

MAY ROLL CALL TRAINING

Jail High-Risk Critical Task/Medical Care

An issue that arises when holding prisoners is that of medical attention. While observable injuries are fairly simple to deal with, problems often occur when a prisoner complains of illness. In dealing with 42 U.S. Code § 1983 actions based on a failure to provide for medical needs, the courts have applied the Eighth Amendment standards governing cruel and unusual punishment to the pre-trial detention setting. In this type of case, a plaintiff must prove that the jail staff was deliberately indifferent to his or her serious medical needs. While it is difficult for plaintiffs to meet the standard of deliberate indifference to serious medical needs, sheriffs and jail administrators should recognize that this is one area where due process places an affirmative obligation on the agency to protect a citizen based on the fact that the citizen is in custody. Corrections officers, who generally are not trained beyond basic first aid, should be reminded that it is better to be safe than sorry when a prisoner indicates that he or she is injured or ill. From a cost-benefit perspective, it is far better to have a prisoner evaluated by medical professionals than risk missing a medical issue that, if left untreated, could result in serious harm or death. Health care shall be made available to prisoners from the time of admission until such time as they are released from jail. When applicable, referrals will be made to community health care agencies upon release. The medical staff's decisions with respect to treatment/action shall take precedence except where the security of the jail will be threatened. In those cases, an action plan will be developed by the sheriff and the medical staff which accomplishes the treatment without adversely impacting security. Medical treatment for a serious medical need shall not be refused, unreasonably delayed, or interfered with.

Every prisoner shall be screened for current and ongoing health needs. Intake staff must complete a medical health screening form that has been approved by the medical authority.

The intake screening must identify and triage: Serious medical and mental health needs; any prescriptions or needed medications; drug and alcohol withdrawal; communicable diseases; acute and chronic conditions requiring immediate attention; dental problems, and the possibility of pregnancy.

Scenario: An arrestee arrives at the jail in the custody of a law enforcement agency. During the intake screening and medical evaluation process, the prisoner complains of serious abdominal pain and is hunched over. There are no visible signs of injury.

Question: Should the prisoner be accepted?

Answer: The booking officer should not admit any seriously injured, seriously ill, or unconscious person to the jail until a medical examination has been conducted by a licensed medical professional and the prisoner has been medically cleared, in writing, for commitment to the jail. Even though there is no visible injury, based on the complaint of serious pain the prisoner should be evaluated and medically cleared.