

**Stanislaus County Men's Jail Medical Care  
Grand Jury Case # 06-21  
2005-2006**

**SUMMARY**

The Stanislaus County Civil Grand Jury (CGJ) received a complaint from a citizen who was incarcerated for three days in the Stanislaus County Downtown Men's Jail (jail). The complainant alleged that jail medical staff and jail personnel denied him his prescribed medication and other medical treatment.

After interviewing witnesses and reviewing relevant policies, procedures and medical records, the CGJ found that the complainant was denied his personal medication and the medical staff and jail personnel did not provide adequate medical follow-up due in part to the lack of communication between medical staff, the complainant's healthcare providers and law enforcement personnel.

The Stanislaus County Sheriff's Department and California Forensic Medical Group (CFMG) who serves as jail medical staff (1) shall revise existing policies and procedures; and (2) develop new policies and procedures whereby medical staff and jail personnel will communicate effectively and in a timely manner regarding an inmate's medical condition.

To ensure quality and humane healthcare is provided to inmates, the CGJ recommends that the new policies and procedures must include the following:

- 1) The arresting officer shall immediately report to the booking officer any known medical condition and/or known medical treatment the inmate received prior to his arrest. The booking officer shall then report this information to the receiving officer who shall then report or communicate this medical information directly to medical staff to avoid any gaps in appropriate medical care and treatment provided to the inmate.
- 2) The current jail medical screening form shall be revised to include a question about whether the arrestee received *any* medical treatment before being arrested or booked in jail. The current policy is inadequate in that it requires reporting information only when the inmate has received medical treatment at an emergency center (e.g. hospital.) This revision to current policy would provide medical staff with a more comprehensive and accurate inmate medical history to effectively treat the inmate.

- 3) Jail policy shall include a directive whereby all of the inmate's records from arrest to booking be made available and reviewed by medical staff after the jail medical screening form is completed and the clerk/officer has determined that further medical evaluation is necessary by medical staff.
- 4) Jail personnel shall follow current policy that states, "prescribed medications belonging to an arrestee will immediately be turned over to medical staff unless otherwise directed by medical personnel".<sup>1</sup>
- 5) The Sheriff's Department and CFMG should jointly establish a complaint process whereby inmates who have a complaint regarding their medical treatment while incarcerated may complain to a supervising officer or supervising nurse to investigate and address the inmate's medical concerns immediately.

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## **INTRODUCTION**

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A citizen complaint was received regarding inadequate medical treatment while incarcerated in the men's jail. The complainant contended that during his three-day incarceration, he was denied his prescribed medication that he brought to jail with him and denied appropriate medical assistance and care during the time he was in jail. Medical records indicated that the complainant was a retired 66 year old man with multiple serious health conditions which included: diabetes type II, hypertension, hyperlipidemia, and coronary artery disease with post Percutaneous Transluminal Coronary Angioplasty (PTCA) with five stents in place. With no prior arrest record, this was the complainant's first experience in jail. A domestic dispute was the basis of his arrest. When the complainant was booked in jail, the booking/receiving officer took possession of the complainant's nitroglycerin tablets and placed them in jail storage. The complainant claims that when he requested his personal nitroglycerin tablets, he was denied. Despite complaining of chest pains and requesting medical assistance from nursing staff, the complainant claims that he did not receive necessary medical treatment in a timely manner.

The purpose of the CGJ investigation was to determine:

- 1) The policies and procedures currently in place regarding medical treatment for inmates incarcerated in jail.
- 2) If the jail personnel and medical staff complied with these policies and procedures.
- 3) Whether the existing policies and procedures were adequate.
- 4) Other findings.

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<sup>1</sup> See, Men's Jail Procedure Manual ("Jail Manual") at page 10.

## Relevant Policies and Procedures

- *Adult Detention Division Policy Manual (Adult Manual)* states as follows:

RECEIVING SCREENING – The Sheriff of Stanislaus County will provide comprehensive health care services by qualified personnel in order to protect the health and well being of all persons detained or incarcerated within the detention facilities. Health screening is a system of structured inquiry and observation designed to:

- Prevent newly arrived persons who pose a health or safety threat to themselves or others from admittance to the general population.
  - Rapidly transport newly admitted persons to needed health care.<sup>2</sup>
- *Stanislaus County Adult Facility Policy and Procedure Manual (County Manual)* regarding the subject of Pre-Detention Medical Evaluation/Intake Health Screening Policy states as follows:

It is the policy of the jail medical program that no arrestee who displays obvious signs of trauma or acute illness or who reports a history of recent trauma or whose circumstances of arrest suggest the probability of trauma be incarcerated without first undergoing medical evaluation.<sup>3</sup>

In application of the above policy, the County Manual also states that it is the responsibility of the arresting officer to report any evidence of trauma or acute illness to the reception officer and the reception officer to observe the arrestee for any visible signs of trauma and to question the arresting officer concerning any recent history or trauma.

