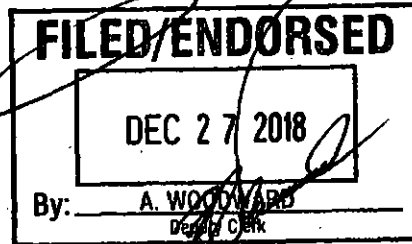


1 PAULA CANNY, ESQ. SBN 96339
Law Offices of Paula Canny
2 840 Hinckley Road, Suite 101
3 Burlingame, CA 94010
Phone Number: (650) 652-7862
4 Fax Number: (650) 652-7835
Email: pkcanny@aol.com
5

6 Attorneys for Plaintiff
JANE DOE INMATE
7
8



9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SACRAMENTO**
11

12 JANE DOE INMATE, individually and on behalf)
of all other similarly situated individuals)

13 Plaintiff,
14

15 vs.

16 SCOTT JONES, Sheriff of Sacramento County,
SHERIFF'S DEPARTMENT, a public entity,
17 CALIFORNIA BOARD OF STATE AND
COMMUNITY CORRECTIONS, a public entity,
and DOES 1-1000, inclusive,
18

19 Defendants.
20

Case No.: 34-2018-00246913

CLASS ACTION

FIRST AMENDED COMPLAINT FOR
INJUNCTIVE RELIEF—ORDER
DEFENDANT SHERIFF TO STOP
CHARGING 25¢ PER TAMPON TO
INMATES AND ORDER BSCC TO ORDER
ALL CALIFORNIA JAILS TO STOP
SHERIFFS FROM CHARGING MONEY
FOR TAMPONS

21 **INTRODUCTION**

22 This action is brought by Jane Doe Inmate individually and on behalf of present and future
23 female menstruating inmates incarcerated in the Sacramento County Jail or who are or may be
24 incarcerated there. Sacramento County Sheriff Scott Jones, by and through the Sacramento County
25 Sheriff's Department of Sacramento County, operates the Sacramento County Jail, which charges—
26 requires women inmates to pay 25¢—to get a tampon. This lawsuit seeks an end to the Sacramento
27 County Sheriff and the Sacramento County Sheriff's Department's requirement that women inmates
28 pay the Sacramento County Sheriff's Department 25¢ to get a tampon.

1 County Sheriff and the Sacramento County Sheriff's Department's requirement that women inmates
2 pay the Sacramento County Sheriff's Department 25¢ to get a tampon.

3 This lawsuit also seeks to compel the California State Board of Community Corrections to
4 direct all California County Sheriff's Departments and/or County Jails that do not provide
5 menstruation products to inmates without charge, to provide women inmates with tampons,
6 menstruation pads and/or both, at the inmate's choice, without charge, in accord of the Due Process
7 Clause and the Equal Protection Clause of the Constitution of the State of California.

8 Plaintiff Jane Doe inmate individually, and on behalf of all other similarly situated
9 individuals, present and future inmates jailed and menstruating or about to menstruate in the
10 Sacramento County Jail and others alleges as follows:

11 JURISDICTION AND VENUE

12 1. The Superior Court of the State of California has jurisdiction to hear this case because the
13 right sought to be enforced herein are rights provided to Plaintiff(s) by California Law.

14 2. This Court is the proper venue because all events described in this lawsuit occurred in
15 Sacramento County, California, and Defendants are subject to personal jurisdiction of this Court.

16 THE PARTIES

17 3. Plaintiff Jane Doe is or could be an inmate in the Sacramento County Jail.

18 4. Plaintiff Jane Doe could also be an inmate in any of the County Jails herein after described.

19 5. Plaintiff Jane Doe is a woman. Plaintiff Jane Doe is of menstruating age. Plaintiff Jane Doe
20 like women of menstruating age, menstruates on or about every twenty-eight (28) days.

21 6. Plaintiff Jane Doe brings this action on behalf of herself and on behalf of other female
22 inmates incarcerated in the Sacramento County Jail, both pretrial detainees and sentenced prisoners,
23 who are or will be required to pay money to the Sacramento County Sheriff and Sacramento County
24 Sheriff's Department for a tampon, i.e. to pay 25¢ per tampon, and for this Court's Order directing
25 Sacramento County Sheriff Scott Jones and the Sacramento County Sheriff's Department to freely
26 provide menstruation products to female inmates at the inmate's choice, i.e., stop charging inmates
27 25¢ for a tampon.

1 7. Plaintiff Jane Doe in her own right and on behalf of present and future female inmates
2 incarcerated in the following identified California County Jails asks this Court to Order the
3 California State Board of Community Corrections to direct all California County Jails to provide
4 menstruation products to female inmates at the inmate's choice without charge.

5 8. Defendant, Sacramento County, is a government entity, organized and existing under the
6 laws of the State of California, with the capacity to sue and be sued.

7 9. Sacramento County has, as one of its governmental entities, a Sheriff's Department.

8 10. Defendant, Scott Jones, is the elected Sheriff of Sacramento County.

9 11. One of the functions of the Defendant Sacramento County Sheriff's Office is to operate
10 custodial facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

11 12. Defendant, Sheriff Scott Jones, is in charge of operating the Defendant, Sacramento County
12 Jail, which incarcerates inmates, both men and women.

13 13. Defendant, Sacramento County Sheriff's Department, run by Defendant, Sheriff Scott Jones,
14 and Defendant, Sacramento County, are and have been violating the laws as hereinafter described.

15 14. Attached hereto and marked as Exhibit 1 is a letter from the Sacramento County Sheriff's
16 Department. Exhibit 1 attached hereto and incorporated by reference states that the Sacramento
17 County Sheriff charges 25¢ per tampon. Exhibit 1 provides in part as follows:

18 "Per Title 15 sanitary napkins are available to all female inmates in their housing locations
19 free of charge. Tampons are available to female inmates through commissary for 25¢ each."

20 15. The State Board of Community Corrections is a State of California Government agency
21 created by the legislature in 2012.

22 16. The California Board of State and Community Corrections (hereinafter BSCC) is an
23 independent statutory agency that provides leadership to the adult and juvenile criminal justice
24 systems, expertise on Public Safety Realignment issues, a data and information clearinghouse, and
25 technical assistance on a wide range of community corrections issues. (Penal Code sec. 6024-6025).
26 In addition, the BSCC promulgates regulations for adult and juvenile detention facilities, conducts
27
28

1 regular inspections of those facilities, develops standards for the selection and training of local
2 corrections and probation officers, and administers significant public safety-related grant funding.

3 17. The BSCC main office is located at 2590 Venture Oaks Way, Suite 200, Sacramento, CA
4 95833, which is located in Sacramento County.

5 18. As per the legislative directive contained in California Penal Code §§ 6024 et seq. the BSCC
6 was tasked with writing Title 15 of the California Administrative Code.

7 19. The BSCC created and wrote Title 15, the most recent version being January 2017.

8 20. Title 15 sets forth the State of California's Minimum Standards for Local Detention
9 Facilities.

10 21. Section 1265 of Title 15 states as follows:

11 "§ 1265. Issue of Personal Care Items

12 There shall be written policies and procedures developed by the facility administrator for the
13 issue of personal hygiene items. Each female inmate shall be issued sanitary napkins and/or
14 tampons as needed. Each inmate to be held for over 24 hours who is unable to supply
15 himself/herself with the following personal care items, because of either indigency of the
16 absence of an inmate canteen, shall be issued:

- 17 (a) Toothbrush,
- 18 (b) Dentifrice,
- 19 (c) Soap,
- 20 (d) Comb, and
- 21 (e) Shaving implements.

22 Inmates shall not be required to share any personal care items listed in items "a" through
23 "d."

24 Inmates will not share disposable razors. Double edged safety razors, electric razors, and
25 other shaving instruments capable of breaking the skin, when shared among inmates, must
26 be disinfected between individual uses by the method prescribed by the State Board of
27
28

1 Barbering and Cosmetology in Sections 979 and 980, Division 9, Title 16, California Code
2 of Regulations.”

3 22. Title 15 is some 70 pages long and seeks to address all aspects of California County Jail
4 operations.

5 23. The sentence “[e]ach female inmate shall be issued sanitary napkins and/or tampons as
6 needed” as contained in § 1265 of Title 15 is the only reference to menstruation products in Title
7 15.

8 24. Upon information and belief, when the BSCC wrote the sentence “each female inmate shall
9 be issued sanitary napkins and/or tampons as needed” it was their intention that California Jails
10 provide tampons and/or sanitary pads and/or both to female inmates at the inmate’s choice without
11 charge.

12 25. In February of 2018 at the behest of Jane Doe, Public Records Act requests were sent to
13 each California County to request the respective County’s menstruation product provision policy to
14 inmates.

15 26. Over the next six months 56 of the 58 California Counties responded and provided their
16 menstruation product policy.

17 27. The policies were varied, but most California County Jails charged female inmates money to
18 obtain tampons, though all provided sanitary napkins. A few jails do not make tampons available at
19 all.

20 28. At the behest of Jane Doe, letters were sent to each county that required female inmates to
21 buy tampons asking that the county revise their policy to provide tampons and/or sanitary napkins
22 and/or both to women inmates without charge.

23 29. Many California Counties revised their policy to freely provide tampons and/or sanitary
24 pads and/or both to women inmates, i.e., they stopped charging women inmates for tampons.

25 30. Some California Counties responding to the request to change their policy by refusing to
26 change and insisting that by writing “and/or” in § 1265 of Title 15 the BSCC regulation bestows
27
28

1 authority upon the Sheriff to decide what product to freely provide, and that the Sheriff can decide
2 to refuse to freely provide one of the products and charge inmates money to obtain the product.

3 31. No California County Jail charges for sanitary napkins. In February 2018, the majority of
4 California Jails required female inmates to pay money to get a tampon.

5 32. In March of 2018, at the behest of Jane Doe, a lawsuit was filed against the San Luis Obispo
6 County Sheriff's Department and Sheriff Ian Parkinson because they would not freely provide
7 female inmates with menstruation products of their choice and required female inmates to buy
8 tampons at the price of \$3.23 for a box of ten tampons.

9 33. The Defendants San Luis Obispo County and San Luis Obispo Sheriff's Department agreed
10 to freely provide menstruation products to female inmates without charge at the inmate's choice and
11 the lawsuit was then dismissed.

12 34. Article 1 section 7(a) of the California Constitution contains the Equal Protection clause,
13 which provides that "[a] person may not be deprived . . . equal protection of the laws."

14 35. Article 1 section 7(a) of the California Constitution also contains the Due Process clause
15 which provides that "[a] person may not be deprived of life, liberty, or property without due process
16 of law. . . ."

17 36. The California Department of Corrections provides inmates with menstruation products
18 without charge at the inmate's choice, i.e., the inmate chooses whether to use a tampon or pad or
19 both, meaning State of California inmates are provided menstruation products at their choice
20 without charge.

21 37. The Federal Bureau of Prisons requires Wardens to ensure inmates are provided with
22 menstruation products (at no cost) at the inmate's choice. All women inmates in federal prisons in
23 California receive the menstruation product of their choice without charge.

24 38. The United States Department of Justice Federal Bureau of Prison's Memorandum relative
25 to menstruation products provides in relevant part as follows:

26 "Wardens will ensure inmates are provided the following products (at no cost to the
27 inmates):
28

- Tampons, regular and super size;
- Maxi Pads with wings, regular and super size; and
- Panty liners, regular.”

39. The following California Counties now freely provide sanitary napkins, tampons and/or both to women inmates at their choice:

- Amador County
- Butte County
- Calaveras County
- Colusa County
- Contra Costa County
- Del Norte County
- Glenn County
- Humboldt County
- Inyo County
- Kern County
- Lake County
- Mariposa County
- Mendocino County
- Merced County
- Monterey County
- Napa County
- Nevada County
- Plumas County
- Riverside County
- San Benito County
- San Diego County
- San Luis Obispo County

- 1 • San Mateo County
- 2 • Santa Barbara County
- 3 • Santa Clara County
- 4 • Santa Cruz County
- 5 • Solano County
- 6 • Sonoma County
- 7 • Stanislaus County
- 8 • Trinity County
- 9 • Yuba County

10 40. Upon information and belief, the BSCC interprets Section 1265 of Title 15 to require that
11 female inmates be provided sanitary napkins and/or tampons and/or both without charge at the
12 inmate's choice. Any other interpretation would be unconstitutional.

13 41. The following Counties as hereinafter alleged are violating the State of California
14 Constitution's Equal Protection Clause and Due Process Clause because they charge money to
15 women inmates to get a tampon, and/or refuse to provide tampons at all.

16 42. Alameda County is a governmental entity, organized and existing under the laws of the State
17 of California, with the capacity to sue and be sued.

18 43. Alameda County has, as one of its governmental entities, a Sheriff's Department.

19 44. Gregory Ahern is the elected Sheriff of Alameda County.

20 45. One of the functions of the Alameda County Sheriff's Office is to operate custodial
21 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

22 46. Sheriff Gregory Ahern is in charge of operating the Alameda County Jail, which
23 incarcerates inmates, both men and women.

24 47. Alameda County Sheriff's Department policy states: "Sanitary napkins for female inmates
25 will be available in ITR and housing floor/units as needed." Tampons are not provided or available
26 to purchase at the commissary. Alameda County Sheriff's Department policy is attached hereto and
27 marked as Exhibit 2.

1 48. Alameda County Sheriff's Department, run by Sheriff Gregory Ahern, and Alameda
2 County, are and have been violating the law by not providing female inmates with tampons—
3 neither for free or for purchase at the commissary.

4 49. El Dorado County is a governmental entity, organized and existing under the laws of the
5 State of California, with the capacity to sue and be sued.

6 50. El Dorado County has, as one of its governmental entities, a Sheriff's Department.

7 51. John D'Agostini is the elected Sheriff of El Dorado County.

