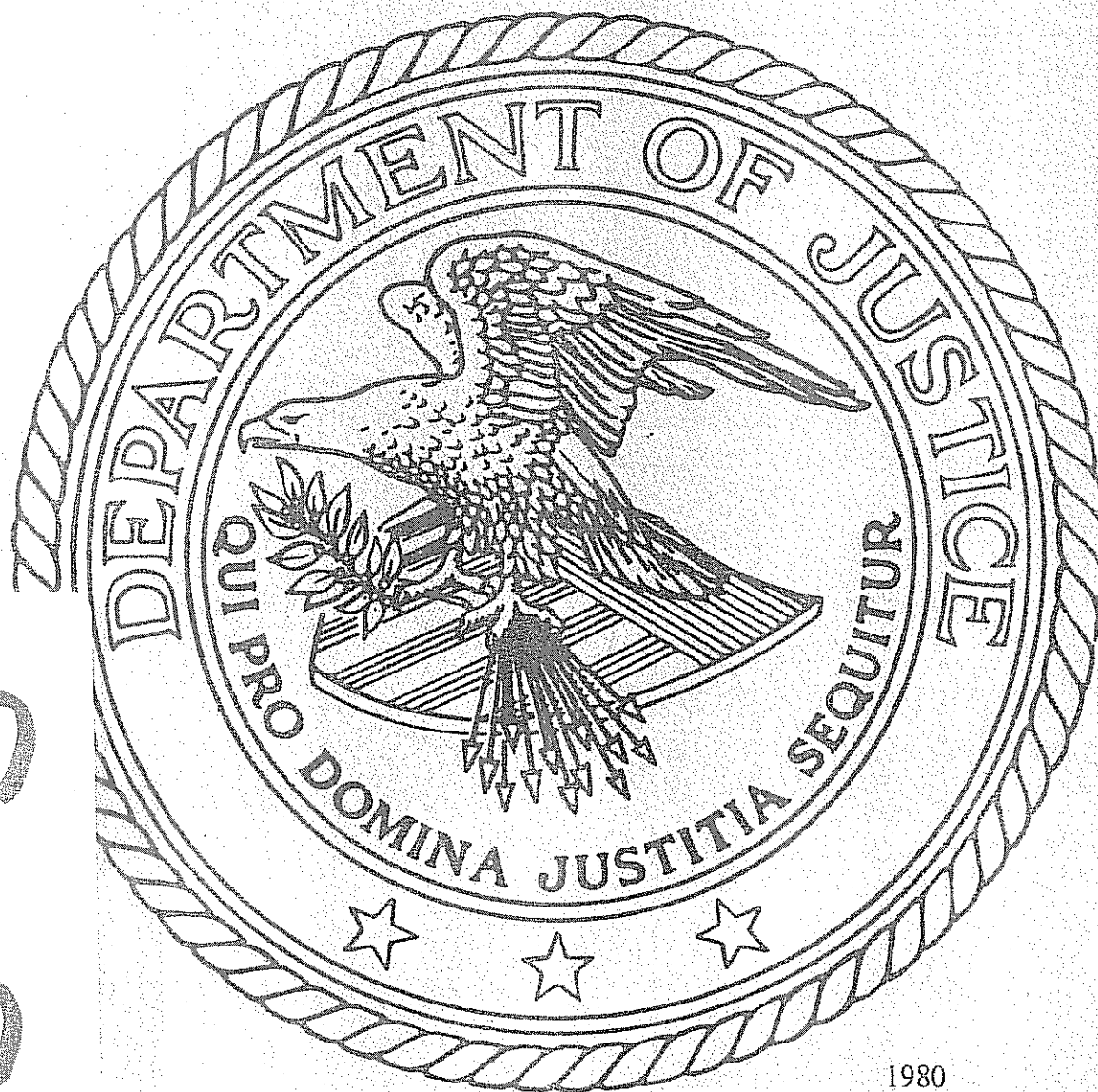


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Federal Standards For Prisons And Jails



1980

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PREAMBLE

These standards were developed in response to the national concern over the quality and effectiveness of the nation's prisons and jails. They will help the Department of Justice maintain consistency in Federal correctional programs and practices, as part of the broader effort to develop a comprehensive Federal corrections strategy.

The standards are responsive to constitutional issues, and they are intended to promote practices that protect the basic constitutional rights of inmates. Beyond minimal constitutional guarantees, however, are concerns that prisons and jails be operated in a manner that is decent, humane and safe. We have considered constitutional rights and judicial opinions in our drafting process, but we emphasize that these standards should not be taken to be a statement of constitutional minima. They confer no rights and create no legal causes of action. In some instances, they may call for substantially more than what courts have found to be mandated by the constitution. Correctional authorities have broad discretion with regard to the operation and administration of prisons and jails, as the Supreme Court articulated last year in Bell v. Wolfish, 441 U.S. 520 (1979). We hope these standards will be useful to correctional administrators as guidelines for the exercise of that discretion and as practical goals that can significantly improve conditions and practices in correctional facilities now and in the future.

In recent years, there have been efforts by interested groups to establish standards covering the spectrum of corrections. Because the standards developed by the American Correctional Association through the Commission on Accreditation for Corrections are realistic and forward-looking and have the support of many corrections practitioners, we have drawn heavily from them in developing these standards. We have also drawn from standards drafted or promulgated by the American Bar Association, the American Medical Association, the American Public Health Association, and the American Institute of Architects. Differences between the federal standards and the standards of the Commission on Accreditation for Corrections or other professional groups are not a sign of disapproval of any of those standards but rather reflect the different perspectives and functions of the various standards.

First and foremost, the Department of Justice will use the federal standards in evaluating its own policies and programs for prisons and jails. We are proud that the Bureau of Prisons has long served as a model for many state and local correctional agencies. We intend to apply the goals and objectives set forth in these standards to the Bureau of Prisons. We are aware that the Bureau of Prisons does not now meet each of these standards, although it does meet a very large majority of them. I have asked the Director of the Bureau of Prisons to submit a comprehensive plan

delineating each standard that is not currently met, the resources and steps that will be necessary to meet it and a reasonable timetable for its achievement. Some of the standards for existing facilities in the area of physical plant, in particular, can only be met over time through the closing of old and out-dated facilities. Plans to close the penitentiaries at McNeil Island and Atlanta are being implemented, and plans for new construction are being developed to comply with the physical plant standards for new facilities.

The Standards will also be used in administering any Department of Justice financial or technical assistance in the area of corrections. For several years, the Law Enforcement Assistance Administration has funded development of standards by the American Correctional Association through the Commission on Accreditation for Corrections. In its new structure, LEAA does not have certain funds specifically appropriated for corrections, and at this time the future funding and direction of LEAA are not fully resolved. To the extent that discretionary funds are available within LEAA or within other components of the Office of Justice Assistance, Research and Statistics, we hope to be able to support some corrections programs and projects, including the development and implementation of standards. The federal standards will be used by LEAA, as well as by the National Institute of Justice, the

Bureau of Justice Statistics, the National Institute of Corrections and the United States Marshals Service in evaluating corrections grant applications, research proposals and other requests for financial or technical assistance. We expect that the federal standards will be guideposts that can bring added consistency to all the Justice Department's assistance efforts to state and local governments in the corrections field.

We also intend that these standards provide guidance to the litigating divisions of the Justice Department, particularly the Civil Rights Division and the Criminal Division, when they are engaged in litigation involving federal, state or local correctional systems. Compliance with federally endorsed standards cannot be a guarantee against lawsuits brought by private persons or organizations. However, the Justice Department, in contemplating litigation, will consider whether correctional systems are in substantial compliance or engaged in efforts to comply with these standards. Compliance may certainly be used in some cases as a defense. The Department will not bring suits where correctional systems are in compliance with these standards or are engaged in good faith efforts to comply with these standards within reasonable timetables.

We know that the adoption of any standards -- including these -- will pose problems for some jurisdictions and that improvement of this nation's correctional facilities is an evolutionary process.

Nonetheless, we commend these standards to state and local officials responsible for the operation of correctional facilities and encourage those officials to begin evaluating and, if necessary, developing a comprehensive plan to improve their facilities -- as we will be doing in the federal system.

We emphasize that these standards are intended to apply to adult facilities. It is the position of the Department of Justice that juveniles, especially noncriminal juveniles, do not belong in adult prisons or jails of any sort. These standards do not treat in any detail the handling of juveniles in adult facilities, in keeping with our view that to recommend the development of special programs, policies and procedures to accommodate juveniles might encourage the placement of juveniles in adult facilities rather than their removal. Many states and local jurisdictions have made substantial progress in recent years in reducing the number of juveniles confined with adult offenders, but there is still much to be done. The Department of Justice intends to continue to work vigorously toward the goal of removal of all juveniles from adult correctional institutions and the diversion of criminal minors, whenever possible, to community-based residences near their homes.

Finally, the development of standards for adult prisons and jails should not be interpreted as an endorsement by the Department of Justice of incarceration as the only or best

response to the crime problem. With proper screening, many offenders can safely be referred to programs and services in the community. We believe that, where not inconsistent with public safety or other correctional purposes, as many offenders as possible should be diverted from institutions or transferred to community-based programs.

Benjamin R. Civiletti
Attorney General

NOTE TO THE READER

In reading the standards, the following should be noted:

1. The standards are directed to adult correctional institutions, detention facilities and holding facilities. As used in these standards, a correctional institution (or long-term institution) is a facility that has custodial authority over adults sentenced to confinement for more than a year. A detention facility is a facility where adults are confined pending adjudication or confined for sentences of up to two years. A holding facility is a facility where custodial confinement is usually less than 48 hours pending release, adjudication or transfer to another facility.

2. Unless specifically noted otherwise, each standard is intended to apply to correctional institutions, detention facilities and holding facilities.