The policy also states that the Reception Officer shall ask the arrestee the following questions:

1. Is there any trauma that may have been sustained during the arrest process?
2. Is there any other acute illness or injury in the past 24 hours?
3. Have you been seen by a private doctor or in an emergency room in the past 24 hours?
4. Have you refused medical treatment from anyone in the past 24 hours?<sup>4</sup>

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<sup>2</sup> Adult Detention Division Policy Manual (“Adult Detention Manual”) at page 42.

<sup>3</sup> Stanislaus County Adult Facility Policy & Procedure Manual (“County Manual”) at page 203. Authority Reference: CCR Title 15, Section 1207; IMQ Standard #302 (E).

<sup>4</sup> Id. at 204.

- According to adult facility procedure, “if the arrestee is taken to an emergency treatment center for medical evaluation and clearance, prior to booking, documented evidence of such evaluation, treatment and clearance must be returned to the jail so as to become part of that inmate’s medical record.”<sup>5</sup>
- *Stanislaus County Adult Detention Division Medical Screening* form provides that “if the answer to any of the questions indicated is yes, medical [staff] must be called and respond to booking to evaluate inmate”.<sup>6</sup>
- According to the Jail Manual when officers secure property of an arrestee, the procedure will include but is not limited to, taking custody of all personal effects and personal property of the arrestee.
  1. Prescribed medications belonging to an arrestee will immediately be turned over to medical staff [emphasis added] unless otherwise directed by medical personnel.
  2. Prescribed medications belonging to an arrestee to be cite [sic] released will normally be placed in the arrestee’s property.
  3. Medical staff must give approval prior to allowing inmates to consume/take medication.<sup>7</sup>

## **METHOD OF INVESTIGATION**

Members of the CGJ toured the following correctional facilities in Stanislaus County:

- Downtown Men’s Jail
- Safety Center
- Honor Farm
- Juvenile Hall

The CGJ interviewed the following witnesses:

- Complainant
- California Forensic Medical Group, Inc. (CFMG) Registered Nurse, Regional Program Manager for Amador, Calaveras, Tuolumne and Stanislaus County Jail.

The CGJ reviewed the following documents:

- Stanislaus County Adult Facility Policy and Procedure Manual and Pre-Detention Medical Evaluation/Intake Health Screening Policy (pages 203-205).
- Stanislaus County Adult Detention Division Policy Manual (pages 39-45).
- Stanislaus County Adult Detention Division Medical Screening form (JAIL 171L)
- Men’s Jail Procedure Manual (pages 1-22).

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<sup>5</sup> Id. at 205.

<sup>6</sup> See, Stanislaus County Adult Detention Division Medical Screening form # JAIL 171L.

<sup>7</sup> Jail Manual at page 10.

- Statistics on Deaths that Occurred in Stanislaus County Correctional Facilities from 2000-2005.
- Complainant's private medical records.
- Complainant's jail records: arrest, booking, and medical records.
- Complainant's Emergency Medical Treatment records
- California Forensic Medical Group, Inc. (CFMG) policy records and forms.

## **FINDINGS**

### **1) All relevant policies and procedures were not followed in providing complainant with necessary and appropriate medical treatment.**