8 52. One of the functions of the El Dorado County Sheriff's Office, is to operate custodial
9 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

10 53. Sheriff John D'Agostini, is in charge of operating the El Dorado County Jail, which
11 incarcerates inmates, both men and women.

12 54. El Dorado Sheriff's Department states: "Each inmate held more than 24 hours, who is
13 unable to supply him/herself with the following personal care items because of their indigency or
14 the absence of an inmate canteen, shall be issued the following items . . . Materials as appropriate to
15 the special hygiene needs of women." Upon information and belief, "materials" only includes
16 sanitary napkins, and tampons must be purchased through the commissary if a female inmate wants
17 one. El Dorado Sheriff's Department policy is attached hereto and marked as Exhibit 3.

18 55. El Dorado County Sheriff's Department, run by Sheriff John D'Agostini, and El Dorado
19 County, are and have been violating the law by not providing female inmates with tampons and
20 charging them .40¢ per tampon.

21 56. Fresno County is a governmental entity, organized and existing under the laws of the State
22 of California, with the capacity to sue and be sued.

23 57. Fresno County has, as one of its governmental entities, a Sheriff's Department.

24 58. Margaret Mims is the elected Sheriff of Fresno County.

25 59. One of the functions of the Fresno County Sheriff's Office is to operate custodial facilities,
26 i.e., jails, to house both pretrial detainees and sentenced prisoners.

1 60. Sheriff Margaret Mims, is in charge of operating the Fresno County Jail, which incarcerates
2 inmates, both men and women.

3 61. Fresno County Sheriff's Department's policy regarding female hygiene products states: "A
4 supply of sanitary napkins are available inside each housing unit. . . Tampons may be purchased
5 from commissary." Fresno County Sheriff's Department policy is attached hereto and marked as
6 Exhibit 4.

7 62. Fresno County Sheriff's Department, run by Sheriff Margaret Mims, and Fresno County, are
8 and have been violating the law by charging female inmates .56¢ per tampon for Tampax Super and
9 .42¢ per tampon for Playtex Gentle Glide Regular.

10 63. Imperial County is a governmental entity, organized and existing under the laws of the State
11 of California, with the capacity to sue and be sued.

12 64. Imperial County has, as one of its governmental entities, a Sheriff's Department.

13 65. Raymond Leora is the elected Sheriff of Imperial County.

14 66. One of the functions of the Imperial County Sheriff's Office is to operate custodial facilities,
15 i.e., jails, to house both pretrial detainees and sentenced prisoners.

16 67. Sheriff Raymond Loera is in charge of operating the Imperial County Jail, which
17 incarcerates inmates, both men and women.

18 68. Imperial County Sheriff's Department policy states: "All female inmates shall be issued
19 sanitary napkins as needed." Upon information and belief, tampons must be purchased through the
20 commissary if desired by female inmates. Imperial County Sheriff's Department policy is attached
21 hereto and marked as Exhibit 5.

22 69. Imperial County Sheriff's Department, run by Sheriff Raymond Loera, and Imperial County,
23 are and have been violating the law by charging female inmates .45¢ per tampon.

24 70. Kings County is a governmental entity, organized and existing under the laws of the State of
25 California, with the capacity to sue and be sued.

26 71. Kings County has, as one of its governmental entities, a Sheriff's Department.

27 72. Dave Robinson is the elected Sheriff of Kings County.
28

1 73. One of the functions of the Kings County Sheriff's Office is to operate custodial facilities,
2 i.e., jails, to house both pretrial detainees and sentenced prisoners.

3 74. Sheriff Dave Robinson is in charge of operating the Kings County Jail, which incarcerates
4 inmates, both men and women.

5 75. Kings County Sheriff's Department policy states: "Each inmate held more than 24 hours,
6 who is unable to supply him/herself with the following personal care items because of either
7 indigency or the absence of an inmate canteen, shall be issued the following items . . . Materials as
8 appropriate to the special hygiene need of women." Upon information and belief, "materials" only
9 includes sanitary napkins, and tampons must be purchased through the commissary. Kings County
10 Sheriff's Department policy is attached hereto and marked as Exhibit 6.

11 76. Kings County Sheriff's Department, run by Sheriff Dave Robinson, and Kings County, are
12 and have been violating the law by charging female inmates .40¢ per tampon in their commissary.

13 77. Lassen County is a governmental entity, organized and existing under the laws of the State
14 of California, with the capacity to sue and be sued.

15 78. Lassen County has, as one of its governmental entities, a Sheriff's Department.

16 79. Dean Growdon is the elected Sheriff of Lassen County.

17 80. One of the functions of the Lassen County Sheriff's Office is to operate custodial facilities,
18 i.e., jails, to house both pretrial detainees and sentenced prisoners.

19 81. Sheriff Dean Growdon is in charge of operating the Lassen County Jail, which incarcerates
20 inmates, both men and women.

21 82. Lassen County Sheriff Department's policy states: "Each inmate held more than 24 hours,
22 who is unable to supply him/herself with the following personal care items because of either
23 indigency or the absence of an inmate canteen, shall be issued the following items . . . Materials as
24 appropriate to the special hygiene need of women." Upon information and belief, "materials" only
25 includes sanitary napkins, and tampons must be purchased through the commissary. Lassen County
26 Sheriff's Department policy is attached hereto and marked as Exhibit 7.

1 83. Lassen County Sheriff's Department, run by Sheriff Dave Growdon, and Lassen County, are
2 and have been violating the law by charging female inmates 15¢, 50¢ and 25¢ for tampons.

3 84. Los Angeles County is a governmental entity, organized and existing under the laws of the
4 State of California, with the capacity to sue and be sued.

5 85. Los Angeles County has, as one of its governmental entities, a Sheriff's Department.

6 86. Jim McDonnell is the elected Sheriff of Los Angeles County.

7 87. One of the functions of the Los Angeles County Sheriff's Office is to operate custodial
8 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

9 88. Sheriff Jim McDonnell is in charge of operating the Los Angeles County Jail, which
10 incarcerates inmates, both men and women.

11 89. The Los Angeles Sheriff's Department policy states: "Each female inmate shall be issued
12 sanitary napkins as needed." Upon information and belief, female inmates must purchase tampons
13 from the commissary if desired. Los Angeles Sheriff's Department policy is attached hereto and
14 marked as Exhibit 8.

15 90. Los Angeles County Sheriff's Department, run by Sheriff Jim McDonnell, and Los Angeles
16 County, are and have been violating the law by charging female inmates 27¢ per tampon.

17 91. Madera County is a governmental entity, organized and existing under the laws of the State
18 of California, with the capacity to sue and be sued.

19 92. Madera County has, as one of its governmental entities, a Department of Corrections.

20 93. Manuel Perez is the Chief of the Madera County Department of Corrections.

21 94. One of the functions of the Madera County's Department of Corrections is to operate
22 custodial facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

23 95. Chief Manuel Perez is in charge of operating the Madera County Jail, which incarcerates
24 inmates, both men and women.

25 96. Madera County Department of Corrections policy merely states: "Personal hygiene articles,
26 showers, and hair care services will be available for inmates while confined to maintain an
27 acceptable level of personal cleanliness." Upon information and belief, Madera County Department
28

1 of Corrections does not provide female inmates tampons—either for free or on commissary. Madera
2 County Sheriff's Department policy is attached hereto and marked as Exhibit 9.

3 97. Madera County's Department of Corrections, run by Chief Manuel Perez, and Madera
4 County, are and have been violating the law by failing to provide female inmates tampons for free.

5 98. Marin County is a governmental entity, organized and existing under the laws of the State of
6 California, with the capacity to sue and be sued.

7 99. Marin County has, as one of its governmental entities, a Sheriff's Department.

8 100. Robert T. Doyle is the elected Sheriff of Marin County.

9 101. One of the functions of the Marin County Sheriff's Office is to operate custodial facilities,
10 i.e., jails, to house both pretrial detainees and sentenced prisoners.

11 102. Sheriff Robert T. Doyle is in charge of operating the Marin County Jail, which incarcerates
12 inmates, both men and women.

13 103. Upon information and belief, Marin County Sheriff's Department only provides female
14 inmates sanitary napkins and does not provide them with tampons.

15 104. Marin County Sheriff's Department, run by Sheriff Robert T. Doyle, and Marin County, are
16 and have been violating the law by not providing female inmates with tampons.

17 105. Modoc County is a governmental entity, organized and existing under the laws of the State
18 of California, with the capacity to sue and be sued.

19 106. Modoc County has, as one of its governmental entities, a Sheriff's Department.

20 107. Mike Poindexter is the elected Sheriff of Modoc County.

21 108. One of the functions of the Modoc County Sheriff's Office is to operate custodial facilities,
22 i.e., jails, to house both pretrial detainees and sentenced prisoners.

23 109. Sheriff Mike Poindexter is in charge of operating the Modoc County Jail, which incarcerates
24 inmates, both men and women.

25 110. Upon information and belief, Modoc County does not provide female inmates with tampons.
26 Modoc County Sheriff's Department policy states: "During the booking process all arrestees that
27 are to remain in custody will receive an Initial Hygiene Issue. The Hygiene Issue will contain . . .
28

1 Feminine hygiene items if necessary. . . .” Modoc County Sheriff’s Department policy is attached
2 hereto and marked as Exhibit 10.

3 111.Modoc County Sheriff’s Department, run by Sheriff Mike Poindexter, and Modoc County,
4 are and have been violating the law by not providing female inmates tampons free of charge.

5 112.Monterey County is a governmental entity, organized and existing under the laws of the
6 State of California, with the capacity to sue and be sued.

7 113.Monterey County has, as one of its governmental entities, a Sheriff’s Department.

8 114.Scott Miller is the elected Sheriff of Monterey County.

9 115.One of the functions of the Monterey County Sheriff’s Office is to operate custodial
10 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

11 116.Sheriff Scott Miller is in charge of operating the Monterey County Jail, which incarcerates
12 inmates, both men and women.

13 117.Upon information and belief, Monterey County Sheriff’s Department does not provide
14 female inmates tampons free of charge.

15 118.Monterey County Sheriff’s Department, run by Sheriff Scott Miller, and Monterey County,
16 are and have been violating the law by failing to provide female inmates tampons free of charge.

17 119.Orange County is a governmental entity, organized and existing under the laws of the State
18 of California, with the capacity to sue and be sued.

19 120. Orange County has, as one of its governmental entities, a Sheriff’s Department.

20 121. Sandra Hutchens is the elected Sheriff of Orange County.

21 122. One of the functions of the Orange County Sheriff’s Office is to operate custodial facilities,
22 i.e., jails, to house both pretrial detainees and sentenced prisoners.

23 123. Sheriff Sandra Hutchens is in charge of operating the Orange County Jail, which
24 incarcerates inmates, both men and women.

25 124. Orange County Sheriff’s Department policy states: “Female detainees are issued and may
26 retain feminine hygiene items as needed.” Upon information and belief, Orange County Sheriff’s
27
28

1 Department only supplies sanitary napkins free of charge, and not tampons, to female inmates.
2 Orange County Sheriff's Department policy is attached hereto and marked as Exhibit 11.

3 125. Orange County Sheriff's Department, run by Sheriff Sandra Hutchens, and Orange County,
4 are and have been violating the law by not providing tampons to female inmates free of charge.

5 126. San Bernardino County is a governmental entity, organized and existing under the laws of
6 the State of California, with the capacity to sue and be sued.

7 127. San Bernardino County has, as one of its governmental entities, a Sheriff's Department.

8 128. John McMahon is the elected Sheriff of San Bernardino County.

9 129. One of the functions of the San Bernardino County Sheriff's Office is to operate custodial
10 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

11 130. Sheriff John McMahon is in charge of operating the San Bernardino County Jail, which
12 incarcerates inmates, both men and women.

13 131. Upon information and belief, San Bernardino Sheriff's Department does not provide female
14 inmates with tampons free of charge.

15 132. San Bernardino County Sheriff's Department, run by Sheriff John McMahon, and San
16 Bernardino County, are and have been violating the law by not providing female inmates with
17 tampons free of charge.

18 133. San Joaquin County is a governmental entity, organized and existing under the laws of the
19 State of California, with the capacity to sue and be sued.

20 134. San Joaquin County has, as one of its governmental entities, a Sheriff's Department.

21 135. Steve Moore is the elected Sheriff of San Joaquin County.

22 136. One of the functions of the San Joaquin County Sheriff's Office is to operate custodial
23 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

24 137. Sheriff Steve Moore is in charge of operating the San Joaquin County Jail, which
25 incarcerates inmates, both men and women.

26 138. Upon information and belief, San Joaquin Sheriff's Department only provides sanitary
27 napkins and does not provide female inmates tampons free of charge.

28

1 139. San Joaquin County Sheriff's Department, run by Sheriff Steve Moore, and San Joaquin
2 County, are and have been violating the law by charging female inmates .34¢ per tampon.

3 140. Shasta County is a governmental entity, organized and existing under the laws of the State
4 of California, with the capacity to sue and be sued.

5 141. Shasta County has, as one of its governmental entities, a Sheriff's Department.

6 142. Tom Bosenko is the elected Sheriff of Shasta County.

7 143. One of the functions of the Shasta County Sheriff's Office is to operate custodial facilities,
8 i.e., jails, to house both pretrial detainees and sentenced prisoners.

9 144. Sheriff Tom Bosenko is in charge of operating the Shasta County Jail, which incarcerates
10 inmates, both men and women.

11 145. Shasta County Sheriff's Departments policy states: "For female inmates, sanitary napkins
12 will be provided by staff as needed." Upon information and belief, female inmates must purchase
13 tampons from the commissary if they wish to use them. Shasta County Sheriff's Department policy
14 is attached hereto and marked as Exhibit 12.

15 146. Shasta County Sheriff's Department, run by Sheriff Tom Bosenko, and Shasta County, are
16 and have been violating the law by charging female inmates .35¢ per tampon.