3. Where a discussion follows a standard, the discussion is intended to amplify the standard and not to have the same force or effect as the standard itself.

4. When a standard calls for written policy and procedure to be developed, it is our intention that such policy and procedure be implemented and followed.

1. INMATE RIGHTS

Increased assertion and recognition of the rights of persons under correctional control has been an important force for change and accountability in correctional systems and practices. This section includes fourteen standards which set forth basic rights of inmates consistent with fundamental legal principles, sound correctional practices, and humane treatment of offenders.

The Inmate Rights section is an introductory chapter and, in a sense, represents an overview for the other sections of standards which follow.

- 1.01 Inmates are entitled to a safe and healthful place in which to live. This includes protection from personal injury, disease, property damage, and personal abuse or harassment.

Discussion: See related standards in Sanitation,
Safety and Hygiene.

- 1.02 Each facility develops and implements policies and procedures to assure the right of inmates to be treated in a manner that does not discriminate based on race, religion, national origin, sex, handicap or political beliefs and to provide inmates with essential equality of opportunity in programs, work assignments and classification.

Where male and female inmates are housed in the same facility, they have equal access to all available services and programs. Separate institutions and programs for male and female inmates may be maintained provided that there is essential equality in: (1) institutional programs, (2) living conditions, (3) access to community programs and resources, (4) employment opportunities, (5) access to families and other community associations, and (6) decision-making processes affecting status, activities and terms of incarceration.

- 1.03 Each facility develops and implements policies and procedures to ensure the right of inmates to have access to the courts. Inmates have the right to present any issue, including:
- (1) challenging the legality of their conviction or confinement, (2) seeking redress for illegal conditions or treatment while under correctional control, (3) pursuing remedies in connection with civil legal problems, and (4) asserting against correctional or other governmental authority any other rights protected by constitutional or statutory provision or common law. No inmate is subjected to reprisals or penalties for seeking judicial relief.
- 1.04 Each facility develops and implements policies and procedures to ensure the right of inmates to have access to legal assistance in civil and criminal matters through counsel and their authorized representatives, or designated counsel

substitutes. Correctional authorities facilitate access to such assistance, including assisting inmates in making confidential contact with attorneys and their authorized representatives.

- 1.05 Each facility develops and implements policies and procedures to ensure the right of inmates to have access to an appropriate law library and to supplies and services related to legal matters. The law library includes, at a minimum, relevant and up-to-date constitutional, statutory and case law materials, applicable court rules, and practice treatises. Where an inmate is unable to make meaningful use of the law library alone, the facility provides additional assistance necessary for effective access.

- 1.06 Each facility develops and implements policies and procedures to ensure the right of inmates to medical and dental care services and treatment needed to maintain basic health.

Discussion: See related standards in Health Care Services.

- 1.07 Each facility develops and implements policies and procedures governing searches and seizures to ensure that unnecessary force and embarrassment or indignity to the individual are avoided. The written plan for regular administrative searches of facilities and persons is reviewed by an appropriate legal

counsel. Any searches not otherwise provided for in the plan, such as in the case of a new crime, are conducted in accordance with regulations which guarantee the preservation of evidence and specify the officers authorized to order and conduct such a search and the manner in which the search is to be conducted. Only the chief executive officer or designate are authorized to order such searches.

Discussion: See related standards in Security and Control.

- 1.08 Each facility develops and implements policies and procedures to ensure the right of inmates to practice their religion. Those policies guarantee that no inmate is required to engage in religious practices or services or is subject to reprisals for failure to participate.

Discussion: See related standards in Religious Services.

- 1.09 Each facility develops and implements policies and procedures to ensure the right of inmates to have access to recreational opportunities and equipment, including outdoor recreation and exercise.

Discussion: See related standards in Recreation and Inmate Activities.

1.10 Each facility develops and implements policies and procedures to ensure the right of convicted inmates to refuse to participate in activities and programs, without penalty, except for programs mandated as part of the inmate's sentence and work assignments. Persons being held in custody awaiting arraignment or trial are not required to participate in facility programs or to do work assignments other than personal housekeeping.

Discussion: Rehabilitation programs are generally believed to have the greatest potential for success where participation is fully voluntary. Program participation is enhanced where programs are of high quality and are relevant to inmate interests and needs. Compensation for program participation is suggested if participation in education or other rehabilitation programs would conflict with inmates' opportunities to earn money by working in prison industries or other work programs. See related standards in Inmate Work Programs and Reception and Orientation.

1.11 Each facility develops and implements a written grievance procedure available to all inmates with the following minimum elements: (1) an advisory role for inmates and staff in the formulation, implementation and general policy operation of the system, (2) provision for written responses to all grievances, including the reason for the decision, (3) provision for written response within a prescribed, reasonable time limit, with special provisions for responding to emergencies, (4) provision for review of grievances, (5) provision for access by all inmates, with guarantees against reprisal, (6) applicability over a broad range of issues, (7) means for resolving questions of jurisdiction, and (8) independent review of the disposition of grievances, including alleged reprisals, by a person or other entity not under the direct supervision or direct control of the institution. While the procedure need not be as detailed for a holding facility, some mechanism exists for resolving inmate grievances.

1.12 Each facility develops and implements policies and procedures to ensure that inmates are allowed to exercise freedom in personal grooming and appearance, subject only to those institutional requirements essential for safety, security, and hygiene.

Discussion: See related standards in Sanitation,
Safety and Hygiene.

- 1.13 Each facility develops and implements policies and procedures to ensure the right of inmates to communicate or correspond with persons and organizations.

Discussion: See related standards in Mail and
Visiting.

- 1.14 Each facility develops and implements policies and procedures to provide reasonable access to the general public through the communications media.

Discussion: See related standards in Mail and
Visiting.

2. PHYSICAL PLANT

In assessing institutions in terms of the guarantees of the Constitution, the courts often have paid particular attention to aspects of physical plant, such as cell size, number of inmates per cell or room, lighting, noise levels, sanitary facilities, day space, and exercise and recreation areas. The courts have not found deficiencies in any of these alone to be the basis for an adverse ruling, but have reviewed specific conditions and practices in the context of the facility as a whole.

The standards in this section were based in large part on the work of outside groups, including in particular the American Correctional Association, which developed physical plant standards for correctional facilities in consultation with a committee that included corrections professionals, architects, and experts in other relevant fields. We offer these standards as guidelines that should be useful both for planning new facilities and for assessing existing ones. We recognize, however, that for existing facilities to comply with all of the applicable standards in this section may in many instances require time and resources for major construction or renovation, well beyond what would be needed to comply with standards in other sections. Where large expenditures would be necessary to renovate facilities in order fully to comply with the square footage requirements of these standards, we expect that the results to be achieved would be

balanced against the costs of achieving them. It is not our intention to require major expenditures for renovations to correct only minor deviations from the standards, where the costs would be excessive when the changes to be made are placed in the context of the conditions in the institution as a whole.

Compliance with the standards for new facilities should be a very different matter, and we expect that the standards will be used in new facility planning. The inclusion of standards for new facilities, however, should not be construed as a blanket federal endorsement of new facility construction. Rather, it is recommended that the development and use of alternatives to incarceration be explored before new construction is pursued. Especially where overcrowding exists, it may be appropriate to review whether population levels properly can be reduced by increased use of pre-trial or post-conviction release programs, as well as alternative housing facilities.

Existing Facilities

2.01 Where a facility houses more than 500 inmates, there are decentralized units of no more than 500 inmates each.

Discussion: Units which are administratively and programmatically decentralized will permit programs to be conducted on a smaller, more manageable scale, and

decisions affecting inmates to be made by those personnel who know the inmates best.

- 2.02 All cells and detention rooms rated for single occupancy house only one inmate.
- 2.03 Single rooms or cells in holding facilities have, at a minimum, 50 square feet of floor space.
- 2.04 Single rooms or cells have at least 60 square feet of floor space. Where an inmate is required to spend more than 10 hours per day in the room or cell, there are at least 70 square feet of floor space in detention facilities and at least 80 square feet in long-term institutions.
- 2.05 In long-term institutions, there is one inmate per cell or room. Multiple-occupancy cells or rooms are permitted in detention facilities but may house no more than 16 inmates, with a minimum of 60 square feet of floor space per inmate in the sleeping area (excluding activity space).

Discussion: The facility classification committee should carefully evaluate each inmate before assignment to a multiple-occupancy room or cell, to ensure the protection of the individual being assigned as well

as the protection of the other inmate(s) already assigned to the cell. Multiple-occupancy rooms or cells should not be confused with dormitories, which are discussed in Standard 2.13.

- 2.06 There is a separate day room for each cell block or detention room cluster. The day space is of a regular and functional configuration and not a corridor in front of the rooms or cells.

Existing and New Facilities

- 2.07 Each facility has a "rated capacity" established in accordance with these standards. The population of each housing unit does not exceed its rated capacity. The rated capacity figure may be revised periodically in accordance with these standards.

Discussion: The "rated capacity" figure should be consistent with the standards relating to square footage, sanitary fixtures, and other relevant aspects of physical plant.

- 2.08 All housing units (including dormitories, rooms and cells) and activity areas provide for at a minimum:

Lighting of at least 30 foot candles as measured in accordance with standards developed by the American Society of Illuminating Engineers, which may be operated by the occupant in single cells and rooms;

Heating and ventilating systems to maintain humane comfort in accordance with the Guide Book for the American Society of Heating, Refrigeration and Air Conditioning Engineers;

Acoustics that ensure noise levels which do not interfere with normal human activities (Range not to exceed 65-70 decibels in daytime and 40-45 decibels at night for residential area);

Toilets, showers, wash basins, drinking fountains and hot and cold running water accessible to all inmates, in numbers specified by nationally recommended applicable codes 1/; and

Natural light.