- According to the County Manual regarding the subject of "Pre-Detention Medical Evaluation/Intake Health Screening Policy", the arresting officer should have communicated the fact that the complainant had received emergency medical treatment from an emergency medical technician prior to arrest. In this case, the arresting officer's report was filed the next day indicating evidence of trauma or acute illness. After reviewing booking records, no evidence could be found to confirm that the reception officer was made aware of this information so that he/she could then advise medical personnel of the complainant's emergency medical treatment prior to booking in the jail.
- The complainant did not receive medical treatment in a hospital although jail policy requires that this medical information be transferred and included in an inmate's medical record. However, the complainant did receive emergency medical treatment from an emergency medical technician and the arresting officer was aware of this treatment. Based upon a comprehensive review of all of the complainant's jail records, no evidence was found to confirm the booking officer was made aware of this treatment upon receiving the complainant in the jail. The jail policy only requires documented evidence of medical treatment be returned to jail to become part of inmate's medical record if the arrestee is taken to an emergency treatment center (e.g. hospital.) However, the policy does not include reporting medical treatment if the inmate received treatment outside of a hospital (e.g. ambulance treatment.)<sup>8</sup>
- CFMG medical staff should have checked complainant's blood pressure more frequently. Medical records indicate that the complainant had a diagnosis of hypertension (high blood pressure.) According to sworn testimony from the CFMG Regional Registered Nurse, high blood pressure should be monitored closely. In fact, she testified that good medical practice is to check blood pressure every four hours but current practice and procedure in the jail is to check the patient every 12 hours. In this case, jail medical records indicate that the complainant's blood pressure was only checked approximately every 24

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<sup>8</sup> Reference to County Manual at page 205.

hours. Although the medical screening form was completed correctly in this case, the timeliness of medical follow-up was questionable at best.

- Jail personnel failed to follow the Jail Manual that provides when securing property of an arrestee, “prescribed medications belonging to an arrestee will immediately be turned over to medical staff unless otherwise directed by medical personnel.”<sup>9</sup> Receiving jail personnel did not follow policy and instead stored the complainant’s nitroglycerin medication without handing over the medication directly to medical staff who could have then consulted with the inmate’s personal doctor about the inmate’s medical needs or allowed the inmate to carry some of his medications with him.
- Although policy specifically states that “medical staff must give approval prior to allowing inmates to consume/take medication”,<sup>10</sup> this approval could not have happened in this case because medical staff was never made aware that the complainant had nitroglycerin medication or that it was in jail storage with the complainant’s other personal property. Although the medical staff eventually administered nitroglycerin to the complainant, the undue delay could have been avoided had jail staff followed procedure.

**2) The existing jail and medical policies and procedures are not adequate due to the apparent lack of communication and documentation in providing medical treatment to the complainant.**

- Under sworn testimony, the CGJ found that CFMG medical staff did not receive copies of the arresting officer’s report. As a result, CFMG staff was not informed of the complainant’s prior emergency medical treatment or the complainant’s prescribed medication he carried on his person during the booking process. There is no evidence of timely and direct communication between the arresting officer, booking officer and treating medical staff in order to promptly advise medical staff of the inmate’s subsequent emergency medical treatment or the nitroglycerin medication he carried when he was arrested.
- Based on review of both jail records and CFMG medical records, there was no evidence of written or verbal communication between the emergency medical technicians who treated the complainant prior to incarceration and CFMG medical staff in order to provide consistent and appropriate follow-up medical treatment.
- Based on review of CFMG medical records and the complainant’s personal medical records, there is no evidence of written or verbal communication between treating medical staff and complainant’s primary care physician.

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<sup>9</sup> Jail Manual at page 10.

<sup>10</sup> Id at 10.

- Based on review of the complainant's booking records, there is no evidence that the Intake Property Form completed by the receiving officer was made available to medical staff to advise medical staff of complainant's nitroglycerin medication so that they could provide medical treatment accordingly. This information would have also provided the opportunity for medical staff to comply with jail policy to approve that the complainant have access to his own prescribed medication.<sup>11</sup>
- Jail personnel complied with county policy and jail policy by completing the pre-screening form for additional information and appropriately referred the inmate to the medical department. However, the form is inadequate because it does not prompt the question that inquires whether the inmate has received *any* medical treatment in the last 24 hours. If this question were included in the screening form, when CFMG medical staff reviewed the referral form, they would be immediately aware of potentially critical medical information to provide appropriate and timely medical treatment to the inmate.

### **3) Other Findings: Lack of Quality Medical Treatment**

- Stanislaus County contracts with CFMG to provide all medical care for all correctional facilities within Stanislaus County. CFMG is responsible for training, supervising and managing its entire medical staff. CFMG medical staff are required to follow their own company policies and procedures; they are also required to follow all county and jail policies and procedures.
- CFMG medical staff and the CFMG doctor should have followed-up with their patient (complainant) in a timely manner. Despite medical necessity noted in the records and the complainant's known chronic medical conditions recorded by medical staff, medical records indicated that the CFMG medical doctor did not conduct a physical examination of the patient. Instead, the CFMG doctor conducted only a file review over 24 hours after the complainant was booked in jail. While the CFMG Physical Assessment form was completed with notations showing a blood pressure of 240/120, forehead and scalp trauma, hypertension and noted his allergy to diabetic medication, the CFMG doctor did not conduct a physical examination or meet the complainant in person.
- According to the nurse's sworn testimony, a diabetic's blood sugar should be reviewed and monitored closely by medical staff. The complainant's medical jail records indicate that he was diabetic and noted minimal necessary medical treatment for this condition.