17 147. Sierra County is a governmental entity, organized and existing under the laws of the State
18 of California, with the capacity to sue and be sued.

19 148. Sierra County has, as one of its governmental entities, a Sheriff's Department.

20 149. Tim Standley is the elected Sheriff of Sierra County.

21 150. One of the functions of the Sierra County Sheriff's Office is to operate custodial facilities,
22 i.e., jails, to house both pretrial detainees and sentenced prisoners.

23 151. Sheriff Tim Standley is in charge of operating the Sierra County Jail, which incarcerates
24 inmates, both men and women.

25 152. Sierra County Sheriff's Department policy states: "Feminine hygiene products shall be
26 accessible as needed." Upon information and belief, Sierra County only provides female inmates
27
28

1 with sanitary napkins and not tampons. Sierra County Sheriff's Department policy is attached
2 hereto and marked as Exhibit 13.

3 153. Sierra County Sheriff's Department, run by Sheriff Tim Standley, and Sierra County, are
4 and have been violating the law by failing to provide female inmates with tampons.

5 154. Siskiyou County is a governmental entity, organized and existing under the laws of the
6 State of California, with the capacity to sue and be sued.

7 155. Siskiyou County has, as one of its governmental entities, a Sheriff's Department.

8 156. Jon E. Lopey is the elected Sheriff of Siskiyou County.

9 157. One of the functions of the Siskiyou County Sheriff's Office is to operate custodial
10 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

11 158. Sheriff Jon E. Lopey is in charge of operating the Siskiyou County Jail, which incarcerates
12 inmates, both men and women.

13 159. Siskiyou County Sheriff's Department policy states: "Each inmate held more than 24 hours,
14 who is unable to supply him/herself with the following personal care items because of either
15 indigency or the absence of an inmate canteen, shall be issued the following items . . . Materials as
16 appropriate to the special hygiene need of women." Upon information and belief, "materials" only
17 includes sanitary napkins. Siskiyou County Sheriff's Department policy is attached hereto and
18 marked as Exhibit 14.

19 160. Siskiyou County Sheriff's Department, run by Sheriff Jon E. Lopey, and Siskiyou County,
20 are and have been violating the law by failing to provide female inmates with tampons free of
21 charge.

22 161. Sutter County is a governmental entity, organized and existing under the laws of the State
23 of California, with the capacity to sue and be sued.

24 162. Sutter County has, as one of its governmental entities, a Sheriff's Department.

25 163. Paul Parker is the elected Sheriff of Sutter County.

26 164. One of the functions of the Sutter County Sheriff's Office is to operate custodial facilities,
27 i.e., jails, to house both pretrial detainees and sentenced prisoners.

28

1 165. Sheriff Paul Parker is in charge of operating the Sutter County Jail, which incarcerates
2 inmates, both men and women.

3 166. Sutter County Sheriff's Department policy states: "All female inmates shall be issued
4 sanitary napkins." Female inmates must purchase tampons from the commissary if they wish the use
5 them. Sutter County Sheriff's Department policy is attached hereto and marked as Exhibit 15.

6 167. Sutter County Sheriff's Department, run by Sheriff Paul Parker, and Sutter County, are and
7 have been violating the law by charging female inmates 25¢ per tampon.

8 168. Tehama County is a governmental entity, organized and existing under the laws of the State
9 of California, with the capacity to sue and be sued.

10 169. Tehama County has, as one of its governmental entities, a Sheriff's Department.

11 170. Dave Hencratt is the elected Sheriff of Tehama County.

12 171. One of the functions of the Tehama County Sheriff's Office is to operate custodial facilities,
13 i.e., jails, to house both pretrial detainees and sentenced prisoners.

14 172. Sheriff Dave Hencratt is in charge of operating the Tehama County Jail, which incarcerates
15 inmates, both men and women.

16 173. "Each inmate held more than 24 hours, who is unable to supply him/herself with the
17 following personal care items because of indigency or the absence of an inmate canteen, shall be
18 issued the following items. . . materials as appropriate to the special hygiene needs of women."
19 Upon information and belief, "materials" only includes sanitary napkins, and female inmates must
20 purchase tampons if they choose to use them. Tehama County Sheriff's Department policy is
21 attached hereto and marked as Exhibit 16.

22 174. Tehama County Sheriff's Department, run by Sheriff Dave Hencratt, and Tehama County,
23 are and have been violating the law by charging female inmates \$6.50 for a box of an unknown
24 quantity of tampons.

25 175. Tulare County is a governmental entity, organized and existing under the laws of the State
26 of California, with the capacity to sue and be sued.

27 176. Tulare County has, as one of its governmental entities, a Sheriff's Department.
28

1 177. Mike Boudreaux is the elected Sheriff of Tulare County.

2 178. One of the functions of the Tulare County Sheriff's Office is to operate custodial facilities,
3 i.e., jails, to house both pretrial detainees and sentenced prisoners.

4 179. Sheriff Mike Boudreaux is in charge of operating the Tulare County Jail, which incarcerates
5 inmates, both men and women.

6 180. Tulare County Sheriff's Department policy states: "Each inmate held more than 24 hours,
7 who is unable to supply him/herself with the following personal care items because of either
8 indigency or the absence of an inmate canteen, shall be issued the following items . . . Materials as
9 appropriate to the special hygiene need of women." Upon information and belief, "materials" only
10 includes sanitary napkins and female inmates must purchase tampons from commissary if they want
11 to use them. Tulare County Sheriff's Department policy is attached hereto and marked as Exhibit
12 17.

13 181. Tulare County Sheriff's Department, run by Sheriff Mike Boudreaux, and Tulare County,
14 are and have been violating the law by charging female inmates 37¢ per tampon.

15 182. Tuolumne County is a governmental entity, organized and existing under the laws of the
16 State of California, with the capacity to sue and be sued.

17 183. Tuolumne County has, as one of its governmental entities, a Sheriff's Department.

18 184. James Mele is the elected Sheriff of Tuolumne County.

19 185. One of the functions of the Tuolumne County Sheriff's Office is to operate custodial
20 facilities, i.e., jails, to house both pretrial detainees and sentenced prisoners.

21 186. Sheriff James Mele is in charge of operating the Tuolumne County Jail, which incarcerates
22 inmates, both men and women.

23 187. Tuolumne County Sheriff's Department policy states: "All female inmates shall be issued
24 sanitary napkins." Female inmates must purchase tampons on commissary if they wish to use them.
25 Tuolumne County Sheriff's Department policy is attached hereto and marked as Exhibit 18.

26 188. Tuolumne County Sheriff's Department, run by Sheriff James Mele, and Tuolumne County,
27 are and have been violating the law by charging female inmates 40¢ per tampon.

28

1 189. Ventura County is a governmental entity, organized and existing under the laws of the State
2 of California, with the capacity to sue and be sued.

3 190. Ventura County has, as one of its governmental entities, a Sheriff's Department.

4 191. Geoff Dean is the elected Sheriff of Ventura County.

5 192. One of the functions of the Ventura County Sheriff's Office is to operate custodial facilities,
6 i.e., jails, to house both pretrial detainees and sentenced prisoners.

7 193. Sheriff Geoff Dean is in charge of operating the Ventura County Jail, which incarcerates
8 inmates, both men and women.

9 194. Ventura County Sheriff's Department policy states: "Females shall be issued sanitary
10 napkins—as needed—or provided the option to purchase tampons from commissary." Ventura
11 County Sheriff's Department policy is attached hereto and marked as Exhibit 19.

12 195. Ventura County Sheriff's Department, run by Sheriff Geoff Dean, and Ventura County, are
13 and have been violating the law by charging female inmates 40¢ per tampon.

14 196. Yolo County, is a governmental entity, organized and existing under the laws of the State of
15 California, with the capacity to sue and be sued.

16 197. Yolo County has, as one of its governmental entities, a Sheriff's Department.

17 198. Ed Prieto is the elected Sheriff of Yolo County.

18 199. One of the functions of the Yolo County Sheriff's Office is to operate custodial facilities,
19 i.e., jails, to house both pretrial detainees and sentenced prisoners.

20 200. Sheriff Ed Prieto is in charge of operating the Yolo County Jail, which incarcerates
21 inmates, both men and women.

22 201. Yolo County Sheriff's Department policy, upon information and belief, only provides
23 female inmates with sanitary napkins and not tampons.

24 202. Yolo County Sheriff's Department, run by Sheriff Ed Prieto, and Yolo County, are and
25 have been violating the law by charging female inmates between 25¢ and 65¢ per tampon.

26 **GENERAL ALLEGATIONS**
27
28

1 203. Article I, section 7(a) of the California Constitution contains the Equal Protection Clause
2 which provides that “[a] person may not be deprived . . . equal protection of the laws.”

3 204. Article I, section 7(a) of the California Constitution contains the Due Process Clause which
4 provides that “[a] person may not be deprived of life, liberty, or property without due process of the
5 law. . . .”

6 205. Title 15 of the California Administrative Code sets forth the minimum standards for the
7 operation of local detention centers (jails) within the State of California.

8 206. Title 15 sets out specific minimum regulations that each and every jail in the State of
9 California must obey, including the minimum standards of decency for treatment of inmates.

10 207. Section 1265 of Title 15 provides in relevant part: “Each female inmate shall be issued
11 sanitary napkins and/or tampons as needed.” The section specifies that sanitary napkins and/or
12 tampons to be provided to each inmate—meaning a jail must provide tampons and/or sanitary
13 napkins to a female inmate.

14 208. Defendants, and each of them, have and are violating Plaintiff (and others) constitutional
15 right to Equal Protection and Due Process afforded to her by the California Constitution and by
16 Defendants failing to meet the minimum standards set forth in Title 15 section 1265 of the
17 California Administrative Code which can only be interpreted as requiring County Jails to provide
18 sanitary napkins and/or tampons and/or both at that inmate’s choice without charge because that
19 interpretation is constitutional. Charging money for a tampon is not constitutional.

20 209. The California Court of Appeals, Fourth Appellate District, has examined Title 15’s
21 minimum standards for detention facilities when determining whether jail inmates’ rights under the
22 California Constitution were violated (*Inmates of the Riverside City Jail v. Clark*, (1983) 144
23 Cal.App.3d 850.) The Appellate Court stated that “in assessing the ‘standards of decency’ which are
24 essential to this analysis, California courts should look chiefly to California standards and
25 institutions for their guideposts.” (*Id.* At 859). The applicable standard in this instance is Section
26 1265 of Title 15.

1 210. Defendants do not provide female inmates with tampons. Defendants require female
2 inmates to buy tampons through Defendants' commissary for 25¢ per tampon.

3 211. Upon information and belief, the current Sacramento County Sheriff's Department
4 Operations Order does not discuss the distribution of menstruation products to female inmates. Per a
5 letter from the Sacramento County Sheriff's Department their policy is to provide sanitary napkins
6 free of charge to female inmates, and require female inmates to pay .25¢ per tampon. See Exhibit 1.

7 212. Defendant, Sheriff Scott Jones, and other named Defendants, are violating the California
8 Constitution by failing to comply with a constitutional interpretation of Section 1265 of Title 15
9 because charging .25¢ per tampon violates the California Constitution. In contrast, women in other
10 County Jails in the State of California, i.e., San Mateo County, San Francisco County, among
11 others, are provided tampons and/or pads free of charge, in compliance with the Equal Protection
12 and Due Process Clauses of the California Constitution and a constitutional interpretation of Section
13 1265 of Title 15.

14 213. Defendants charging the fee of 25¢ per tampon to female inmates (which is significantly
15 more expensive than market price), including Plaintiff, violates California Constitution's Equal
16 Protection and Due Process Guarantees and Section 1265 of Title 15.

17 214. Defendant, Scott Jones, and all Defendants, have disregarded the law and are violating the
18 law, both by their written policy and their custom and practice, by not providing tampons and/or
19 sanitary napkins and/or both to female inmates as needed.

20 215. Jane Doe Inmate and past, present, and future menstruating female inmates have been, are,
21 and will be injured by all Defendants and especially by Defendant Sheriff Scott Jones' violation of
22 law causing embarrassment, stress, shame, degradation, and loss of money.

23 216. Defendants, and each of them, have collected monies from Jane Doe Inmate and other
24 female inmates, in unknown amounts because of Defendants' illegal policies and their illegal
25 customs and practices as described herein.

26 217. Defendants, and each of them, must account for and return any monies received from Jane
27 Doe Inmates and other female inmates for the purchase of tampons, which, by law, are to be
28

1 provided by Defendants to female inmates free of charge. By seeking injunctive relief and not
2 money damages Defendants simply must stop charging for tampons and are allowed to keep their
3 ill-gotten tampon charging gains.

4 218. Defendant, Sheriff Scott Jones, and Defendants, and each of them, by their illegal policy
5 and practice have profited and illegally obtained and retained monies by selling tampons to female
6 inmates. Jane Doe Inmate seeks the end of this illegal policy and practice.

7 219. Plaintiff brings this action pursuant to California Code of Civil Procedure, Section 382,
8 against Defendants, on their behalf and all individuals similarly situated in the Sacramento County
9 and/or any woman inmate incarcerated in the counties alleged herein that charge for tampons. All
10 claims alleged herein arise under California law for Plaintiff and members of the class identified
11 herein seek relief authorized under California law. The classes that Plaintiff represents are
12 comprised of, and are defined as:

13 a. All past and present (and future) females who menstruate while incarcerated
14 in the Sacramento County Jail and any similar policy tampon charging County Jail,
15 including both pretrial detainees and sentenced prisoners; and

16 b. All members of the putative class described above have had their rights under
17 the California Constitution violated by Defendants' practice as set forth herein.