In addition, each inmate has a bed, desk or table, shelf, hooks or closet space, and chair or stool in the room, cell or dormitory.

1/ Applicable codes include the Basic Building Code, Standard Building Code, and Uniform Building Code.

2.09 When required by the function of the facility, there is sufficient space for a separate and distinct intake/booking area.

2.10 The facility has at least one special purpose cell or room to provide for the temporary detention of persons under the influence of alcohol or narcotics or for persons who are uncontrollably violent or self-destructive.

Discussion: See related standards in Health Care Services.

2.11 A secure property room is provided for the secure storage of items of inmates' personal property. (Not applicable to Long-Term Institutions)

2.12 There are storage rooms for clothing, bedding and facility supplies.

2.13 Dormitory living units house no more inmates than can be safely and effectively supervised in a dormitory setting with a minimum of 60 square feet of floor space per inmate (excluding activity space).

Discussion: Dormitories are large multiple-occupancy rooms that can be used to house inmates who do not need to be segregated and who pose relatively little risk to the facility or to other inmates. Living conditions

should be enhanced by placing privacy partitions between beds and by increasing the space between beds as much as possible.

2.14 Staff offices are readily accessible to inmates and a minimum of physical barriers separate inmates from staff.

2.15 Appropriate employee space is provided for administrative, custodial, professional and clerical staff, including conference rooms, employee lounge, storage room for records, public lobby and toilet facilities.

2.16 Space for food preparation is based on facility size.

Discussion: Kitchen equipment and food storage facilities should be sufficient for preparation of the necessary quantities of food and high quality meals.

2.17 The facility has a written plan for preventive maintenance that is reviewed and updated annually.

2.18 Written policy and procedure specify that the administrator reviews space and equipment requirements at least annually, and plans for the effective use of space and equipment.

- 2.19 Where the facility maintains an arsenal, space is provided outside of inmate housing and activity areas for the secure storage, care and issuance of weapons, chemical agents, and other related security equipment.
- 2.20 Adequate space is provided for conducting programs for inmates. (Not applicable to Holding Facilities)
- 2.21 Adequate indoor and outdoor space is provided for inmate exercise. (Not applicable to Holding Facilities)
- 2.22 Handicapped inmates are housed in a manner which provides for their safety and security. Handicapped inmates are housed in cells or housing units which are accessible to and usable by them, and which provide the maximum possible integration with the rest of the population. To the maximum extent feasible, institutional programs and activities are accessible to and usable by handicapped inmates confined in the facility.

Discussion: See Section 504 of the Rehabilitation Act of 1973 and the Architectural Barriers Act of 1968, and implementing regulations.

- 2.23 Visiting rooms or other areas of the facility used for public visiting are accessible to and usable by handicapped persons.

Discussion: See Discussion for 2.22 above.

New Facilities Only

- 2.24 Long-term correctional institutions are located within 50 miles of a civilian population center that can provide services to support correctional programs and objectives.

Discussion: A population center should have a population of at least 50,000 persons.

- 2.25 Detention and holding facilities are geographically accessible to criminal justice agencies (law enforcement, prosecutor, courts), community agencies, and inmates' lawyers and families.

- 2.26 New facility planning provides cells and rooms designed for single-occupancy and provides for the use of dormitories only in camps, prerelease programs, and other minimum security areas of the institution.

Discussion: Single occupancy provides inmates privacy and protection, and helps reduce tensions among inmates and administrative problems. In addition, the use of rooms, as opposed to cells, is encouraged.

- 2.27 All cells and rooms have natural light and have, at a minimum, 70 square feet of floor space for detention

facilities and 80 square feet for long-term institutions, with no less than 7 feet between walls and no less than 8 feet between the floor and ceiling.

- 2.28 There are day rooms large enough to accommodate 8 to 16 inmates adjacent to each cell block or room cluster. The room has a minimum allocation of 35 square feet per bed in the cluster or cellblock. The 35 square feet does not include a corridor in front of the rooms or cells, and the day space is of a regular and functional configuration. The day room is separate and distinct from the sleeping area but immediately adjacent to and accessible from it.

Discussion: Day rooms should be available to all inmates for reading, writing, or table games. They should be equipped with tables and seats or chairs to accommodate the facility's rated capacity. In facilities without central dining areas, day rooms may also be used for dining.

- 2.29 The special purpose cells or rooms have:

A maximum rated capacity of one inmate;

In long-term institutions, 80 square feet of floor space, and in detention facilities, 70 square feet of floor space;

A bed; and

Toilet, wash basin and drinking fountain fixtures.

Discussion: The special purpose cells should be equipped with vandal-resistant fixtures that provide for the basic needs of the occupant. They should be designed to prevent injury to the confined person. (See related standards in Health Care Services.)

2.30 The facility is designed to accommodate no more than 500 inmates.

Discussion: A correctional institution should be small enough that it can maintain security without excessive regimentation, surveillance equipment or repressive hardware. An inmate population of no more than 500 helps insure efficient administration and adequate attention to inmate needs.

3. SANITATION, SAFETY, AND HYGIENE

- 3.01 The facility is inspected at least annually by Federal, State or local sanitation, safety, and health officials and complies with all applicable laws and regulations of the governing jurisdiction.
- 3.02 The facility has available to it and makes use of the services of a qualified fire and safety officer and an appropriate specialist in the environmental health field on a continuing basis.
- 3.03 Written policy and procedure require at least weekly sanitation and safety inspections of all facility areas by a designated trained staff member.
- 3.04 The water supply meets all applicable laws and regulations of the governing jurisdiction.
- 3.05 Written policy and procedure set forth specific fire prevention regulations and practices to ensure the safety of staff, inmates, and visitors, in accordance with the most current edition of the Life Safety Code of the National Fire Protection Association. Those provisions include but are not limited to an adequate fire protection service and a system of fire inspection and testing of equipment by an appropriate fire safety official at least quarterly.

Discussion: The facility should plan and execute all reasonable procedures for the prevention and prompt control of fire pursuant to the Life Safety Code. The edition of the Life Safety Code scheduled to be published in 1980 will contain a chapter on Detention and Correctional Occupancies, to which the particular attention of correctional administrators is directed. Other chapters of the Code are also relevant to correctional facilities.

- 3.06 The facility has an automatic fire alarm, preferably connected to the local fire department, an automatic fire detection system tested on a regular basis, and fire hoses or extinguishers at appropriate locations throughout the facility, in accordance with the Life Safety Code, National Fire Protection Association.

Discussion: Because of the highly technical nature of many aspects of fire safety and protection, it is suggested that an analysis of the facility's needs be done by a fire safety engineer or other qualified expert.

3.07 The facility provides for noncombustible receptacles for smoking paraphernalia and separate containers cleaned daily for other refuse in inmate living quarters and at appropriate locations throughout the facility.

3.08 The facility has a written evacuation plan in the event of fire or major emergency and conducts regularly scheduled fire drills in all areas of the facility on a quarterly basis.

Discussion: Fire drills should include evacuation of inmates except where there is clear and convincing evidence that institutional security would be jeopardized.

3.09 Written procedure specifies the means for prompt release of inmates from locked areas in case of emergency.

Discussion: Personnel should be thoroughly trained in evacuation procedures. Their responsibilities in emergency situations should be clearly defined, including the location of keys and evacuation routes. Inmates should be instructed regarding emergency procedures. Emergency systems, including reliable back-up methods for release of inmates, should be developed in accordance with the most current

editions of the Life Safety Code and the National Electrical Code of the National Fire Protection Association.

- 3.10 The facility has exits which are distinctly marked and continuously illuminated, and kept clear and in usable condition.
- 3.11 Facility furnishings, including cleanable, non-toxic and flame-retardant mattresses, are selected and approved based on known fire safety performance characteristics.
- 3.12 Facility floors are kept clean, dry and free of hazardous substances.
- 3.13 The facility provides for daily housekeeping and regular maintenance of the physical plant.
- 3.14 The facility provides for the control of vermin and pests under the direction of a pest control specialist appropriately licensed under the applicable laws and regulations of the governing jurisdiction, with inspections conducted on a regular basis.
- 3.15 The facility provides for waste disposal in a manner that protects the health and safety of inmates and staff and meets all applicable laws and regulations of the governing jurisdiction.

- 3.16 The facility provides for the issue of clothing to new inmates which is properly fitted, climatically suitable, durable, easily laundered and repaired, and presentable. (Applicable to those Holding Facilities where clothing is issued.)
- 3.17 The facility provides for the issue of special protective clothing to inmates assigned to food service, hospital, farm, sanitation, mechanical services, and other special work.
- 3.18 The facility provides for the issue of clean bedding, linen and towels to new inmates.

Discussion: The standard issue of bedding should include two sheets, one pillow, one pillow case, a mattress, and sufficient clean blankets to provide comfort under existing temperature conditions. A clean towel should be provided daily. In holding facilities, the standard issue should be at least a mattress, sheet, blanket and towel.

- 3.19 Written policy and procedure provide for accountability for inmate clothing and bedding.

- 3.20 There are sufficient laundry services to allow daily clothing changes for all inmates and weekly linen changes. In small facilities where laundry services cannot accommodate daily clothing changes, laundry services allow clothing changes at least three times per week and weekly linen changes. (Not applicable to Holding Facilities unless detention is in excess of 48 hours.)
- 3.21 The supply of clothing, linen and bedding exceeds that required for the facility's maximum inmate population.
- 3.22 There are sufficient bathing facilities in the housing area to permit inmates to shower upon entry and, if not daily, at least three times per week.
- 3.23 There are hair care services available to inmates which comply with applicable health requirements. (Not applicable to Holding Facilities)
- 3.24 The facility provides without charge those articles necessary for maintaining proper personal hygiene.