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<sup>11</sup> Id.

- According to jail medical records and sworn testimony from both witnesses interviewed, the complainant received high blood pressure medications but over 24 hours after his arrest. Given the complainant's high blood pressure condition well documented in the medical records, and current blood pressure condition monitored in jail, the complainant's personal doctors should have been contacted to determine if blood pressure medication was medically necessary immediately.
- Within 2 days of being released from jail, as substantiated by medical records and emergency medical technician (EMT) records, complainant was transported via ambulance and hospitalized to treat an uncontrolled blood pressure condition. According to the complainant's medical records, his cardiologist stated that the complainant's unstable angina resulted from his lack of medical treatment while in jail (e.g. not taking his blood pressure medications appropriately.)
- According to sworn testimony, new inmates are not automatically placed on prescribed medications due to current circumstances (e.g. if they have used drugs or alcohol prior to arrest).
- According to CFMG policy and sworn testimony, patients who require nitroglycerin medication should carry at least 3 nitroglycerin pills on their person. In this case, according to booking records, the complainant's nitroglycerin pills were removed from his possession upon booking and locked with his personal property to be accessed upon release from jail. Although CFMG medical staff administered nitroglycerin to the complainant, they did so over 30 hours after his arrest, which was unnecessarily delayed and could have been avoided.
- According to sworn testimony, some CFMG nursing staff are insensitive to inmate/patient needs and do not listen to legitimate medical complaints or concerns.

## **RECOMMENDATIONS**

Based upon the findings, the CGJ makes the following recommendations:

- 1) In order to avoid inconsistent or inadequate medical care and treatment for inmates incarcerated in the jail or other correctional facilities in Stanislaus County, the Sheriff's Department and CFMG shall revise existing policies and procedures and/or develop new policies and procedures. The purpose of these changes is to ensure medical staff and jail personnel communicate effectively and in a timely manner to provide quality health care for inmates incarcerated in Stanislaus County correctional facilities. This policy and procedure shall include the following:



- The arresting officer, upon arrival to jail, should report *any* known medical condition and/or known emergency medical treatment to booking officer/receiving officer who should then report/communicate this important medical information directly to medical staff to avoid any gaps in appropriate medical care and treatment provided to the inmate. The new procedure must consider the fact that written reports are not submitted typically on the same day of the arrest and since medical concerns require timely follow-up and treatment for the inmate, the arresting officer must report medical issues immediately.
- When the jail medical screening form is completed and the clerk/officer has determined that further medical evaluation is necessary by medical staff, jail policy shall make all of the inmate's records from arrest to booking available to medical staff, and to be reviewed by medical staff in a timely manner.
- The jail medical screening form (Jail Form 171L) shall include a question about whether *any* emergency medical treatment was received before arrest or prior to booking. The inquiry should not be limited to only to emergency center (e.g. hospital) treatment. This more complete medical history would aid medical staff in providing timely and appropriate medical care for inmates.
- Jail personnel shall not violate current jail procedure whereby medication must be delivered to medical to distribute to inmate as needed.
- The County and CFMG shall improve its medical screening process to include a procedure by which officers will document and advise medical staff of prescribed medication held in custody to ensure inmate's health is not compromised by withholding necessary prescribed medication.
- CFMG medical staff should address inmate/patient needs and listen to legitimate medical complaints or concerns. CFMG management should consider implementing sensitivity training to medical nursing staff to ensure both quality and humane medical care is provided to inmates in all of the Stanislaus County Correctional Facilities.
- In an effort to ensure quality medical treatment is provided to inmates in all of the Stanislaus County Correctional Facilities, the Sheriff's Department and CFMG medical staff should establish a complaint process whereby inmates who have a complaint regarding medical treatment may complain to a supervising officer or supervising nurse to investigate and address the inmate's medical concerns within a reasonable period of time.