18 220. **Ascertainable Class.** The Plaintiff class described at Paragraph 226 is ascertainable.
19 Members of the Plaintiff class can be readily identified from inmate files and computer databases
20 maintained by Defendants and from other records maintained by the Defendants. The litigation of
21 the questions of fact and law involved in this action will resolve the rights of all members of the
22 class and hence will have a binding effect on all class members. The class members are numerous
23 and joinder of all class members is impracticable due to both a reluctance of class members to sue
24 their current or former jailer and the relatively small monetary recovery for each class member in
25 comparison to the costs and expenses associated with separate and individual actions.

26 221. **Community of Interest.** The Plaintiff class described at Paragraph 226 above has a well-
27 defined community of interest in the questions of fact and law to be litigated. The common
28

1 questions of law and fact are predominant with respect to the liability issues, relief issues and
2 anticipated affirmative defenses. The named Plaintiff has claims typical of members of the class
3 alleged above. The named Plaintiff can, and will, fairly and adequately represent and protect the
4 interests of the classes in that there is no conflict between their interest and the interests of other
5 class members. This action is not collusive. The named Plaintiff and their counsel have the
6 resources to litigate this action, and counsel has the experience and the ability required to prosecute
7 this case as a class action. Plaintiff, Jane Doe Inmate, is so designated for fear of retribution.

8 **222. Superiority of Class Adjudication.** The certification of a class in this action is superior to
9 the litigation of a multitude of cases by members of a putative class. Class adjudication will
10 conserve judicial resources and will avoid the possibility of inconsistent rulings. Moreover, there
11 are class members who are unlikely to join or bring an action due to, among other reasons, their
12 reluctance to sue their current or former jailer and, or, their inability to afford a separate action. In
13 addition, equity dictates all persons who stand to benefit from the relief sought herein should be
14 subject to the lawsuit and hence subject to an order spreading the costs and expenses of the
15 litigation among the class members in relationship to the benefits received.

16 **FIRST CAUSE OF ACTION—INJUNCTION (Against All Defendants)**

17 223. Plaintiff incorporates by reference each and every allegation set forth in paragraphs 1
18 through 229, as if set forth in full herein.

19 224. The Constitution of the State of California guarantees that “[a] person may not be deprived .
20 . . equal protection of the laws.” (Cal. Const., art. 1, § 7(a).)

21 225. The Constitution of the State of California guarantees that “[a] person may not be deprived
22 of life, liberty, or property without due process. . . .” (Cal. Const., art. 1, § 7(a).)

23 226. Defendants’ custom and practice in not providing sanitary napkins and/or tampons to
24 female inmates violates a constitutional interpretation of Section 1265 of Title 15 of the California
25 Administrative Code.

1 227. The California Department of Corrections provides inmates with menstruation products
2 without charge at the inmate's choice, i.e., the inmate chooses whether to use a tampon or a pad
3 and/or both.

4 228. The Federal Bureau of Prisons requires Wardens ensure female inmates are provided with
5 menstruation products (at no cost) at the inmate's choice.

6 229. California County Jails that are Constitutionally compliant provide tampons and/or sanitary
7 napkins and/or both to inmates without charge at the inmate's choice.

8 230. The State Board of Community Corrections authored Title 15 of the California
9 Administrative Code to set forth minimum standards for the operation of local detention facilities in
10 California.

11 231. Upon information and belief, the BSCC interprets Section 1265 of Title 15 to require that
12 female inmates be provided sanitary napkins and/or tampons and/or both without charge at the
13 inmate's choice. Any other interpretation would be unconstitutional.

14 232. Defendants, and each of them, violated and will violate Plaintiff's right to equal protection
15 and due process in that they do not provide sanitary napkins and/or tampons and/or both without
16 charge at the inmate's choice.

17 233. The Equal Protection Clause and the Due Process Clause of the State Constitution require
18 as much. Similarly situated persons should be treated similarly—meaning all California County Jail
19 inmates should be provided tampons and/or sanitary pads and/or both without charge and
20 fundamental human decency as guaranteed by the State Constitution Due Process Clause which
21 requires as much.

22 234. Defendant, Sheriff Scott Jones, and Defendants, and each of them, have disregarded the law
23 and are violating the law both by their written policy and their custom and practice by charging
24 female inmates for tampons, and by denying inmates the choice of which product to use.

25 235. Jane Doe Inmates past, present, and future have been, are, and will be injured by
26 Defendants' actions and policies as described herein.

27
28

1 236. The BSCC must advise all California Jails and Sheriffs that charge women inmate's money
2 for a menstruation product, i.e., a tampon, must STOP CHARGING MONEY FOR A TAMPON.

3 237. Attached as Exhibit 20 is a chart setting forth the Counties as herein alleged that charge
4 money for tampons, including the amount charged, and the Counties that refuse to provide tampons
5 at all.

6 **SECOND CAUSE OF ACTION—VIOLATION OF CALIFORNIA PENAL CODE 4025**

7 238. Plaintiff incorporates by reference each and every allegation set forth in paragraphs 1
8 through 244, as if set forth in full herein.

9 239. The Sacramento County Sheriff and the Defendant Sheriff's Department operates a
10 commissary which sells things to inmates.

11 240. All of the Sheriff's Departments mentioned in this Complaint also operate Commissaries.

12 241. As hereinafter alleged, all of the Commissaries are acting illegally and without authority by
13 selling tampons.

14 242. California Penal Code Section 4025 grants Sheriff's the authority to operate a commissary at
15 County Jails.

16 243. California Penal Code Section 4025 provides:

17 "(a) The sheriff of each county may establish, maintain and operate a store in connection
18 with the county jail and for this purpose may purchase confectionery, tobacco and tobacco
19 users' supplies, postage and writing materials, and toilet articles and supplies and sell these
goods, articles, and supplies for cash to inmates in the jail.

20 (b) The sale prices of the articles offered for sale at the store shall be fixed by the sheriff.
21 Any profit shall be deposited in an inmate welfare fund to be kept in the treasury of the
county.

22 (c) There shall also be deposited in the inmate welfare fund 10 percent of all gross sales of
inmate hobbycraft.

23 (d) There shall be deposited in the inmate welfare fund any money, refund, rebate, or
24 commission received from a telephone company or pay telephone provider when the money,
refund, rebate, or commission is attributable to the use of pay telephones which are
25 primarily used by inmates while incarcerated.

26 (e) The money and property deposited in the inmate welfare fund shall be expended by the
27 sheriff primarily for the benefit, education, and welfare of the inmates confined within the
28 jail. Any funds that are not needed for the welfare of the inmates may be expended for the
maintenance of county jail facilities. Maintenance of county jail facilities may include, but
is not limited to, the salary and benefits of personnel used in the programs to benefit the

1 inmates, including, but not limited to, education, drug and alcohol treatment, welfare,
2 library, accounting, and other programs deemed appropriate by the sheriff. Inmate welfare
3 funds shall not be used to pay required county expenses of confining inmates in a local
4 detention system, such as meals, clothing, housing, or medical services or expenses, except
5 that inmate welfare funds may be used to augment those required county expenses as
6 determined by the sheriff to be in the best interests of inmates. An itemized report of these
7 expenditures shall be submitted annually to the board of supervisors.

8 (f) The operation of a store within any other county adult detention facility which is not
9 under the jurisdiction of the sheriff shall be governed by the provisions of this section,
10 except that the board of supervisors shall designate the proper county official to exercise the
11 duties otherwise allocated in this section to the sheriff.

12 (g) The operation of a store within any city adult detention facility shall be governed by the
13 provisions of this section, except that city officials shall assume the respective duties
14 otherwise outlined in this section for county officials.

15 (h) The treasurer may, pursuant to Article 1 (commencing with Section 53600), or Article 2
16 (commencing with Section 53630) of Chapter 4 of Part 1 of Division 2 of Title 5 of the
17 Government Code, deposit, invest, or reinvest any part of the inmate welfare fund, in excess
18 of that which the treasurer deems necessary for immediate use. The interest or increment
19 accruing on these funds shall be deposited in the inmate welfare fund.

20 (i) The sheriff may expend money from the inmate welfare fund to provide indigent
21 inmates, prior to release from the county jail or any other adult detention facility under the
22 jurisdiction of the sheriff, with essential clothing and transportation expenses within the
23 county or, at the discretion of the sheriff, transportation to the inmate's county of residence,
24 if the county is within the state or within 500 miles from the county of incarceration. This
25 subdivision does not authorize expenditure of money from the inmate welfare fund for the
26 transfer of any inmate to the custody of any other law enforcement official or jurisdiction."

27 244. California Penal Code Section 4025 is the sole legal authority empowering County Sheriffs
28 to sell designated items to inmates at a price set by the County Sheriff, rather than by market forces,
in a County Jail commissary.

245. Pursuant to Penal Code Section 4025, Sheriffs may sell "confectionary, tobacco and
tobacco users' supplies, postage and writing materials, and toilet articles and supplies." The statute
does not bestow authority upon Sheriffs to sell tampons.

246. Tampons are not designated in the statute. Tampons are not a confectionary item. Tampons
are not a tobacco item. Tampons are not postage or writing materials. Tampons are not toilet
articles.

247. Defendant Scott Jones is acting outside the scope of his authority by charging women 25¢
per tampon. Defendant Scott Jones does not have the right to require women to pay for tampons.

1 Defendant Scott Jones is violating the rights of all female inmates who are menstruating or may be
2 menstruating in the Defendant Sacramento County Jail.

3 248. Penal Code Section 4025 is an extraordinary statute in that it further empowers Sheriffs to
4 charge whatever amount of money the Sheriff chooses for the enumerated products. The Statute
5 eliminates free market pricing and authorizes unchecked price gauging by many Sheriffs in their
6 practice.

7 249. The variety of tampon pricing as identified herein underscores the disparity and basic
8 unfairness of granting Sheriffs unfettered price setting authority, in this instance for an item that the
9 statute does not even permit them to sell.

10 250. Based on the practice of the Sacramento County Sheriff and the statute itself, Plaintiff
11 hereinafter prays for an Order prohibiting the Defendant Sacramento Sheriff from selling tampons
12 and for this Court's further Order declaring that California Penal Code Section 4025 is itself
13 unconstitutional in that the statute unlawfully bestows price fixing authority upon Sheriffs in
14 violation of the State Due Process Clause.

15 //

16 **PRAYER FOR FIRST CAUSE OF ACTION**

17 WHEREFORE, Plaintiff, and class members, pray for judgment against Defendants, and each of
18 them, and DOES 1 through 1000, as follows:

19 a. For a temporary restraining order, preliminary injunction and permanent injunction
20 restraining Defendants and Defendant, Sheriff Scott Jones, and their agents and employees, from
21 charging money to female inmates for tampons.

22 b. For an Order compelling Defendant, Sheriff Scott Jones, and other Defendants to amend
23 Defendant Sacramento Sheriff's Department Operations Order to comply with the California
24 Constitution and a constitutional interpretation of Section 1265 of Title 15, such that the Sheriff
25 shall freely provide to each female inmate sanitary napkins and/or tampons and/or both as needed.

26 c. For an Order compelling Defendant Sheriff Scott Jones, and other Defendants, to freely
27 issue sanitary napkins and/or tampons and/or both as needed to female inmates.

28

1 d. For an Order compelling BSCC to direct all California County Jails to become
2 constitutionally compliant, i.e., providing female inmates sanitary napkins and/or tampons and/or
3 both at the inmate's choice without charge.

4 e. For attorney fees pursuant to Code of Civil Procedure Section 1021.5.

5 f. For costs of suit.

6 g. For such other and further relief as the Court deems just and proper.
7

8 **PRAYER FOR SECOND CAUSE OF ACTION**

9 WHEREFORE, Plaintiff, and class members, pray for Judgment against Defendants, and each of
10 them, and DOES 1 through 1000, as follows:

11 a. For an Order declaring that California Penal Code Section 4025 does not allow Sheriff's to
12 charge women inmates for tampons and restraining Sheriffs from charging women inmates for
13 tampons henceforth.

14 b. For an Order declaring California Penal Code Section 4025 unlawfully gives Sheriffs the
15 power to price fix items in violation of the Due Process Clause of the California Constitution.

16 c. For attorney fees pursuant to Code of Civil Procedure Section 1021.5.

17 d. For costs of suit.

18 e. For such other and further relief as the Court deems just and proper.
19

20 DATED: December 24, 2018



21 PAULA CANNY
22 Law Offices of Paula Canny
23 Attorney for Plaintiff
24 JANE DOE INMATE AND THE
25 CLASS
26
27
28

Exhibit 1

Letter from Sacramento County Sheriff's
Department

SACRAMENTO COUNTY



SHERIFF'S DEPARTMENT

SCOTT R. JONES

Sheriff

March 23, 2018

Law Offices of Paula Canny
Attn: Paula Canny
840 Hinckley Road, Suite 101
Burlingame, CA 94010

Re: Response to CPRA Request Concerning County Sheriff Policy/Custodial Facility (Jail) Policy
Regarding Inmate Hygiene/Menstruation Products

Dear Ms. Canny,

The Sacramento Sheriff's Department is in receipt of your California Public Records Act request.

Request 1: "This letter is a request for public records, made pursuant to the California Public Records Act (Government Code Section 6250 et seq.) Specifically please provide me with your Department's written policy regarding providing female inmates menstruation products. Are Sanitary napkins and/or tampons provided;"

Response: The Sacramento Sheriff's Department will provide the following documentation. Sanitary napkins are available and issued to female inmates without a cost to them.

- Laundry, Clothing and Linen Operations
- Hair Care and Cosmetology Services Operations

Request 2: "Additionally please provide the Jail Commissary list to me. Do you charge for tampons? If so, what amount of money do you charge the inmate for how many tampons;"

Response: Per Title 15 sanitary napkins are available to all female inmates in their housing locations for free of charge. Tampons are available to female inmates through commissary for .25¢ each. The Sacramento Sheriff's Department will provide the following documentation:

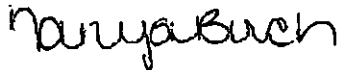
- Commissary List

If you have any questions, please inquire to Legal Affairs.