Discussion: Articles to be provided each inmate should include soap, toothbrush, toothpaste or powder, comb, toilet paper, and, for women, products for female hygiene needs. Shaving equipment should be available on request.

3.25 The facility provides for the thorough cleaning and disinfecting of inmate personal clothing when necessary before storage.

4. FOOD SERVICES

- 4.01 The facility employs full-time staff member(s), experienced in food service management, to supervise food service operations. In a small facility, the food service operation is supervised by a designated staff member who is selected based on interest and demonstrated ability in food service.
- 4.02 All meals meet or exceed the dietary allowances stated in the Recommended Dietary Allowances, National Academy of Sciences.
- 4.03 All meals are planned in advance to assure proper food flavor, texture, temperature, appearance and palatability. (Not applicable to Holding Facilities)

Discussion: All menus, including special diets, should be planned, dated and available for review at least one week in advance. Notations should be made of substitutions in the meals actually served and any substitution should be of equal nutritional value.

- 4.04 Food products that are grown or produced within the system are inspected and approved by the appropriate government agency, and there is a distribution system that ensures prompt delivery of foodstuffs to institution kitchens.

- 4.05 Special diets are prescribed by appropriate medical personnel.

Discussion: Therapeutic diets should be available upon medical authorization. They should be prescribed by a physician.

- 4.06 Where it is a requirement of inmates' religious beliefs that they adhere to dietary laws, reasonable provision is made for such special diets. (Not applicable to Holding Facilities)

Discussion: See related standards in Religious Services.

- 4.07 Accurate records are maintained on all meals served. (Not applicable to Holding Facilities)

- 4.08 At least three meals, two of which are hot meals, are provided at regular meal times during each 24-hour period with no more than 14 hours between the evening meal and breakfast.

- 4.09 Written policy and procedure preclude the use of food as a reward or disciplinary measure.

Discussion: See related standards in Special Management Inmates.

- 4.10 Meals are served under conditions that minimize regimentation, and space is provided for group dining. (Not applicable to Holding Facilities)

Discussion: Although dining arrangements vary with the size and design of the facility, meals should not be served in cells except where necessary for purposes of safety or security. When cell feeding is necessary, a small table or shelf and some type of seating arrangement should be provided. Any multi-purpose room may be used to feed inmates in a group setting as long as the room is sanitary. Where possible, there should be "open" dining room hours to eliminate traditional waiting lines and required seating by housing units, shop assignments, etc. As a standard practice, full cutlery service should be provided under a control system.

4.11 There is daily inspection of all food service areas, including eating and food preparation areas and equipment, by administrative and health or dietary personnel to ensure sanitary and operating conditions.

4.12 Food service facilities and equipment meet health, safety and protection standards and the requirements of all applicable laws and regulations of the governing jurisdiction.

- 4.13 All food service personnel, including inmates assigned food service work, comply with applicable health laws and regulations of the governing jurisdiction.

Discussion: Where health regulations require some type of medical examination and certification for food handlers, permits should be current and posted. All food service personnel should be trained in sanitation procedures and should maintain high standards of personal hygiene. There should be daily inspections for cleanliness and illness or infection.

- 4.14 All meals are served under direct supervision of staff members.
- 4.15 Inmates assigned to food service work are carefully screened and are in good health and free from communicable disease and open infected wounds.
- 4.16 The facility uses sanitary, temperature-controlled storage facilities for the storage of all foods.

Discussion: Canned goods and grain products should be stored in a cool, dry area that is free from contamination.

There should be equipment for refrigeration and freezing. Special care and attention should be given to storing highly perishable foods, such as milk, meats and fruit. Locked storage areas should be provided for items such as yeast, dried fruits, vanilla, nutmeg and pepper, which can be used to manufacture illegal products.

5. HEALTH CARE SERVICES

- 5.01 The facility has a designated health authority with responsibility for health care services pursuant to a written agreement, contract or job description. The health authority may be a physician, health administrator or agency. When this authority is other than a physician, final medical judgments rest with a single designated responsible physician licensed or certified by the appropriate state or federal authority.
- 5.02 The designated responsible physician is under no restrictions imposed by the facility administration regarding medical decisions; however, security regulations applicable to facility personnel also apply to health personnel.
- 5.03 There is a quarterly report to the chief executive officer on the health delivery system and health environment and an annual statistical summary.

Discussion: The report should include: the effectiveness of the medical care system; description of any environmental health factors which are substandard; changes effected since the last reporting period; and recommended changes. The annual statistical report should indicate the number of

inmates receiving medical services by category of care as well as other pertinent information (e.g.: operative procedures, referrals to specialists, ambulance services).

5.04 There are written standard operating procedures approved by the health authority for at least the following (applicable to Holding Facilities where indicated by an asterisk (*)):

- * Receiving screening;
Health appraisal data collection;
Non-emergency medical services;
- * Emergency medical and dental services;
- * Deciding the emergency nature of illness or injury;
Dental screening, hygiene, examination and treatment;
Provision of medical and dental prostheses;
- * First aid;
- * Notification of next of kin, legal guardian or
other designated representative, in case of
serious illness, serious injury or death;
Providing chronic care;
Providing convalescent care;
Providing medical preventive maintenance;
- * Screening, referral and care of mentally ill and
retarded inmates;

- * Implementing the special medical program;
- * Delousing procedures;
- * Detoxification procedures;
- * Pharmaceuticals; and
- * Periodic laboratory and medical re-examinations.

5.05 In facilities without any full-time qualified health personnel, a health trained staff member coordinates the health delivery services in the facility under the joint supervision of the responsible physician and the chief executive officer.

5.06 Appropriate state or federal licensing, certification and registration requirements and restrictions apply to health care personnel who provide services to inmates. Verification of current credentials is on file in the facility.

Discussion: Health care employees in federal institutions meet the requirements of the United States Public Health Service Commission Corps or the Office of Personnel Management for the job in which they are functioning.

5.07 The duties and responsibilities of personnel who provide health care are governed by written job descriptions that are approved by the health authority.

5.08 Treatment of health care personnel other than physicians, dentists or other independent providers (such as psychologists, optometrists or podiatrists) is performed pursuant to written standing or direct orders. Nurse practitioners and physician assistants may practice within the limits of applicable laws and regulations.

Discussion: A standing order is an order written and signed by the responsible physician to health personnel for the definitive treatment of identified conditions and for on-site treatment of emergency conditions. A direct order is an order from a physician to health personnel that instructs them to carry out a specific treatment, test or medical procedure on a given patient.

5.09 Where medical services are delivered in the facility, there is adequate space for the examination and treatment of inmates in private, and adequate staff, equipment, supplies and materials, as determined by the health authority, are provided for the performance of primary health care delivery.

Discussion: If female inmates receive medical services in the facility, appropriate

equipment should be available for pelvic examinations.

If a facility does not have the resources to meet all medical needs in-house, it should provide infirmary care inside the institution and hospital care through contractual arrangements outside the institution.

- 5.10 If the facility operates an infirmary, written policy and procedure define the scope of infirmary services available and require that a physician is on call 24 hours per day; a nurse or physician's assistant directs nursing care; health care personnel are on duty 24 hours per day; and there is a manual of nursing care procedures.
- 5.11 If the facility operates a hospital, it meets the legal requirements for a licensed general hospital in the state.
- 5.12 The facility has available 24-hour emergency medical and dental care. A written plan approved by the health authority outlines the following if 24-hour emergency care is not provided within the facility: (1) arrangements for emergency evacuation of inmates from the facility; (2) arrangements for the use of one or more designated hospital emergency rooms or other appropriate health facilities; (3) arrangements for the

use of an emergency medical vehicle; (4) where the emergency health facility is not located in the nearby community, arrangements for emergency on-call physician and dentist service; and (5) personnel responsible for each shift being fully informed about emergency care procedures, including the method and route for transporting patients to the hospital.

- 5.13 First aid kit(s) are on hand in all facilities. The health authority approves the contents, number, location and procedure for monthly inspection of the kit(s).
- 5.14 Written policy approved by the responsible physician sets out delousing procedures used in the facility.
- 5.15 Written policy and procedure provide that receiving screening is performed on all inmates by qualified health personnel or a specially trained correctional officer upon admission to the facility before the inmate is placed in the general population or housing area. Where receiving screening is performed by a correctional officer and full exposure of the body is required, the officer is of the same sex as the inmate. The findings are recorded on a printed screening form approved by the health authority. The screening includes the following:
- Inquiry into current illnesses and health problems, including venereal disease, other infectious diseases, and health problems specific to women;

Inquiry concerning medications taken and special health requirements;

Inquiry into use of alcohol and other drugs that includes types of drugs used, mode of use, amounts used, frequency used, date or time of last use and a history of problems that may have occurred after ceasing use (e.g., convulsions);

Screening of other health problems designated by the responsible physician;

Behavioral observation, including state of consciousness and mental status, appearance, conduct, tremor and sweating;

Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice, etc.;

Condition of skin and body orifices, including rashes and infestations and needle marks or other indications of drug abuse;

Disposition of inmates to general population, or disposition to general population and later referral to appropriate health care service; or referral to appropriate health care service on an emergency basis.

- 5.16 Health appraisal data collection is completed for each inmate within fourteen days after admission to the facility, and includes the following: review of the earlier receiving screening; additional data to complete the medical, immunization and mental health history; taking of laboratory and

diagnostic tests to detect communicable diseases including venereal diseases and tuberculosis; weight, pulse, blood pressure and temperature; other tests and examinations with appropriate comments about medical and dental status. If a health appraisal as required herein has been completed within the previous 90 days prior to admission to the facility and all results have been transferred, the re-collection of this data may be waived at the discretion of the responsible physician. (Not applicable to Holding Facilities)

Discussion: Collection of health data and medical examination should be viewed as the completion of the health appraisal. This assures that the health status of the inmate is known and recorded. Information regarding the inmate's physical and mental status may dictate housing and activity assignments. It also assures the inmate that his/her health status is recorded and known by the appropriate authorities.

