated people reporting gender identity issues during intake or screening are referred and reviewed by the gender identity committee per DBPPM P-410.