Thank you for your inquiry.

Very Truly Yours,

SCOTT JONES, SHERIFF

A handwritten signature in cursive script that reads "Tanya Birch".

SRO I Tanya Birch
Assistant to Deputy Tess Deterding
Legal Advisor to the Sheriff

TB - tmb

Exhibit 2

Alameda County Sheriff's Department
Menstruation Products Policy

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 15.03	PAGES: 1 of 4
	RELATED ORDERS: ACA 4-ALDF-4B-06, 4B-07, 6A-08, 6B-07 MJS 1265, 1266, 1267 P&P <u>18.06</u> P.C. 6030	
	ISSUED DATE: April 1, 1992	
	REVIEW DATE: <i>June 8, 2017</i>	
	REVISION DATE: <i>June 8, 2017</i>	
CHAPTER: Sanitation and Hygiene	SUBJECT: Inmate Hygiene	

- I. **PURPOSE:** To describe inmate facilities for personal hygiene pursuant to 6030 PC.
- II. **POLICY:** The following shall govern inmate personal hygiene:
 - A. Articles necessary for maintaining personal hygiene will be provided to all inmates.
 - B. Hair care services and facilities are available to all inmates.
 - C. Inmates will be allowed freedom in personal grooming except when a valid facility interest justifies otherwise.
- III. **PROCEDURE:**
 - A. **NEW-BOOK BAGS:** Each inmate will receive a new-book bag from the ITR or housing floor/unit deputy. Refer to Policy and Procedure 18.06, "Commissary Procedure" for more information.
 - B. **SHOWERS:** Pursuant to Minimum Jail Standard 1266, deputies will provide shower availability for inmates as follows:
 1. Upon completion of the booking process.
 2. When confined to a housing floor/unit, showers are available on a daily basis, except for inmates assigned to isolation. Inmates are required to maintain their personal hygiene.
 3. Water temperature for showers will be thermostatically controlled and set at 105 degrees Fahrenheit to ensure the safety of inmates.

C. HAIR CARE EQUIPMENT:

1. Hair care equipment is purchased from the Sheriff's Office budget.
2. Each housing floor/unit will be issued one (1) complete set of hair care equipment with an updated log listing all items.
3. Hair care equipment will be kept in the dayroom storage areas at SRJ, and inside the deputy's office at GDJ.
4. Hair care equipment will be stored in provided container. Deputies will ensure the containers remain clean.
5. Hair care equipment will be controlled by use of an inventory sheet.
 - a. The inventory shall indicate the number and type of items present in the container and will be updated each time a change occurs.
 - b. Each time the items are issued, the deputy shall check the container to ensure the items are present.
 - c. The inventory sheet shall be kept in the container until the equipment is issued. The sheet shall be kept in the deputy's office until the equipment is returned.
 - d. In the event of a discrepancy in the inventory, the deputy shall notify the area supervisor.
6. The Housing Control Sheriff's Technician will log the pod or dayroom location where the equipment is being used.
7. The deputy is responsible for ordering new equipment in the event of breakage.
8. Inmates will be monitored when using hair care equipment.
9. The housing floor/unit deputy will submit the appropriate report when county equipment is destroyed. Blatant misuse of hair care equipment will result in a disciplinary report.

D. HAIR CARE SERVICES: Hair care services will be available to inmates at least once per week in accordance with the following:

1. Hair cutting supplies are available through the housing floor/unit deputy upon

request.

2. Times when hair cutting will be allowed are posted.
3. Haircuts for Administrative Isolation (A/I) inmates will be arranged through the Classification/ Detail Officer, as follows:
 - a. Inmates request haircuts via message request to the housing floor/unit deputy.
 - b. The housing floor/unit deputy will contact the Classification/Detail Officer.
 - 1) The Classification/Detail Deputy, upon request, will assign a "cleared" inmate barber, to the A/I housing unit to perform the haircut.
 - 2) The Commanding Officer or designee will advise the housing floor/unit deputy who the cleared inmate barber is.
 - 3) The housing floor/unit deputy will make the necessary arrangements for movement of the inmate barber to and from the A/I unit.
4. Hair cutting supplies will be sterilized with bactericide after each use.
5. Bactericide and hair care implements will be secured by the housing floor/unit deputy when not in use.

E. DISPOSABLE RAZORS AND NAIL CLIPPERS: Razors and nail clippers are available for purchase in commissary.

1. Indigent inmates may request free-line, which includes a razor. Nail clippers are available for use through the housing floor/unit deputy.
2. Administrative Isolation inmates and inmates on inmate observation logs may NOT purchase razors or nail clippers. Both are available for loan through the housing floor/unit deputy. Loaned razors will be discarded after use and nail clippers will be disinfected after use.

F. SPECIAL HYGIENE ARTICLES:

1. Special hygiene articles (i.e., special soaps, dentifrice, etc.), will be issued by and with the approval of the medical staff.
2. Sanitary napkins for female inmates will be available in ITR and housing floors/units as needed.

3. As soon as practical after a female inmate is admitted into the secure portion of ITR, a female deputy shall advise her that, if she is menstruating, she may request that any deputy provide her with feminine hygiene products and that all reasonable efforts will be made to comply with that request within thirty (30) minutes.
4. A supply of feminine hygiene products shall be stored as close as practical to each holding cell used to house female inmates, and the supply shall be checked by an ITR deputy at least once per shift to ensure that it is adequate to meet the needs of the female inmates in ITR during that shift.
5. Each holding cell in ITR regularly used to house female inmates shall be equipped with a means by which inmates can dispose of used feminine hygiene products in a hygienic manner. ITR Deputies will ensure the removal of such disposed feminine hygiene products during the regular cleaning process (defined in P&P 15.01: Sanitation and Hygiene Section III, A. 6&7).

Exhibit 3

El Dorado County Sheriff's Department
Menstruation Products Policy

814.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, bedding, clothing, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment. Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Jail Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

Exhibit 4

Fresno County Sheriff's Department
Menstruation Products Policy

**FRESNO COUNTY
SHERIFF'S OFFICE
JAIL DIVISION**

**INMATE ORIENTATION
HANDBOOK**



7. Claims for property that was lost or misplaced while in the Jail Division's care can be filed by completing and submitting a *Lost Property Claim* form. This process does not apply to items confiscated as contraband. If the item was not placed into your property envelope at the time of booking, you'll need to contact the arresting agency. Fraudulent and/or falsified claims *will be prosecuted*.

NOTARY PUBLIC SERVICES

The Jail does not provide Notary services (with the exception of marriage applications). You are advised to contact your private attorney if you need to have a document notarized. Inmates represented by the Public Defender's Office are advised to have a friend or family member contact a Notary Public Service.

OUTSIDE ASSISTANCE UPON RELEASE

Along with recreation and leisure activities, the Offender Programs staff also provides health, nutrition and community resources that will assist you and your family after you are released from the facility. If you need information concerning any of the following, or need any other information to help you prepare for release, send an *Inmate Request Form* to the Offender Programs Unit.

1. Addictive Behaviors
2. Anger or Stress Management
3. Living Skills Development Workshops
4. Community Programs and Resources (the Community Resource Guide contains listings of services available in Fresno, including, but not limited to substance abuse treatment, education, medical assistance, mental health treatment, veteran's assistance, family services, assistance with disability benefits, etc.)

PERSONAL HYGIENE

Inmates will be issued personal hygiene items prior to being assigned a housing location. Inmates will not be required to share any personal care items (i.e., toothbrush, toothpaste, soap, comb or razors). Inmates are reminded that they are living in close proximity with others and personal cleanliness is of the utmost importance. Inmates are encouraged to take advantage of their scheduled shower opportunities.

HAIRCUTS – Per Title 15, Section 1267 you are allowed to receive hair care services at least once a month. Inmates may obtain a haircut by submitting an *Inmate Request Form*. Haircuts are provided during the weekends.

SANITARY NAPKINS – A supply of sanitary napkins are available inside each housing unit. Inmates are not limited in the number of sanitary napkins they may have in their cell, except when deemed to be excessively unreasonable, or when the products are used for anything other than their intended use. The sanitary napkins are not to be used for toilet seat covers, shoe insoles, or other inappropriate uses, and misuse will result in a rule violation. Tampons may be purchased from commissary.

TOILET PAPER – is issued once each week (on Sunday). Male inmates may receive one roll per inmate; female inmates may receive two rolls per inmate, based on need. Surplus rolls of toilet paper are frequently left in the cells by inmates who leave custody; additional rolls will not be issued in such instances.

SHOWERS

1. Inmates in multi-occupancy cells may shower any time that they have access to the dayroom.
2. Administrative lockdown inmates may shower every other day. Odd-numbered cells will be given the opportunity to shower on odd-numbered calendar days; even-numbered cells will shower on even-numbered calendar days. All inmates shall be allowed to shower on the last day of months containing 31 days (or February 29, in leap years).

PREGNANT INMATES

All pregnant females shall be issued and required to wear maternity clothing. If a pregnant female inmate is inadvertently issued a jumpsuit instead of a maternity smock (or discovers at a later date that she is pregnant), it shall be the pregnant female's responsibility to inform an officer, in order to rectify the situation.

Pregnant inmates will be provided with a "Pregnancy Services" pamphlet that explains the standards and policies governing pregnant inmates. The pamphlets are issued by Medical staff, but are also available on the housing floor. The Offender Programs Unit also has a variety of pamphlets available.

Pregnant females should not take any medications unless advised to do so by a member of the medical staff. Refer also to **MEDICAL SERVICES – Pregnancy Services** (page 25).

PUBLIC DEFENDER

- A. If you cannot afford an attorney, the court will appoint one for you. This will happen when you are brought to court. Normally, the court will appoint an attorney from the Fresno County Public Defender's Office. If the court cannot appoint a Public Defender, it will usually assign an attorney from Richard A. Ciummo & Associates or the Fresno Alternate Defense Office.

Exhibit 5

Imperial County Sheriff's Department
Menstruation Products Policy

**Imperial County Sheriff's Office
Corrections Bureau Policy and Procedures**

Title: Inmate Medical Care	Date: 08-08-2011	Number: 2014
Subject: Personal Hygiene		
Reference: (A) Title 15 CCR, Sections 1260-1267, and 1270-1271		
(B) CMA Standard #326(I)		
(C) California Penal Code, Sections 4015(a) and 4023.5(a)		

I. POLICY

All inmates detained for twenty-four (24) hours or more shall have access to personal hygiene supplies, clothing, and bed linens in accordance with established Imperial County Sheriff's Office procedures.

II. PROCEDURE

All inmates who are to be held for 24 hours or longer and who are unable to supply themselves with personal care items because of indigence status or between commissaries, shall be issued the following items:

- | | |
|---------------|------------------|
| A. Toothbrush | E. Shampoo |
| B. Toothpaste | F. Razor |
| C. Soap | G. Shaving Cream |
| D. Comb | H. Deodorant |

All female inmates shall be issued sanitary napkins as needed.

III. Effective Date:

This order becomes effective as of this date and supersedes all prior orders

IV. By Direction of the Corrections Bureau Commander.

Procedures shall be used as a training tool and an operations guideline in order to provide consistency in job performance. However, procedures cannot anticipate every incident or situation. Employees must be prudent, use sound judgment, tact, and pay strict attention to detail in performing their duties, whether or not the duties are addressed in policies and procedures. All officers are completely responsible for the security of their assigned posts during their shift, and should be vigilant and alert to any potential security weaknesses they may observe throughout the jail complex.

Exhibit 6

Kings County Sheriff's Department
Menstruation Products Policy

Inmate Hygiene

807.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Kings County Sheriff's Office jail is maintained. The Kings County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

807.2 POLICY

It is the policy of Kings County Sheriff's Office facility to maintain a high standard of hygiene in accordance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors and visitors. The Jail Commander shall ensure the basic necessities related to personal care are provided to each inmate at the time of housing. Appropriate additional personal care items may be available for purchase from the inmate commissary.

807.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR § 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Commander should be notified if additional storage space is needed.

807.3.1 BEDDING ISSUE

Upon entering a living area of the King County Sheriff's Office jail, every inmate who is expected to remain overnight shall be issued bedding and linens including, but not limited to (15 CCR § 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing climatic conditions.
- (b) One mattress cover or one sheet.
- (c) One clean, serviceable mattress meeting applicable fire and health codes.
 - 1. Mattresses will be disinfected every time they are turned in for rotation. Mattresses will be serviceable, enclosed in an easily cleaned material with non-absorbent ticking and conform to the size of the bunk as referenced in 24 CCR § 2-470A.3.5. Mattresses shall meet the most recent requirements of the

Kings County Sheriff's Office
Kings County SO Custody Manual

Inmate Hygiene

State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and Consumer Product Safety Commission flammability standards at the time of purchase (15 CCR § 1272 and 16 CFR § 1633).

- (d) One clean towel.

A clean linen exchange, including towels, shall occur at least weekly and shall be documented in the housing log book (15 CCR § 1271). To ensure compliance, the Shift Supervisor shall inspect each housing log book at least once each week and acknowledge the review with a signature.

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

807.3.2 CLOTHING ISSUE

An inmate admitted to the facility shall be issued a set of facility clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, easily laundered and repaired. Issued clothing shall include, but not limited to (15 CCR 1260):

- Clean socks.
- Suitable outer and undergarments.

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Commander.

Clothing shall be exchanged twice each week, at a minimum (15 CCR § 1262). All exchanges shall be documented on the daily activity log. The Shift Supervisor or unit supervisor shall review the daily activity log at least once per shift. Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work area, such as food service, medical, farm, sanitation, mechanical and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, and shall be exchanged as frequently as the work assignment requires (15 CCR 1261).