- 5.17 Written policy and procedure for the collection and recording of health appraisal data require that health histories and vital signs are collected by health trained or qualified health personnel. All health appraisal data is recorded on forms

approved by the health authority. The results of the medical examination, tests and health appraisal are reviewed by the responsible physician or other designated health personnel.
(Not applicable to Holding Facilities)

- 5.18 At the time of admission to the facility, inmates are informed orally and in writing of the procedures for gaining access to health care services and the processing of complaints regarding health care services. This information is made available to non-English speaking inmates in a language they can understand. Where the number of non-English speaking inmates is significant and there is another language known to a substantial number of them, the information is provided in writing in that language.
- 5.19 Written policy and procedure require that inmates' medical complaints are processed, reviewed and responded to daily by health trained personnel according to priority of need. In all cases, inmates receive treatment for medical problems promptly by the appropriate level of health personnel. No inmate or correctional officer inhibits or delays an inmate's access to medical services or interferes with medical treatment.
- 5.20 Written policy and procedure specify that appearance at sick call is an inmate right and not a privilege. Sick call is conducted by a physician and/or other qualified

health personnel and is available to each inmate at a minimum of four times per week. In small facilities of less than 100 inmates, sick call is held once per week at a minimum. Where sick call is not conducted by a physician, inmates are referred to a physician for treatment where appropriate. If an inmate's custody status precludes attendance at sick call, arrangements are made to provide sick call services in the place of the inmate's detention.

Discussion: Sick call is the procedure through which each inmate reports and receives appropriate medical services for non-emergency illness or injury.

- 5.21 To assure accessibility and availability of all levels of care appropriate to inmate needs, the health authority arranges for a physician to be available at least once each week in smaller facilities and more frequently in larger facilities to respond to inmate complaints regarding services which they did or did not receive from other medical providers.
- 5.22 Facility personnel are trained in emergency health care procedures. Written standard operating procedures and training of staff incorporate the following elements:

Types of action required for potential emergency situations;
Signs and symptoms of an emergency;
Administration of first aid;
Methods of obtaining assistance; and
Procedures for patient transfers to appropriate medical
facilities or health care providers.

- 5.23 All staff with custodial and program responsibilities receive current training in basic first aid equivalent to that defined by the American Red Cross.
- 5.24 At least one person per shift who is readily accessible to all housing and operational units has current training in basic life support cardiopulmonary resuscitation (CPR).
- 5.25 Written policy and procedure require that chronic and convalescent care are provided to inmates of the facility.
(Not applicable to Holding Facilities)

Discussion: Chronic care is medical service rendered to a patient over a long period of time.

Convalescent care is medical service rendered to a patient to assist the recovery from illness or injury.

- 5.26 Written policy and procedure require that medical preventive maintenance is provided to inmates of the facility.

Discussion: Medical preventive maintenance is health education, medical services provided to take advance measures against disease and instruction in self-care for chronic conditions.

- 5.27 Written policy and procedure provide that medical and dental prostheses are provided when the health of the inmate-patient would otherwise be adversely affected as determined by the responsible physician or dentist. (Not applicable to Holding Facilities)
- 5.28 Dental care is provided to each inmate under the direction and supervision of an appropriately licensed dentist, including dental screening and written or verbal instructions on hygiene within 14 days of admission and dental treatment, not limited to extractions, when the dental health of the inmate would otherwise be adversely affected. Dental examination and treatment are performed only by a dentist or qualified assistant. (For Holding Facilities, see 5.12)
- 5.29 Written policy and procedure require that screening and referral for care are provided to mentally ill or retarded inmates whose adaptation to the correctional environment is

significantly impaired. All staff with custodial and program responsibility are trained regarding recognition of symptoms of mental illness and retardation.

- 5.30 Special programs exist for (1) disabled, handicapped, and chronically ill inmates, (2) inmates with severe emotional disturbances, and (3) retarded and developmentally disabled inmates who require close medical, psychiatric, psychological, or habilitative supervision. A written individualized treatment plan for each of these inmates is approved by a physician or qualified mental health professional after appropriate multidisciplinary consultation and in accordance with written policy. The plan includes directions to medical and non-medical personnel regarding their roles in the care, supervision and habilitation of these inmates. (Not applicable to Holding Facilities)

Discussion: A qualified mental retardation expert should prescribe plans for the care, supervision and provision of habilitation services to retarded inmates.

- 5.31 Where there are separate living units for inmates with severe emotional disturbances, mental illness or retardation, an interdisciplinary treatment and custody team is assigned to those living units. (Not applicable to Holding Facilities)

5.32 Written policy and procedure require that inmates with acute or chronic illnesses (including psychiatric illnesses) who require health care beyond the resources available to the facility are transferred or committed to a facility where proper care is available.

5.33 Written policy and procedure require that detoxification from alcohol, opioids, stimulants and sedative hypnotic drugs is conducted under medical supervision when performed at the facility, and when not performed at the facility is conducted in a hospital or community detoxification center.

Discussion: Detoxification refers to the process by which an individual is gradually withdrawn from a drug by administering decreasing doses either of the same drug upon which the person is physiologically dependent or one that is cross-tolerant to it or a drug which has been demonstrated to be effective on the basis of medical reserach. The detoxification of patients who may pose special risks, e.g., psychotics, seizure-prone, pregnant, juvenile, geriatric, require special attention.

Opioids refer to derivatives of opium (e.g., morphine, codeine) and to synthetic drugs with morphine-like properties.

5.34 The facility's standard operating procedures for the proper management of pharmaceuticals include:

Overall responsibility of the facility pharmacy
by a licensed pharmacist;

A formulary specifically developed for the facility;

Adherence to regulations promulgated under federal
laws governing controlled substances and state
laws regarding the practice of pharmacy;

Re-evaluation by the prescribing provider prior to
renewal of a prescription;

Procedures for medication dispensing and administra-
tion or distribution; and

Maximum security storage and weekly inventory of all
controlled substances, syringes and needles.

Discussion: The institutional pharmacist may be
employed full-time or part-time or
on a contractual basis.

A formulary is a written list of
prescribed and non-prescribed medi-
cations stocked in the facility or

obtained in the community for use in the facility. Prescribing providers may order only those medications contained in the formulary for the treatment of inmate patients.

Dispensing is the issuance of one or more doses of medications from a stock or bulk container. The dispensed medication should be correctly labeled to indicate the name of the patient, the contents and all other vital information needed to facilitate correct patient usage and drug administration or distribution.

Medication administration or distribution is the act in which a single dose of an identified drug is given to a patient.

A controlled substance is a medication that requires a written prescription listing the prescribing physician's or dentist's Drug Enforcement Administration registration number.

- 5.35 Written policy and procedure require that psychotropic medications are prescribed only by a physician who has examined the inmate and only when clinically indicated, as one facet of a program of therapy, and that there is an appropriate procedure for monitoring reactions. Prescription practices require that stop order time periods are stated for behavior modifying medications and those subject to abuse. The long term use of minor tranquilizers is discouraged. Psychotropic medications are not to be prescribed for disciplinary purposes.
- 5.36 The person administering medication has training approved by the health authority; is accountable for administering medications according to orders; and records the administration of medications in a manner and on a form approved by the health authority. In no event does an inmate dispense or administer medication.
- 5.37 Written policy and procedure define any duties that may be performed by inmates relating to health care services. Inmate medical workers do not schedule health care appointments or determine the access of other inmates to health care services, and do not carry out direct clinical care services that require trained health care personnel, such as changing of dressings, irrigation of tubes, inhalation therapy, reading of vital signs and observation of vital sign monitors. If inmate medical workers are assigned to work in technical

areas such as in training programs for x-ray and laboratory, they are under the direct supervision of health care personnel and do not perform duties that require licensed technicians. Inmate medical workers do not have access to syringes, needles, or medications or to health records.

5.38 The health record file contains the following:

The completed receiving screening form;
Health appraisal data forms;
All findings, diagnoses, treatments, dispositions;
Prescribed medications and their administration;
Laboratory, x-ray and diagnostic studies;
Signature and title of documentor;
Consent and refusal forms;
Release of information forms;
Place, date and time of health encounters;
Discharge summary of hospitalizations; and
Health service reports, e.g., dental, psychiatric and
consultation.

The method of recording entries in the record, and the form and format of the record, are approved by the health authority.

Discussion: The problem-oriented medical record structure is suggested; however, whatever the record structure, every

effort should be made to establish uniformity of record forms and content throughout the correctional system. The record is to be complete and all findings recorded including notations concerning psychiatric, dental and consultative services. A health record file is not necessarily established on every inmate. Such a file is created when the inmate comes into contact with the health care system after receiving screening; the receiving screening form then becomes a part of the health record.

- 5.39 Written policy and procedure provide that access to the health record is controlled by the health authority and that the health record is not in any way part of the confinement record.

Discussion: The principle of confidentiality protects the patient from disclosure of confidences entrusted to a physician during the course of treatment. Accordingly, it is necessary to maintain health record files under security and

completely separate from the patient's confinement record. The health authority should share with the facility administrator information regarding an inmate's medical management and security; the administrator should share that information with staff on a need-to-know basis.

- 5.40 Written policy and procedure provide that inmates are given access to non-evaluative material in their medical and dental records and to evaluate summaries, but not raw data, from psychiatric and psychological assessments in their health files. All materials in the inmate's health file are made available to the inmate's private physician upon request, with the authorization of the inmate.
- 5.41 Written policy and procedure provide that the responsible physician and designee have access to information contained in the inmate's confinement record when the physician believes that information contained therein is relevant to the inmate's health.
- 5.42 Written policy and procedure provide that inmates receive clearance by health care personnel with regard to suitability for travel before transfer to another facility or substantial travel for other purposes. Pertinent medical data, including

medication, other treatment, and special requirements for observation and management during travel are specifically documented in a manner readily accessible and understood by transportation staff or others who may be called upon to attend the inmate during travel and on reception at the receiving institution. Medications or other special treatment required en route are furnished to transportation staff, along with written instructions for administration.

- 5.43 When an inmate is transferred from one correctional facility to another, summaries or copies of the health record file are routinely sent to the facility to which the inmate is transferred. Written authorization by the inmate is necessary for other transfer of medical record information unless otherwise provided by law or administrative regulation having the force and effect of law. Health record information is also transmitted to specific and designated physicians or medical facilities on the written authorization of the inmate.
- 5.44 Informed consent of inmates is required for all examinations, treatments, and medical procedures for which informed consent is required in the jurisdiction. In the case of minors, the informed consent of parent, guardian or legal custodian is obtained where required by law.
- 5.45 Written policy and procedure specify the conditions for periodic

laboratory and medical re-examinations for inmates. (Not applicable to Holding Facilities)

- 5.46 Inmates receive all medication in the form and at the times prescribed when they are in the facility, including administrative segregation and disciplinary detention, or when they are temporarily off the facility grounds.
- 5.47 Written policy and procedure provide that consistent with applicable privacy statutes, the inmate's next of kin, legal guardian or other designated representative is notified immediately in the event of an inmate's serious illness, serious injury or death.
- 5.48 Written policy specifies the procedures to be followed, consistent with applicable laws, in the event of inmate death.
- 5.49 In facilities where women are housed, there are medical services to meet the health needs of women, including the availability on a regular basis of an obstetrician, gynecologist, and family planning services. Comprehensive counseling, assistance and treatment are provided to pregnant inmates in keeping with their expressed desires in planning for their unborn children, whether for abortion, adoption services, or to keep the child. Accommodations for all necessary

pre-natal and post-natal care and treatment are made available, including arrangements for children of inmates to be born off institution grounds.

- 5.50 Written policy prohibits inmates from participating in medical or pharmaceutical testing for experimental or research purposes.

Discussion: Inmates may not be used as subjects for any non-therapeutic medical experimentation including the use of unestablished drugs and unapproved medical techniques. This is not intended to preclude the use of experimental diagnostic and therapeutic measures that may be warranted for the diagnosis or treatment of a specific inmate, as described in standard 5.51.

- 5.51 Therapeutic medical treatment specifically designed to benefit an individual inmate is permitted provided that (1) the treatment is approved as medically sound and in conformance with medically accepted standards by a committee of outside medical consultants, and (2) the inmate gives full voluntary and informed written consent after being informed of the treatment's likely effects, the likelihood and degree of improvement

and/or remission, the hazards of the treatment, the reasonable alternatives to the treatment, and the inmate's ability to withdraw from the treatment without penalty at any time.

The following glossary is provided as an aid to understanding the standards for Health Care Services.

Health Care Personnel - individuals whose primary duties are to provide health services to their patients in keeping with their respective levels of health care training.

Qualified Health Personnel (or qualified medical personnel) - physicians, dentists, and other professional and technical workers who engage in activities that support, complement or supplement the functions of physicians or dentists.

Health Professionals - see Qualified Health Personnel.

Health Trained Personnel (medically trained staff member) - correctional officers or other correctional personnel who may be trained and appropriately supervised to carry out certain specific duties with regard to the administration of health care.

Health Authority - a physician, health administrator or agency who is responsible for the provision of health care services at an institution or system of institutions.

Designated Responsible Physician - the physician at an institution who has final responsibility for the medical judgments and other decisions related to medical judgments at the institution.

Physician's Assistant - a health professional who has received special training in order to provide assistance to a physician (usually to a primary care physician). With experience and demonstrated competence, the physician's assistant may be delegated considerable responsibility by the physician. In most states to practice as a physician's assistant requires appropriate licensure or registration.

Nurse Practitioner (see physician's assistant) - a registered nurse who has received additional training to provide more comprehensive and responsible assistance to the physician, similar to that provided by a physician's assistant. For purposes of these standards, nurse practitioner and physician's assistant may be considered synonymous.

6. SECURITY AND CONTROL

- 6.01 The facility operates according to a manual containing its policies and procedures for security and control, including procedures for emergencies. The manual is made available to all staff and is reviewed at least annually and updated as needed.
- 6.02 The facility's perimeter is secured by an appropriate means that ensures that inmates remain within the perimeter and that prevents access by the general public without appropriate authorization.
- 6.03 There is a plan for appropriate surveillance of all areas adjacent to the perimeter of the facility.
- 6.04 Written policy and procedure provide that, with the exception of emergencies, armed employees are assigned only to positions that are inaccessible to inmates.
- 6.05 Written policy and procedure govern armed supervision of inmates outside the facility perimeter; those procedures specify methods for ensuring the security of weapons used by correctional staff.
- 6.06 Written policy specifies the procedures to be followed by correctional officers when entering a high security cell block.

6.07 The facility has a communication system to inmate living areas to supplement personal staff supervision and to advise of emergency needs.

6.08 The facility maintains a control center to ensure order and security.

Discussion: A central control is essential for integrating various security and communications functions. The control center should be staffed around the clock and access to it should be limited. The control center should be responsible for inmate counts, key control, and for coordinating the institution's internal and perimeter security network. It should serve also as the communications center for the institution. The control center should monitor the operation of various systems, including fire alarm, public address, automatic fire safety detection, radio, teletype, computer terminal, surveillance alarms, walk and perimeter lighting and other mechanical and electrical systems.

- 6.09 The facility has a comprehensive emergency alarm system that is linked to a control center; signal devices are located throughout the facility.
- 6.10 The facility has a system for physically counting inmates, which includes strict accountability for inmates on work and educational release, furloughs, and other temporary absences.
- 6.11 Written policy and procedure provide that staff regulate inmate movement in the interests of safety, order and control.
- 6.12 Written policy and procedure require at least weekly inspection and maintenance of all security devices.
- 6.13 Written policy and procedure provide for searches of facilities and inmates to control contraband. Contraband is material prohibited by law or material which can reasonably be expected to cause physical injury or adversely affect the security, safety and good order of the facility. Searches are conducted no more frequently than necessary to control contraband or to recover missing or stolen property. Whenever searches are required, staff avoid unnecessary force and strive to preserve the dignity and integrity of inmates and their property.

Discussion: The facility's search plans and procedures should include:

Search of inmates upon reentering the secured perimeter;

Inspection of all vehicular traffic and supplies entering or leaving the institution;

Use of metal detectors; and

Complete search and inspection of each cell prior to occupancy by a new inmate.

Equally important, the search plan should provide for:

Use of nonintrusive sensors and other techniques instead of body searches whenever feasible;

Manual or instrument inspection of body cavities only where there is reasonable belief that the inmate is secreting contraband in or on his or her person, and where the inspection is authorized in writing by the chief executive officer, conducted by qualified health

personnel and not observed by persons
of the opposite sex from the inmate;
Visual inspection of anal and genital areas,
only where there is reasonable belief
that the inmate is secreting contraband
in or on his or her person, conducted by
trained staff of the same sex in an area
within the facility designed to assure
the greatest possible privacy to the
inmate. Reasonable belief may be created
not only by information concerning an
individual inmate, but by the surrounding
circumstances; for example, any return to
an institution from a situation where there
is contact with the public, such as a
community trip or court appearance;
Receipts provided to inmates whenever their
property is seized; and
Protection of an inmate's right to any
property authorized by institutional
regulations.

- 6.14 The policy regarding searches for the control of contraband
is published, made available to staff and inmates, reviewed
at least annually and updated as circumstances warrant.

Discussion: This does not mean that search schedules or the specific techniques to be used in searches should be published or announced in advance. But knowledge that there is a fair and comprehensive plan for searches can inhibit inmate traffic in contraband. Staff should be trained in effective search techniques that protect both staff and inmates from bodily harm.

- 6.15 Written policy and procedure permit physical force only to the degree necessary and restrict its use to instances of justifiable self-protection, protection of others, protection of property and prevention of escapes. In no event is physical force justifiable as punishment or discipline. A written report is prepared following all uses of physical force and is submitted to the chief executive officer for review.

Discussion: Correctional personnel should be prepared to justify their use of physical force.

- 6.16 Written policy and procedure provide that deadly force is used only after other actions have been tried and found ineffective, unless the actor believes that a person's life is immediately threatened.

6.17 Instruments of physical restraint are not more confining than called for by the circumstances and are used only as a precaution against escape during transfer; for medical reasons, including prevention of inmate self-injury, by direction of a medical officer; and to prevent injury to others or property damage, and then only with the approval of the chief executive officer. Inmates are properly supervised when placed and kept in restraints and the restraints are applied no longer than necessary.

6.18 Drugs are not used as a restraint for security purposes.

Discussion: See Health Care Services 5.35 on the use of psychotropic drugs.

6.19 Written policy and procedure govern the availability, control and use of firearms, ammunition, chemical agents and related security devices, and specify the level of authority required for access to and use of security devices. Sufficient security equipment is available to meet institution needs. Chemical agents are used only at the direction of the chief executive officer or delegated subordinate.

6.20 Firearms, chemical agents and related security equipment are stored in a secure but readily accessible depository outside inmate housing and activity areas and are inventoried at

least monthly to determine their condition and expiration dates.

Discussion: See Physical Plant 2.19.