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Jail Commander or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property

Kings County Sheriff's Office
Kings County SO Custody Manual

Inmate Hygiene

shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

807.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

807.4.1 CLOTHING, BEDDING OR LINEN CONTAMINATED WITH INFECTIOUS BODILY FLUIDS

Clothing, bedding and linen that are soiled with potentially infectious bodily fluids, such as blood, urine, vomit or feces shall be placed in a water soluble bag and then washed. The contaminated clothing will be washed with soap and hot water separate from any other non-contaminated clothing.

807.5 INMATE ACCOUNTABILITY

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

Prior to being placed in a housing unit, inmates shall be provided with an inmate handbook listing this requirement.

807.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, bedding, clothing, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1285):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Jail Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the

Kings County Sheriff's Office

Kings County SO Custody Manual

Inmate Hygiene

inmate's sex. The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Commander or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

807.6.1 SANITATION

The Kings County Sheriff's Office jail shall maintain sanitary conditions in accordance with the requirements established by all applicable laws, ordinances and regulations, and the local health authority. Sanitation in barbering operations is of the highest concern because of the possible transfer of diseases by direct contact with towels, combs, scissors, clippers and other items that are commonly used for hair care. Equipment shall be disinfected after each use by a method approved by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR § 979 and 16 CCR § 970 (15 CCR § 1267(c)).

807.6.2 HAIR CARE SPACE

Due to sanitation concerns, the hair care services should be located in a room that is used only for that purpose. The floors, walls, cabinets, countertops and ceilings should be smooth, non-absorbent and easily cleanable. The room must be supplied with a hand-washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the inmate shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and inmates. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any inmate when the skin of the face, neck or scalp is inflamed, or when there is scaling, pus or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

Kings County Sheriff's Office
Kings County SO Custody Manual

Inmate Hygiene

The Training Sergeant shall ensure that all barbers and beauticians are properly trained to ensure they comply with the requirements of this policy.

The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

807.6.3 SCHEDULE FOR HAIR CARE PROCEDURE

Inmates shall have the ability to receive hair care services once per month. Records of hair care service shall be documented in the housing log book.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

807.7 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 male inmates (urinals may be provided for up to half the toilets) (24 CCR 1231.3.1(2)).
- One toilet to every eight female inmates

807.8 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an inmate housing unit (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

807.9 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

Indigent Inmates

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for providing basic services to indigent inmates. An inmate's access to health care, programs, services and activities is not precluded by the inmate's inability to pay.

601.2 POLICY

It is the policy of this office that no inmate shall be denied access to hygiene products, medical and mental health services, outgoing legal correspondence or qualified inmate programs due to a lack of funds.

The Jail Commander or the authorized designee shall establish policies and procedures for providing basic services to indigent inmates. A debit accounting procedure should also be established by the financial services division to recoup fees from inmates who have received funds after having accessed discretionary services, but before inmates have access to the funds for non-discretionary items, such as commissary products.

The Jail Commander should also establish a weekly schedule for the delivery of requested indigent services, excluding medical and mental health services, which may be requested at any time. A list of eligible indigent materials, such as hygiene products and other approved items for indigent inmates, along with the debit policies from inmate accounts, shall be communicated in the inmate orientation materials.

601.3 INDIGENT INMATE HYGIENE PRODUCTS

Inmates who are indigent shall be provided with basic hygiene products upon request. The products shall include the following (15 CCR 1286):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

601.4 INMATE REQUESTS FOR HYGIENE PRODUCTS

Inmates who are indigent may request additional hygiene products by filling out an inmate request form after being in custody for five days, and every five days thereafter. The cost of these products

Kings County Sheriff's Office
Kings County SO Custody Manual

Indigent Inmates

will be recorded in the inmate's personal funds account and debited from any future funds credited to that account.

601.5 INDIGENT INMATE REQUESTS FOR NON-EMERGENCY MEDICAL AND MENTAL HEALTH SERVICES

Indigent inmates shall be permitted to request non-emergency medical and mental health services without regard to their ability to pay. Such requests should be made by the inmate by completing an inmate request form. Qualified co-payments will be recorded in the inmate's personal funds account and debited from any future funds credited to that account.

601.6 INDIGENT INMATE REQUESTS FOR WRITING MATERIALS

Indigent inmates may request writing materials on a weekly basis, as provided by an approved schedule established by the Jail Commander. Writing materials shall include the following (Penal Code § 6030):

- At least two pre-stamped envelopes for correspondence with family and friends
- Six sheets of writing paper
- One pencil

Indigent inmates shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with an elected official, officials of the Board of State and Community Corrections, attorneys and other officers of the court (15 CCR 1063(e)). Requests shall be screened and granted based on need by the inmate programs coordinator. Inmates should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor.

601.7 INDIGENT INMATE ACCESS TO PROGRAMS

Inmates should not be denied access to educational and vocational programs based solely on their indigent status.

Exhibit 7

Lassen County Sheriff's Department
Menstruation Products Policy

From: Amy Foster <AFoster@co.lassen.ca.us>
To: pkcanny <pkcanny@aol.com>
Subject: PRA request
Date: Wed, Mar 14, 2018 10:43 am
Attachments: adf-solitary@co.lassen.ca.us_20180313_163654.pdf (1137K)

Good morning,

Below is our policy referencing your requests. Also attached is our Commissary list. Highlighted are the items available for purchase.

It is our custom policy and practice to provide sanitary napkins upon request. The sanitary napkins are purchased frequently for distribution to inmates regardless if they are indigent or have funds available.

814.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, bedding, clothing, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

600.10 LIMITATIONS ON DISCIPLINARY ACTIONS

- No inmate may be deprived of the implements necessary to maintain an acceptable level of personal hygiene

616.8 PERSONAL CARE ITEMS

No inmate will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared (15 CCR 1265 et seq.).

If you have any questions please feel free to contact me.

Correctional Sergeant / Training Manager

A. Foster #302

Lassen County Jail

530 251-5258

Exhibit 8

Los Angeles County Sheriff's Department
Menstruation Products Policy

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CUSTODY DIVISION MANUAL

5-13/090.00 PERSONAL CARE ITEMS AND SUPPLIES FOR INMATES

The following general guidelines have been established for the distribution of personal care and hygiene items to inmates in accordance with Title 15, Minimum Standards for Local Detention Facilities, section 1265, "Issue of Personal Care Items."

All inmates, at the time of initial housing into a custody facility, shall receive an "Admissions Kit," which includes the below listed items:

- Toothbrush
- Toothpaste
- Soap
- Comb
- Shaving implements
- Deodorant
- Shampoo

All inmates, regardless of their length of time within a custody facility, who are unable to supply themselves with the above listed personal care items, will be provided the needed item upon request, from the module officer. Module officers shall ensure personal care items are available for distribution upon request. Bulk items are available to facilities through Inmate Services.

Each female inmate shall be issued sanitary napkins as needed.

Indigent Inmates

Inmates who are indigent and unable to supply themselves with personal care items at the time of their commissary order may select the "Indigent Kit," which includes the same personal care articles as the "Admissions Kit."

The following items are included in the "Indigent Kit" supplied by the commissary vendor:

- "Admissions Kit" items
- Stationary
- Postage stamps
- Pencil
- Envelope

If an inmate has less money than the price of the indigent kit in their trust fund account at the time of ordering, the indigent kit will be provided to the inmate and the total cost of any indigent kits provided to the inmate will be deducted from the inmate's trust fund account at any time that funds become available.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
CUSTODY DIVISION MANUAL

Revised 02/24/16 (DOJ 51)
Revised 12/14/15 (DOJ 51)
Revised 03/11/13
12/10/01 CDM

Exhibit 9

Madera County Department of Corrections
Menstruation Products Policy

MADERA COUNTY DEPARTMENT OF CORRECTIONS
INMATE HYGIENE

DPPM 04-09

EFFECTIVE: 01-27-2005

REVIEWED: ~~02-24-2005~~
02-26-2015

REVISED: ~~02-24-2005~~
02-26-2015

SUBJECT INMATE HYGIENE

POLICY PERSONAL HYGIENE ARTICLES, SHOWERS AND HAIR CARE SERVICES WILL BE AVAILABLE FOR INMATES WHILE CONFINED TO MAINTAIN AN ACCEPTABLE LEVEL OF PERSONAL CLEANLINESS.

REFERENCES TITLE 15 SECTIONS 1265, 1266, 1267
P.C. §§ 4023.5, 6030

DEFINITIONS INMATE WELFARE KIT (FISH KIT)- WILL CONTAIN THE FOLLOWING ITEMS:

- TOOTHBRUSH
- TOOTHPASTE
- SOAP
- RAZOR
- 2 SHEETS PAPER
- 2 ENVELOPES
- GOLF PENCIL
- COMB

**GENERAL
INFORMATION**

INMATE HYGIENE

1. EACH INMATE WILL RECEIVE A FISH KIT FROM THE INTAKE OFFICER PRIOR TO BEING HOUSED.
2. ADDITIONAL FISH KITS WILL BE AVAILABLE TO INDIGENT INMATES WEEKLY VIA THE FACILITY COMMISSARY.
3. HAIR CLIPPERS WILL BE AVAILABLE FOR INMATES IN THE MODULES AS NEEDED. SANITARY NAPKINS WILL BE AVAILABLE FOR FEMALE INMATES IN THEIR MODULE AS NEEDED.
4. SHOWERS ARE AVAILABLE FOR INMATES AS FOLLOWS:
 - UPON COMPLETION OF THE BOOKING PROCESS AND PRIOR TO DRESSING OUT INTO FACILITY CLOTHING
 - AFTER HOUSED IN A MODULE, SHOWERS ARE AVAILABLE ON A DAILY BASIS FOR THE GENERAL POPULATION

MADERA COUNTY DEPARTMENT OF CORRECTIONS
INMATE HYGIENE

DPPM 04-09

EFFECTIVE: 01-27-2005

REVIEWED: 03-24-2005
02-26-2015

REVISED: 03-24-2005
02-26-2015

- PER THE SCHEDULE APPROVED BY THE CLASSIFICATION SERVICES UNIT, INMATES HOUSED IN A SEGREGATION STATUS WILL BE UNLOCKED AND ALLOWED THE OPPORTUNITY TO SHOWER AT LEAST EVERY OTHER DAY
 - INMATES ARE EXPECTED TO SHOWER FREQUENTLY. FOOD HANDLERS (MODULE WORKERS, KITCHEN WORKERS) ARE REQUIRED TO SHOWER DAILY
 - WATER TEMPERATURE FOR SHOWERS WILL BE THERMOSTATICALLY CONTROLLED AT AN APPROPRIATE TEMPERATURE TO ENSURE THE SAFETY OF THE INMATES
5. HAIR CUTTING EQUIPMENT WILL BE AVAILABLE TO INMATES AS REQUESTED.
 6. HAIR CUTTING WILL BE DONE IN THE MODULE.
 7. INMATES WILL MAINTAIN THEIR CELLS AND PERSONAL HYGIENE TO AN ACCEPTABLE LEVEL OR THEY WILL BE SUBJECT TO DISCIPLINARY ACTION.

GENERAL
INFORMATION

POLICY UPDATE

1. THIS POLICY AND PROCEDURE SHALL BE REVIEWED ANNUALLY AND UPDATED AS NEEDED.

APPROVED: _____

M. Perez
M. PEREZ, DIRECTOR

DATE: 7-2-15

Exhibit 10

Modoc County Sheriff's Department
Menstruation Products Policy

MODOC COUNTY JAIL
POLICIES AND PROCEDURES MANUAL

REVISION DATE: December 23, 2005	INDEX NUMBER: 018
POLICY: Initial Hygiene Issue	

During the booking process all arrestees that are to remain in custody will receive an Initial Hygiene Issue. The Hygiene Issue will contain:

- Three (3) bars of soap
- Three (3) packets of shampoo
- Three (3) packets of toothpaste
- One (1) comb
- One (1) toothbrush
- One (1) roll of toilet paper
- Feminine hygiene items if necessary
- One (1) cup
- One (1) spork
- One (1) mesh garment bag
- One (1) copy of the Jail Rules

Inmate workers will be used to prepare the Initial Hygiene Issue by placing all items into the mesh garment bag. Staff will ensure the Initial Hygiene Issue is correct at the time of booking.

Exhibit 11

Orange County Sheriff's Department
Menstruation Products Policy

1600.3

n) Jail Clothing and Hygiene

1. Undergarments and socks shall be exchanged two times each week. Outer garments (except shoes), sheets and towels shall be exchanged at least once each week (title 15: 1262/1271). Inmates are required to shower regularly to prevent an offensive and unhealthful state of body hygiene. Personal grooming items are provided to inmates who do not have money.

o) Commissary

1. Inmates may purchase commissary items three times each week. Order forms are distributed three times a week.
 2. Inmates without sufficient funds can order a Welfare Pack (per Title 15) of hygiene and stationary items once per week.
-

8023 -Personal Hygiene

8023.1 Supply of Clothing, Linens and Personal Hygiene Items

1. Each facility maintains a supply of clothing, linens, and personal hygiene items that exceed the minimum required for the number of detainees to prevent delay in replacing the items.
2. Clothing that is worn out, indelibly stained, or bears offensive or otherwise unauthorized markings is discarded and replaced as soon as practicable.
3. All new detainees are issued clean, size appropriate, presentable clothing during in-processing at no cost to the detainee. The clothing is indoor/outdoor temperature-appropriate.
4. All detainees are issued clean bedding, linens, and a towel are held accountable for those items.
5. Every detainee assigned to a special work area is provided clothing in accordance with the requirements of the job and, when appropriate, provided protective clothing and equipment.
6. Male and female detainees are provided personal hygiene items appropriate for their gender and supplies are replenished as needed. The distribution of hygiene items are not used as reward or punishment.
 1. Issued hygiene items include: bar of soap, comb, tube of toothpaste, toothbrush, packet of shampoo and packet of skin lotion.
 2. Female detainees are issued and may retain feminine hygiene items as needed.
 3. Razors are strictly controlled. Staff will issue and collect razors on a daily basis. Detainees are not permitted to share razors.