- 6.21 Written policy and procedure require that in emergency situations personnel on duty use only weapons approved by the facility administration.
- 6.22 The facility maintains a written record of routine and emergency distributions of security equipment.
- 6.23 Personnel discharging firearms and using chemical agents submit written reports to the chief executive officer or designated subordinate no later than the conclusion of the shift.
- 6.24 All persons injured in an accident, particularly where a weapon is used or where there is exposure to a chemical agent, receive an immediate medical examination and treatment.
- 6.25 Except in emergency situations, weapons are permitted only in designated areas to which inmates have no access. No visitors, including law enforcement personnel, are permitted to possess or carry weapons within the facility. The facility provides for the temporary safe storage of weapons belonging to institution personnel and visitors and provides receipts for all weapons checked.

6.26 Written policy and procedure govern the control and use of keys, tools and culinary equipment.

6.27 Written policy and procedure govern the storage and use of all flammable, toxic and caustic materials in accordance with all applicable laws and regulations of the governing jurisdiction.

6.28 There are written post orders for every custodial position, which are reviewed and updated at least annually.

Discussion: A written post order should be prepared for each job at the facility and should specify what the job entails and the procedures to be followed to carry out the assignment. This written description provides for continuity in the event of personnel changes. Copies of the post orders should be made available to all staff.

6.29 Written policy and procedure require that personnel review the appropriate post order prior to assuming their post and that they sign and date the post order.

6.30 Written policy and procedure for dealing with escapes are reviewed at least annually and updated as necessary.

- 6.31 Written plans govern space arrangements and procedures to be followed in the event of a group arrest that exceeds the maximum capacity of the local detention facility.

Discussion: The chief executive officer of the facility, together with the parent agency head, should formulate plans to handle large groups of arrestees. Those plans should include provision for extra personnel, additional physical facilities, and booking and detention procedures. All personnel who are involved in the plan should be trained in its execution.

- 6.32 All facility personnel are trained in the execution of written emergency plans, including plans for handling escape and hostage situations, as part of personnel training and retraining programs.

- 6.33 Where there is a special unit of employees to assist in the event of disturbances, those employees are selected and evaluated continuously according to written criteria and receive special training in methods of negotiation and confrontation.

- 6.34 There is a written plan that provides for continuing operations in the event of a work stoppage or other job action. Copies of the plan are available to all supervisory personnel, who are required to familiarize themselves with it.
- 6.35 The facility has equipment necessary to maintain essential lights, power and communications in an emergency.
- 6.36 Emergency equipment is tested at least quarterly for effectiveness and is repaired or replaced as necessary.
- 6.37 Written policy and procedure govern the transportation of inmates outside the facility and from one jurisdiction to another.

7. SUPERVISION OF INMATES

- 7.01 At initial classification, each inmate is assigned to a staff member to ensure supervision and personal contact; a unit management team may perform this function. (Not applicable to Detention or Holding Facilities)
- 7.02 Trained staff members are available to counsel inmates at their request. Provision is made for counseling inmates on an emergency basis.
- 7.03 The facility has sufficient staff to perform all functions relating to the security, control, custody and supervision of inmates.
- 7.04 Written policy and procedure provide for around-the-clock supervision of inmates by trained correctional personnel.

Discussion: All inmates should be accounted for periodically by means of scheduled and unscheduled census checks, official counts, controlled movement, pass systems and similar practices.

- 7.05 Written policy and procedure require that each inmate confined in continual locked status, such as administrative segregation or disciplinary detention, be personally observed by a staff

member at least every 30 minutes, but on an irregular schedule. Closer observation may be required for those inmates who are violent, suicidal, mentally ill or who demonstrate unusual or bizarre behavior.

Discussion: See related standards in Special Management Inmates.

- 7.06 Correctional officer posts are located in or immediately adjacent to inmate living areas to permit officers to hear and respond promptly to calls for help.
- 7.07 Policy and procedure for the supervision of female inmates by male staff and of male inmates by female staff conforms with equal opportunity employment criteria and the privacy needs of inmates.
- 7.08 Line supervisory staff tour every area of the facility daily, including holidays and weekends, and submit a written report, when indicated, to an administrative official for review.
- 7.09 The chief executive officer, his/her assistant, the chief custodial officer, the chief medical officer and other department heads visit the facility's living and activity areas at least weekly.

- 7.10 Written policy and procedure prohibit inmates from supervising, controlling, or exerting or assuming any authority over other inmates.

Discussion: Staff members are responsible for the safety and control of inmates and for ensuring the security of the facility. Those responsibilities should not be delegated to inmates.

- 7.11 Written policy and procedure provide that custodial staff members maintain a permanent log and prepare shift reports that record routine and emergency situations.

8. RECEPTION AND ORIENTATION

- 8.01 Written policy and procedure govern the reception and orientation of newly admitted inmates.
- 8.02 Written procedures for admitting new inmates to a long-term institution include, but are not limited to:

Determination that the individual is legally committed to the institution;

Complete search of the individual;

Inventorying, packing and storing of clothing, monies and personal possessions;

Shower and hair care, if necessary;

Issue of clean, laundered clothing as needed;

Issue of personal hygiene items without charge;

Photographing and fingerprinting, including notation of identifying marks or unusual physical characteristics;

Interview for obtaining identifying data;

Medical screening;

Screening interview by counselor;

Orientation;

Assisting inmates in notifying their families of admission and procedures for mail and visiting;

Telephone calls by inmates;

Assigning the inmate a registered number; and

Classification and assignment to a housing unit.

Discussion: Whenever possible, the inmate should be present during the inventorying, packing and storing of clothing, monies and personal possessions.

- 8.03 Written policy and procedure in long-term institutions require the preparation of a summary admission report for all new admissions which includes, but is not limited to:

Account of the legal aspects of the case;

Summary of criminal history, if any;

Social history;

Medical history;

Vocational interests and experience;

Educational status;

Religious background and interests;

Recreational interests;

Psychological and psychiatric evaluations, where required by the court or indicated by special facts;

Housing officer and other staff reports; and

Staff recommendations.

- 8.04 Written procedures for admitting new inmates to a detention facility include, but are not limited to:

Verification of commitment papers;

Complete search of the individual;

Inventorying, packing and storing of clothing, monies
and personal possessions;
Shower and hair care, if necessary;
Issue of clean, laundered clothing as needed;
Issue of personal hygiene items without charge;
Photographing and fingerprinting, including notation of
identifying marks or unusual physical characteristics;
Interview for obtaining identifying data;
Medical screening;
Screening interview by counselor;
Orientation;
Telephone calls by inmates; and
Classification and assignment to a housing unit.

8.05 Written procedures for admitting new inmates to a holding facility include, but are not limited to:

Verification of arrest;
Complete search of the individual;
Inventorying, packing and storing of clothing, monies and
personal possessions;
Photographing and fingerprinting;
Interview for obtaining identifying data;
Issue of bedding and personal hygiene items without charge;
Medical screening;

Telephone calls by inmates; and
Assignment to a housing unit.

- 8.06 An intake form is completed for every person admitted to a detention or holding facility and contains at least the following information unless otherwise prohibited by statute: picture; booking number; date and time; name and aliases of person; last known address; date and time of commitment and authority for commitment; name, title and signature of delivering officer; specific charge(s); sex; age; date of birth; place of birth; race; occupation; last place of employment; education; religion; health status; name and relationship of next of kin; address of next of kin; driver's license and social security numbers; notation of cash and property; disposition of vehicle, where applicable; court and sentence (if sentenced prisoner); and space for remarks (to include notation of any open wounds or sores requiring treatment, evidence of disease or body vermin or tatoos).
- 8.07 When a medical quarantine is used at admission, it is no longer than 24 hours, unless specifically ordered by medical personnel.
- 8.08 New inmates promptly receive an orientation manual which describes the facility's procedures, programs, rules and regulations, as well as the rights to which inmates are entitled. When a literacy problem prevents an inmate from

understanding this information, a staff member assists the inmate. For non-English speaking persons, this information is made available in a language they can understand. Where the number of non-English speaking persons is significant and there is another language known to a substantial number of them, the orientation manual is made available in that language. Completion of orientation is documented by a statement that is signed and dated by the inmate. (Not applicable to Holding Facilities)

- 8.09 All newly admitted inmates are thoroughly searched in a manner that preserves the dignity of the inmate.

Discussion: The search should be privately conducted and include a check for body vermin, cuts, bruises, needle scars, and other injuries. Newly admitted inmates should be strip-searched only by staff members of the same sex in an area separate from that for inmates of the opposite sex. Manual or instrument inspections of body cavities should be conducted only where there is a reasonable belief that the inmate is secreting contraband in or on his or her person and where authorized in writing by the chief executive officer, and should be

conducted under sanitary conditions by a medically trained staff member in a private location, such as a hospital.

- 8.10 Newly admitted inmates are permitted to complete at least two local or collect long distance telephone calls during the admission process.
- 8.11 Where applicable, newly admitted inmates are provided an opportunity to effect pretrial release or release pending appeal by consulting with bail bonds-persons, representatives from pretrial release agencies and others as soon as possible after admission.
- 8.12 Where statutes permit, written procedures are developed with the court and probation department for initial screening and evaluation of individuals for possible release or diversion programs. (Not applicable to Long-term Institutions)
- 8.13 The admission procedure provides for a screening interview with a counselor, social service worker or other trained intake worker. (Not applicable to Holding Facilities)

Discussion: A counselor, social worker or other trained intake worker should interview all new inmates as part of the admission process to relieve any

anxieties the inmates may have and to assist them with any immediate personal or family problems. The counselor should also collect information for possible diversion programs.