11002.2 -Opening Facilities

Opening Facilities and Daily Inspections

Detention Deputies shall perform the following tasks prior to receiving inmates and new bookings:

- 1. Obtain the correct key set(s).**
- 2. Turn on all lights, control panels and video equipment and test for operation.**
- 3. Perform a functional check of all cell doors.**
- 4. Ensure that the facility has been properly cleaned and the lighting, plumbing, and ventilation equipment is in working order.**
- 5. Conduct a thorough inspection of all cells, security tunnels, stairways, elevators and other areas accessible to inmates.**
 - 1. The inspection shall include a search for weapons, contraband and hazards.**
 - 2. In addition, ensure that all vents and access panels are secure.**
- 6. Prepare restraints, defensive weapons, metal detectors and other safety equipment as required.**
- 7. Perform a functional check of all telephones, intercoms and radios.**
- 8. Set out toilet paper, sanitary napkins, pencils and court related forms.**
- 9. Obtain, prepare and distribute city and county jail court lists as required.**
- 10. Perform a functional check of all guard station doors.**
- 11. Unsanitary or unsafe conditions and any contraband or weapons found shall be reported immediately to the Detention Sergeant.**
- 12. The results of the daily inspection including unsanitary, unsafe conditions, contraband or weapons found will be documented on the Facility Log and reported to the Detention Sergeant.**

Exhibit 12

Shasta County Sheriff's Department
Menstruation Products Policy

Inmate Hygiene

704.1 PURPOSE AND SCOPE

The purpose of this policy is to allow inmates to have freedom in personal grooming, except when a legitimate government interest justifies the development of grooming standards that are based upon orders of the court, inmate classification, work status, safety and security, or health and hygiene.

704.2 POLICY

Each inmate will receive a personal hygiene kit prior to being placed into general population. The hygiene kit will comply with Title 15, California Code of Regulations.

For female inmates, sanitary napkins will be provided by staff as needed.

Electric hair clippers may be provided by the jail for inmate use. Portions of hair clippers that come into contact with the skin, shall be sanitized with an appropriate cleansing agent by custody staff prior to use, per Title 15, Section 1267(c).

Inmates desiring a professional haircut can, on approval by the Watch Commander, have a licensed barber come into the facility and provide this service. All arrangements shall be borne by the inmate.

All inmates shall be required by staff to maintain an acceptable level of good hygiene consistent with group living needs and sound health practices.

Inmates refusing to maintain an acceptable level of hygiene may be administratively segregated from the general population and/or referred to medical.

All inmates in a non-lock down status are allowed unlimited access to the showers.

Inmates shall be required to brush their teeth as needed.

Exhibit 13

Sierra County Sheriff's Department
Menstruation Products Policy

Sierra County Sheriff's Office
Custody Services Manual

Inmate Hygiene

1. Mattresses will be serviceable, fire-retardant and enclosed in an easily cleanable, non-absorbable material and conform to the size of the bunk (16 CFR 1633). Mattresses will be cleaned and disinfected when an inmate is released.
2. Mattresses will be disinfected every time they are turned in for rotation. Mattresses will be serviceable, enclosed in an easily cleaned material with non-absorbent ticking and conform to the size of the bunk. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and any other legal standards at the time of purchase (15 CCR 1272).

(c) One sheet and a clean mattress cover.

(d) One bath towel.

(e) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly.

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

814.3.2 CLOTHING ISSUE

An inmate admitted to the facility shall be issued a set of facility clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, easily laundered and repaired. Issued clothing shall include, but not limited to (15 CCR 1260):

- Clean socks.
- Suitable outer and undergarments.

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Commander.

Clothing shall be exchanged twice each week, at a minimum (15 CCR § 1262). All exchanges shall be documented on the daily activity log. Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work assignment, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, and shall be exchanged as frequently as the work assignment requires (15 CCR 1261).

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

Sierra County Sheriff's Office
Custody Services Manual

Inmate Hygiene

The Jail Commander or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An Inmate's excess personal clothing shall be mailed, picked up by or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

814.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

814.5 INMATE ACCOUNTABILITY

Personal hygiene items, bedding, clothing, hair care services and facilities for daily showers will be provided in accordance with applicable laws and regulations. This is to maintain a high standard of hygiene among inmates as part of a healthy living environment.

Each Inmate held over 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR § 1265):

- One bar of soap
- One comb
- Toothpaste
- Toothbrush
- Shampoo
- Deodorant
- Razors, upon request

The Jail Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's gender. Feminine hygiene products shall be accessible as needed. The facility shall replenish supplies as needed.

Inmates shall not be required to share personal care items or disposable razors.

814.6 PERSONAL HYGIENE OF INMATES

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily and receive hair care services at least once a month. The Jail Commander may suspend this requirement for any inmate who is considered a danger to him/herself or others (15 CCR 1267(b)).

Sierra County Sheriff's Office
Custody Services Manual

Inmate Hygiene

Inmates who are indigent will be eligible for a haircut once a month, payable by the inmate welfare fund.

Inmates who have money on their books will be charged \$18.00 for each haircut. Inmates with less than the \$18.00 amount in their inmate account, will have the remaining monies removed with the balance being paid by the inmate welfare fund.

Sierra County Sheriff's Department currently contracts with a local beautician to provide monthly haircut services to the inmates, upon request.

814.7 BARBER AND COSMETOLOGY SERVICES

When inmates are confined to their cells or sleeping areas, they shall have access to toilets and washbasins with hot and cold running water that is temperature controlled for the safety of inmates and staff. This access shall be available at all hours of the day and night and shall not require staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units (unless federal, state or local building or health codes require a different ratio) is:

- One sink/washbasin for every 12 inmates.
- One toilet to every 12 male inmates (urinals may be provided for up to half the toilets).

814.7.1 SCHEDULE FOR HAIR CARE SERVICES

Inmates shall have the ability to receive hair care services once per month (15 CCR 1267(b)). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

814.8 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 male inmates (urinals may be provided for up to half the toilets) (24 CCR 1231.3.1(2)).

814.9 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every

Sierra County Sheriff's Office
Custody Services Manual

Inmate Hygiene

20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Inmates are required to shower between the hours of 0700-0900. Inmates requesting to shower after approved hours must get permission from on duty correctional staff

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

814.10 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

Exhibit 14

Siskiyou County Sheriff's Department
Menstruation Products Policy

Inmate Hygiene

811.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Siskiyou County Sheriff's Office Jail is maintained. The Siskiyou County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

811.2 POLICY

It is the policy of Siskiyou County Sheriff's Office facility to maintain a high standard of hygiene in accordance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors and visitors. The Jail Commander shall ensure the basic necessities related to personal care are provided to each inmate at the time of housing. Appropriate additional personal care items may be available for purchase from the inmate commissary.

811.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR § 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Commander should be notified if additional storage space is needed.

811.3.1 BEDDING ISSUE

Upon entering a living area of the Siskiyou County Sheriff's Office Jail, every inmate who is expected to remain overnight shall be issued bedding and linens including, but not limited to (15 CCR § 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, fire-retardant mattress.
 - 1. Mattresses will be serviceable, fire-retardant and enclosed in an easily cleanable, non-absorbable material and conform to the size of the bunk (16 CFR 1633). Mattresses will be cleaned and disinfected when an inmate is released.

Siskiyou County Sheriff's Office

Custody

Inmate Hygiene

2. Mattresses will be disinfected every time they are turned in for rotation. Mattresses will be serviceable, enclosed in an easily cleaned material with non-absorbent ticking and conform to the size of the bunk. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and any other legal standards at the time of purchase (15 CCR 1272).

- (c) Two sheets or one sheet and a clean mattress cover.
- (d) One clean wash cloth, hand towel and bath towel.
- (e) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR § 1271). The Watch Commander shall review each housing log book at least once per shift.

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

811.3.2 CLOTHING ISSUE

An inmate admitted to the facility shall be issued a set of facility clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, easily laundered and repaired. Issued clothing shall include, but not limited to (15 CCR 1260):

- Clean socks.
- Suitable outer and undergarments.

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Commander.

Clothing shall be exchanged twice each week, at a minimum (15 CCR § 1262). All exchanges shall be documented on the daily activity log. The Watch Commander or unit supervisor shall review the daily activity log at least once per shift. Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work area, such as food service, medical, farm, sanitation, mechanical and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, and shall be exchanged as frequently as the work assignment requires (15 CCR 1261).

The Jail Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

Siskiyou County Sheriff's Office

Custody

Inmate Hygiene

The Jail Commander or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

811.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

811.5 INMATE ACCOUNTABILITY

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

Prior to being placed in a housing unit, inmates shall be provided with an inmate handbook listing this requirement.

811.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, bedding, clothing, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Jail Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

Siskiyou County Sheriff's Office

Custody

Inmate Hygiene

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Jail Commander or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

811.6.1 SANITATION

The Siskiyou County Sheriff's Office jail shall maintain sanitary conditions in accordance with the requirements established by all applicable laws, ordinances and regulations, and the local health authority. Sanitation in barbering operations is of the highest concern because of the possible transfer of diseases by direct contact with towels, combs, scissors, clippers and other items that are commonly used for hair care. Equipment shall be disinfected after each use by a method approved by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR § 979 and 16 CCR § 970 (15 CCR § 1267(c)).

811.6.2 HAIR CARE SPACE

Due to sanitation concerns, the hair care services should be located in a room that is free from contamination. The floors, walls, cabinets, countertops and ceilings should be non-absorbent and easily cleanable. The room must be supplied with a hand-washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, appropriate waste containers, disinfectants, laundered towels and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the inmate shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and inmates. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any inmate when the skin of the face, neck or scalp is inflamed, or when there is scaling, pus or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

The Training Manager shall ensure that all barbers and beauticians are properly trained to ensure they comply with the requirements of this policy.

Siskiyou County Sheriff's Office

Custody

Inmate Hygiene

The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

811.6.3 SCHEDULE FOR HAIR CARE PROCEDURE

Inmates shall have the ability to receive hair care services once per month. Records of hair care service shall be documented in the housing log book.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

811.7 BARBER AND COSMETOLOGY SERVICES

The Jail Commander or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the inmate population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Jail Commander shall ensure that the rules are included in the inmate handbook.

811.7.1 SCHEDULE FOR HAIR CARE SERVICES

Inmates shall have the ability to receive hair care services once per month (15 CCR 1267(b)). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

811.7.2 HAIR CARE SPACE

Due to sanitation concerns, the hair care services should be located in a room that is designated for that purpose. The floors, walls, cabinets, countertops and ceilings should be smooth, non-absorbent and easily cleanable. The room should be supplied with a hand-washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the inmate shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and inmates. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any inmate when the skin of the face, neck or scalp is inflamed, or when there is scaling, pus or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

Siskiyou County Sheriff's Office

Custody

Inmate Hygiene

The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

811.8 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 male inmates (urinals may be provided for up to half the toilets) (24 CCR 1231.3.1(2)).
- One toilet to every eight female inmates

811.9 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an inmate housing unit (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

Exhibit 15

Sutter County Sheriff's Department
Menstruation Products Policy

arrangement for items that arrive after their release. The Sutter County Jail will not accept responsibility for items received after the departure of the inmate from the facility.

J130.10 - REJECTION OF PUBLICATIONS

Questionable publications shall be reviewed by a Jail Sergeant upon receipt to determine their suitability. A Jail Sergeant shall notify the concerned inmate whenever a publication is rejected and the reason for its rejection (i.e., hardbound instead of paperback, obscene nature). The item will then be placed in the inmate's property. If the publication is book that was shipped directly from the publisher, the jail will not pay for the item to be returned to sender. If the publication is a magazine, the inmate must file a change of address form or cancel his subscription to ensure further questionable publications are not sent to the jail.

J130.20 - READING MATERIAL FROM VISITORS

Inmates shall not be permitted to receive books, newspapers, periodicals, publications, or any items from visitors.

Educational and/or religious materials may be allowed to an inmate when approved by a supervisor. Such materials will only be accepted during normal visitation hours.

J131.00 - INMATE HYGIENE/PERSONAL CARE

The Jail shall issue personal hygiene items according to the following guidelines:

- (1) All female inmates shall be issued sanitary napkins.
- (2) All inmates held over twenty-four (24) hours shall be issued:
 - Toothbrush
 - Soap
 - Comb
 - Shaving implements for male inmates
 - Denture fixative, if needed

J131.10 - INDIVIDUAL STORAGE OF HYGIENE/PERSONAL ITEMS IN HOUSING AREAS

The jail shall provide all inmates with a means of storing hygiene and personal items within their sleeping areas. This will be accomplished by, but not limited to, the use of a storage box or shelf for each inmate. These areas shall be open for inspection by officers at all times.

J131.20 - SHOWERING

Inmates shall be inspected for cleanliness at booking. Persons who require a shower will be showered before being placed into a housing area. Inmates shall be permitted to shower upon assignment to a housing unit and at least every other day.

Inmates on work assignments and those making court appearances shall be permitted to shower daily.

Exhibit 16

Tehama County Sheriff's Department
Menstruation Products Policy

Inmate Hygiene

807.1 PURPOSE AND SCOPE

Best Practice

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Tehama County Sheriff's Office jail is maintained. The Tehama County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

807.2 POLICY

State

It is the policy of Tehama County Sheriff's Office facility to maintain a high standard of hygiene in accordance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors and visitors. The Captain shall ensure the basic necessities related to personal care are provided to each inmate at the time of housing. Appropriate additional personal care items may be available for purchase from the inmate commissary.

807.3 STORAGE SPACE

State

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR § 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Captain should be notified if additional storage space is needed.

807.3.1 BEDDING ISSUE

State

Upon entering a living area of the Tehama County Sheriff's Office jail, every inmate who is expected to remain overnight shall be issued bedding and linens including, but not limited to (15 CCR § 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, fire-retardant mattress.

Tehama County Sheriff's Office

Tehama County SO Custody Manual

Inmate Hygiene

1. Mattresses will be serviceable, fire-retardant and enclosed in an easily cleanable, non-absorbable material and conform to the size of the bunk (16 CFR 1633). Mattresses will be cleaned and disinfected when an inmate is released.
 2. Mattresses will be disinfected every time they are turned in for rotation. Mattresses will be serviceable, enclosed in an easily cleaned material with non-absorbent ticking and conform to the size of the bunk. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and any other legal standards at the time of purchase (15 CCR 1272).
- (c) Two sheets or one sheet and a clean mattress cover.
- (d) One clean wash cloth, hand towel and bath towel.
- (e) One pillow and pillowcase.

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR § 1271). The Shift Supervisor shall review each housing log book at least once per shift.

The Captain or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

807.3.2 CLOTHING ISSUE

State

An inmate admitted to the facility shall be issued a set of facility clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, easily laundered and repaired. Issued clothing shall include, but not limited to (15 CCR 1260):

- Clean socks.
- Suitable outer and undergarments.

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Captain.

Clothing shall be exchanged twice each week, at a minimum (15 CCR § 1262). All exchanges shall be documented on the daily activity log. The Shift Supervisor or unit supervisor shall review the daily activity log at least once per shift. Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each Inmate assigned to a special work area, such as food service, medical, farm, sanitation, mechanical and other specified work, shall be clothed in accordance with the requirements of

Tehama County Sheriff's Office

Tehama County SO Custody Manual

Inmate Hygiene

the job, including any appropriate protective clothing and equipment, and shall be exchanged as frequently as the work assignment requires (15 CCR 1261).

The Captain or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Captain or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

807.4 LAUNDRY SERVICES

Best Practice

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

807.5 INMATE ACCOUNTABILITY

Best Practice

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

Prior to being placed in a housing unit, inmates shall be provided with an inmate handbook listing this requirement.

807.6 PERSONAL HYGIENE OF INMATES

State

Personal hygiene items, bedding, clothing, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent

Tehama County Sheriff's Office

Tehama County SO Custody Manual

Inmate Hygiene

- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Captain or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Captain or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

807.7 BARBER AND COSMETOLOGY SERVICES

Best Practice

The Captain or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the inmate population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Captain shall ensure that the rules are included in the inmate handbook.

807.7.1 SCHEDULE FOR HAIR CARE SERVICES

Best Practice

Inmates shall have the ability to receive hair care services once per month (15 CCR 1267(b)). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

807.7.2 HAIR CARE SPACE

Best Practice

Due to sanitation concerns, the hair care services should be located in a room that is designated for that purpose. The floors, walls, cabinets, countertops and ceilings should be smooth, non-absorbent and easily cleanable. The room should be supplied with a hand-washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Tehama County Sheriff's Office

Tehama County SO Custody Manual

Inmate Hygiene

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the inmate shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and inmates. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any inmate when the skin of the face, neck or scalp is inflamed, or when there is scaling, pus or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

807.8 AVAILABILITY OF PLUMBING FIXTURES

[State]

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 male inmates (urinals may be provided for up to half the toilets) (24 CCR 1231.3.1(2)).
- One toilet to every eight female inmates

807.9 INMATE SHOWERS

[Federal]

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent

Tehama County Sheriff's Office

Tehama County SO Custody Manual

Inmate Hygiene

circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an inmate housing unit (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

807.10 DELOUSING MATERIALS

Best Practice

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals.

Exhibit 17

Tulare County Sheriff's Department
Menstruation Products Policy

Inmate Hygiene

808.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Tulare County Sheriff's Office detention facility is maintained. The Tulare County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

808.2 POLICY

It is the policy of Tulare County Sheriff's Office facility to maintain a high standard of hygiene in accordance with the requirements established by all state laws, ordinances and regulations (15 CCR 1069(b)(3)). Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors and visitors. The Facility Commander shall ensure the basic necessities related to personal care are provided to each inmate at the time of housing. Appropriate additional personal care items may be available for purchase from the inmate commissary.

808.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available (15 CCR § 1263).

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Facility Commander should be notified if additional storage space is needed.

808.3.1 BEDDING ISSUE

Upon entering a living area of the Tulare County Sheriff's Office detention facility, every inmate who is expected to remain overnight shall be issued bedding and linens including, but not limited to (15 CCR § 1270):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, fire-retardant mattress.
 - 1. Mattresses will be serviceable, fire-retardant and enclosed in an easily cleanable, non-absorbable material and conform to the size of the bunk (16 CFR 1633). Mattresses will be cleaned and disinfected when an inmate is released.

Tulare County Sheriff's Office

Custody

Inmate Hygiene

2. Mattresses will be disinfected every time they are turned in for rotation. Mattresses will be serviceable, enclosed in an easily cleaned material with non-absorbent ticking and conform to the size of the bunk. Mattresses shall meet the most recent requirements of the State Fire Marshal, the Bureau of Home Furnishings' test standard for penal mattresses and any other legal standards at the time of purchase (15 CCR 1272).

- (c) Two sheets or one sheet and a clean mattress cover.
- (d) One clean bath towel.
- (e)

Linen exchange, including towels, shall occur at least weekly and shall be documented in the daily activity log (15 CCR § 1271). The Shift Supervisor shall review each housing log book at least once per shift.

The Facility Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

808.3.2 CLOTHING ISSUE

An inmate admitted to the facility shall be issued a set of facility clothing. The clothing shall be appropriate to the climate, reasonably fitted, durable, easily laundered and repaired. Issued clothing shall include, but not limited to (15 CCR 1260):

- Clean socks.
- Suitable outer and undergarments.

Clothing shall be exchanged twice each week, at a minimum (15 CCR § 1262). All exchanges shall be documented on the daily activity log. The Shift Supervisor or unit supervisor shall review the daily activity log at least once per shift. Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work area, such as food service, medical, farm, sanitation, mechanical and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, and shall be exchanged as frequently as the work assignment requires (15 CCR 1261).

The Facility Commander or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

Tulare County Sheriff's Office

Custody

Inmate Hygiene

The Facility Commander or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried and secured. Inmates shall sign and receive a copy of the inventory record.

808.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen and bedding needs are met.

808.5 INMATE ACCOUNTABILITY

To ensure inmate accountability, inmates are required to exchange item for item when clean clothing, bedding and linen exchange occurs.

808.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, bedding, clothing, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment.

Each inmate held more than 24 hours, who is unable to supply him/herself with the following personal care items because of either indigency or the absence of an inmate canteen, shall be issued the following items (15 CCR 1265):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Facility Commander or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's sex. The facility shall replenish supplies as requested. Indigent inmates shall receive personal hygiene supplies in accordance with the Indigent Inmates Policy.

Inmates shall not be required to share personal care items or disposable razors (15 CCR 1265). Used razors are to be disposed into approved sharps containers. Other barbering equipment

Tulare County Sheriff's Office

Custody

Inmate Hygiene

capable of breaking the skin must be disinfected between individual uses, as prescribed by the State Board of Barbering and Cosmetology to meet the requirements of 16 CCR 979 and 16 CCR 980 (15 CCR 1267(c)).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily (15 CCR 1267(b)). The Facility Commander or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

808.7 BARBER AND COSMETOLOGY SERVICES

The Facility Commander or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the inmate population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Facility Commander shall ensure that the rules are included in the inmate handbook.

808.7.1 SCHEDULE FOR HAIR CARE SERVICES

Inmates shall have the ability to receive hair care services once per month (15 CCR 1267(b)). Records of hair care services shall be documented in the daily activity log.

Prior to being placed in a housing unit, inmates will be given an inmate handbook, which details how to request hair care services.

808.8 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. Access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

- One sink/washbasin for every 10 inmates (24 CCR 1231.3.2(2)).
- One toilet to every 10 male inmates (urinals may be provided for up to half the toilets) (24 CCR 1231.3.1(2)).
- One toilet to every eight female inmates

808.9 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and at least every other day thereafter, or more often if possible (15 CCR 1266). There should be one shower for every 20 inmates unless federal, state or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained (24 CCR 1231.3.4).

Inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks or genitalia, except in exigent

Tulare County Sheriff's Office
Custody

Inmate Hygiene

circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an Inmate housing unit (28 CFR 115.15).

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

808.10 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Medical Provider or qualified health care professionals.

Exhibit 18

Tuolumne County Sheriff's Department
Menstruation Products Policy

TUOLUMNE COUNTY SHERIFF'S OFFICE PROCEDURE Origin: SHERIFF	DATE: February 2, 2010 Revised 12-16-16	PAGE: Page 1 of 2	NO: 6.81
DISSEMINATION: ALL PERSONNEL	SUBJECT: ISSUE OF PERSONAL CARE ITEMS		
ORIGINATING DIVISION: CUSTODY	NEW PROCEDURE <input type="checkbox"/> PROCEDURAL CHANGE <input type="checkbox"/> SUPERSEDES:	RELATED POLICY	

I. BACKGROUND

Basic personal hygiene items will be supplied to each inmate as required by Title 15, Section 1265.

II. DEFINITION

INDIGENT - An inmate who has no money or less than two dollars on his account for at least two weeks.

III. PROCEDURES

A. PERSONAL HYGIENE ITEMS

1. The jail shall issue personal hygiene items according to the guidelines and standards set forth in Title 15.
2. All inmates held over twenty-four hours shall be issued the following personal care items:
 - a. Toothbrush
 - b. Toothpaste
 - c. Soap
 - d. Comb
 - e. Shampoo
 - f. Cup
 - g. Deodorant
 - h. Spork
3. Inmates shall not be required to share any personal care items listed in items "a" through "i".
4. Razor exchange will be on Wednesday and Sunday. The day shift deputy will pass out razors early in the shift and pick them up before their shift is over. Inmates should have at least one hour to use their razors. Inmates will not share disposable razors. The same deputy that issues the razor should be the one that picks them up. There shall be no razors left in the inmate population except during the razor exchange period. Inmates upon request may have access to shaving implements daily.
5. Toothbrushes will be exchanged on a "one for one" basis.

6. All female inmates shall be issued sanitary napkins.

B. INDIGENT SUPPLIES

1. Inmates who qualify as indigent may sign up weekly to receive an "indigent kit" containing the following items:
 - a. Pencil
 - b. Paper
 - c. Envelopes
 - d. Shampoo
 - e. Soap
 - f. Toothpaste
 - g. Deodorant
2. Indigent inmates will be allowed two postage free letters each week as well as unlimited postage free legal mail.
3. Indigent inmates will be eligible for a haircut once a month if they have two dollars or less in their account for two weeks.

Exhibit 19

Ventura County Sheriff's Department
Menstruation Products Policy

Ventura County Sheriff's Office
Detention Services
Divisional Policy



Section 12 Chapter 25

Supervising Inmates of the Opposite Sex

Drafted: September 17, 2012

Reviewed: January 1, 2018

Revised: January 1, 2018

PURPOSE:

To establish a policy and procedure for the supervision of inmates of the opposite sex.

POLICY:

Department members working in a detention facility will not enter a cell or room (e.g. interview room, medical room, etc) occupied by an inmate of the opposite sex without a same sex staff member present, except under exigent circumstances (e.g., immediate need for the safety and security of the inmate). In the event a same sex staff member is not available, a secondary staff member must be present.

The same sex staff member may be sworn personnel, an SST, or a member of the medical staff.

PROCEDURES:

The following is the procedure for supervision in housing units containing inmates of the opposite sex of the Department members assigned to Detention Facilities:

I. FEEDING

- A. Feeding and tray pickup may be conducted by any Security Deputy.

II. SICK CALL/PILL CALL

- A. Nursing staff may be accompanied by any Security Deputy.

III. CELL INSPECTIONS

- A. Cell inspections will be conducted daily by a deputy the same sex as the inmate population or by a deputy accompanied by a staff member the same sex as the inmate population of that housing unit.

IV. MINIMUM CLOTHING

- A. Inside their cells, female inmates shall minimally wear the following: brassiere, T-shirt, blue inmate pants or a nightgown. Nightgowns may only be worn between 2000 hours to 0800 hours. Female inmates shall be fully clothed when outside of their cells.

V. CLOTHING EXCHANGE

- A. Deputies of the opposite sex of the inmates in the housing unit may participate in the clothing exchange as long as additional staff members of the same sex of the inmates are present. Only deputies the same sex of the inmates will have direct contact with the inmates during clothing exchange.

VI. INMATE HYGENE

- A. Females shall be issued sanitary napkins—as needed—or provided the option to purchase tampons from commissary.

REFERENCES:

Penal Code 4021(a) Female Staffing

Penal Code 4021(b) Supervising Inmates of the Opposite Sex.

Detention Services Divisional Policy Section 12, Chapter 22: Searches/Control of Contraband.

Title 15, Section 1265

Exhibit 20

Chart of Counties that Charge or Do not Provide
Tampons

COUNTIES THAT SELL TAMPONS	PRICE OF TAMPONS
El Dorado	.40¢/tampon
Fresno	.56¢/tampon
Imperial	.45¢/tampon
Kings	.40¢/tampon
Lassen	.15¢, .25¢, .50¢/tampon
Los Angeles	.27¢/tampon
Placer	.25¢/tampon
Sacramento	.25¢/tampon
San Joaquin	.34¢/tampon
Shasta	.35¢/tampon
Sutter	.25¢/tampon
Tehama	\$6.50/box of unknown quantity of tampons
Tulare	.37¢/tampon
Tuolumne	.40¢/tampon
Ventura	.40¢/tampon
Yolo	.25¢ or .65¢/tampon
COUNTIES THAT DO NOT SELL OR PROVIDE	
Alameda	
Madera	
Marin	
Modoc	
Monterey	Did not respond/send policy or commissary list
Orange	
San Bernardino	No commissary list sent
Sierra	No commissary because it is a temporary housing facility
Siskiyou	