- 8.14 Written policy and procedure provide that a daily program including education and work is provided for inmates during the reception and orientation period. During orientation, inmates are also exposed to available program options including, where appropriate, basic literacy programs designed to help the inmate achieve a sixth grade reading level and substance abuse programs, such as specialized programs designed to treat drug dependency. (Not applicable to Detention or Holding Facilities)

9. CLASSIFICATION

- 9.01 Inmates are classified according to a written plan which sets forth the objectives of the classification system, specifies methods for achieving the objectives, and provides a monitoring and evaluation mechanism to determine whether the objectives are being met. The classification system helps to insure that inmates participate in appropriate and integrated programs that will assist them during their incarceration and subsequent release to the community. The classification system considers an assessment of risk and the efficient management of the inmate population. The system provides that no inmate receives more supervision than required and that no inmate is kept in a more secure status than potential risk requires. The classification plan is reviewed at least annually and updated as necessary. (Not applicable to Holding Facilities)
- 9.02 There is a classification manual containing all classification policies and detailed procedures for their implementation. The manual is made available to all staff involved with classification and all inmates and is reviewed at least annually and updated as necessary. (Not applicable to Holding Facilities)

Discussion: The classification manual should include, at a minimum: (1) detailed policies regarding initial inmate classification and reclassification; (2) instructions regarding the makeup of the unit, team or full classification committees, as well as the duties and responsibilities of each; (3) definition of the various committees responsibilities for custody, employment and vocational/program assignments; (4) instructions as to what phases of an inmate program may be changed by the various committee levels; (5) specific procedures relating to inmate transfer from one program to another and from one institution to another; and (6) content of the classification interview.

9.03 The facility provides for separate housing and management of unsentenced inmates, sentenced inmates and, where appropriate, other classes of detainees, such as witnesses and civil prisoners.

Discussion: The housing of unsentenced persons in correctional institutions is discouraged.

- 9.04 No juvenile alleged or adjudicated a status offender or a neglected, dependent or abused child is detained or confined in any detention or correctional facility, whether it is intended to house adults or juveniles.
- 9.05 No juvenile alleged or adjudicated a delinquent is detained or confined in a facility with adults charged with or convicted of a crime. During any transition required for removal of juveniles from adult facilities to be accomplished, juveniles alleged or adjudicated delinquents who are held in adult facilities are provided separate living, dining, recreational, vocational, educational and transportation facilities, or formal arrangements are made in scheduling the use of those areas so that there is no more than accidental contact between adult inmates and the juveniles.
- 9.06 Special needs of inmates are identified and addressed through the classification process. Those include but are not limited to the needs of drug addicts, drug abusers, alcoholics, alcohol abusers, and inmates who are emotionally disturbed, mentally retarded, suspected mentally ill, physically handicapped, or who pose a high risk or require protective custody.
- 9.07 Written policy and procedure provide that initial classification of sentenced inmates is completed as soon as possible within four weeks after admission from

court and within three weeks after transfer from another institution, except where there are clear and convincing reasons why initial classification requires additional time.

- 9.08 The program and status review of each inmate occurs at least every 12 months, or more frequently as needed. Detention facilities and those institutions that house youthful offenders and individuals serving relatively short sentences conduct classification reviews at least every three months. Inmates are permitted to request reviews of their progress and status and to request changes in their housing and program assignments.

Discussion: Classification should be considered an ongoing process, and policies and procedures should be developed for reclassification.

- 9.09 Written policy and procedure provide that all inmates are afforded the opportunity to appear and participate in their classification reviews and to receive written reasons for the classification review decision. Notice is given to the inmate 48 hours prior to the classification review. (Not applicable to Holding Facilities)
- 9.10 Written policy and procedure set forth a specific process by which inmates can appeal classification decisions. (Not applicable to Holding Facilities)

Discussion: Written procedures for reviewing classification should be available to all inmates and should include provision for appeal to the chief executive officer.

9.11 Where parole is available, the written plan for inmate classification specifies that, prior to a parole hearing, a pre-parole report, which includes a current and complete history of the inmate's activities in the institution and a proposed parole plan, is made available to the inmate and to the paroling authority. (Not applicable to Holding Facilities)

9.12 The facility supports pre-institutional assessment efforts that develop information that is appropriate to consider in initial classification decisions.

10. INMATE RULES AND DISCIPLINE

- 10.01 Written rules of inmate conduct specify acts prohibited within the facility and penalties that may be imposed. The rules prohibit only behavior that can be shown to have a direct, adverse effect on an inmate or on the good order or program operations of the facility. The rules specify the range of sanctions that can be imposed for violations. The sanctions are proportionate to the importance of the rule and the severity of the violation.
- 10.02 Written facility rules, listing all chargeable offenses, the range of sanctions and disciplinary procedures to be followed, are posted in a conspicuous and accessible area and a copy given to each staff member. A copy of the rules is also given to each inmate in long-term and detention facilities. Where a literacy problem prevents an inmate from understanding the rules, a staff member assists the inmate. Where the number of non-English speaking persons is significant and there is another language known to a substantial number of them, copies of the rules are made available in that language.
- 10.03 All personnel who deal with inmates receive sufficient training to ensure their understanding of the rules of inmate conduct, the sanctions available, and the rationale for the rules.
- 10.04 There are written guidelines for informal resolution of minor inmate misbehavior.

10.05 Disciplinary reports prepared in writing by staff members are filed with the disciplinary committee without unreasonable delay and include, but are not limited to, the following information:

- A description of the incident;
- Specific rules violated;
- A formal statement of the charge;
- Unusual inmate behavior;
- Staff or inmate witnesses;
- Disposition of any physical evidence;
- Any immediate action taken, including the use of force; and
- Reporting staff member's signature and date and time report is made.

Discussion: In order properly to assess charges of inmate rule violations, it is essential that all pertinent information be recorded on a disciplinary report form. This information should be as specific and comprehensive as possible.

10.06 Written policy and procedure specify that an investigation is begun within 24 hours of the time an alleged rule violation is reported, unless there are exceptional circumstances that justify delaying the investigation, and is completed without unreasonable delay. The investigating officer is not an employee who reported the incident or who was involved in the incident.

10.07 Written policy and procedure provide that where an inmate allegedly commits an act that violates federal, state or local criminal law, the case is promptly referred to the appropriate authorities for consideration of criminal prosecution.

10.08 The facility follows a written set of disciplinary procedures governing violations of rules of inmate conduct. The procedures are reviewed and updated annually, and include provisions covering at least the following elements:

Written rules and sanctions for rule violations;

Notice of charges;

A hearing process that includes notice and an opportunity for the inmate to respond to the charge;

A written decision; and

A reasonable appeals process.

10.09 Written policy and procedure provide that disciplinary hearings in cases where inmates are charged with rule violations are conducted by a hearing officer or panel of hearing officers. Hearings for rule violations are conducted by persons who were not directly involved in the incident. The hearing officer can impose reasonable limitations on the length of testimony, number of witnesses, and other aspects of the hearing.

10.10 Written policy and procedure provide that the inmate is given a written statement of the charge(s), including a description of the incident and specific rules violated, at the same time that the disciplinary report is filed with the disciplinary committee, but no less than 24 hours prior to the disciplinary hearing. The hearing may be held within 24 hours with the inmate's written consent.

10.11 Written policy and procedure provide that inmates charged with rule violations are granted a hearing within two working days after the disciplinary report is filed with the committee and the statement of the charges is given to the inmate. If either the institution or the inmate desires more time to prepare for the hearing, an extension may be obtained from the disciplinary committee for the shortest time necessary and in no event for more than five days. Approval by the chief executive officer is required for any extension beyond five days and written reasons for the extension provided to the inmate.

10.12 There is provision for prehearing detention of inmates who are charged with a rule violation. Prehearing detention is not punitive and is only used in the event of a serious threat to the security of the institution; where detention of the inmate before a disciplinary hearing is necessary in order to protect the inmate, other inmates, or staff; or to prevent

the destruction of private or government property.
An inmate is placed in prehearing detention only when authorized by the senior custodial staff member on duty. Conditions in prehearing detention are the same as in administrative segregation.

Discussion: Prehearing detention is confinement of an inmate in an individual cell before a hearing is held on a charge of a rule violation. Documentation of the reasons for detention should be provided to the inmate. See Special Management Inmates 11.07 - 11.09 and 11.13 - 11.24 regarding administrative segregation.

- 10.13 If the inmate is placed in prehearing detention and the hearing on the charge is to be held more than three working days after the inmate is charged, the inmate's status in detention is reviewed within three working days and every two working days thereafter to determine if the inmate's behavior warrants continued prehearing detention. The review of the inmate's status in prehearing detention over three working days includes an interview of the inmate. Credit for time served in prehearing detention is considered by the disciplinary committee. If an inmate has been placed in prehearing detention and disciplinary proceedings are delayed

pending a criminal investigation, the inmate is transferred to administrative segregation.

Discussion: Prehearing detention should be discontinued beyond three working days unless justified by the inmate's continued behavior or in order to protect the safety of the inmate or the safety of others. Prehearing detention may not exceed the total time that could be served by the inmate in detention for the violations charged.

- 10.14 Written policy and procedure provide that inmates charged with rule violations are present at disciplinary hearings, unless they waive in writing their right to attend the hearing or where their behavior during the hearing justifies exclusion. In cases where the inmate refuses to appear at the hearing, the hearing may be conducted in the inmate's absence. The inmate may hear all evidence presented at the hearing, except where the inmate's hearing the evidence severely jeopardizes the life or safety of persons or the security and order of the institution. The record shows the inmate's presence or absence during all portions of the hearing.

10.15 Written policy and procedure allow inmates to make statements, call witnesses, except adverse witnesses where the calling of such witnesses may severely jeopardize the life or safety of persons or the security and order of the institution, and present documentary evidence in their defense at disciplinary hearings.

10.16 Written policy and procedure allow inmates, at their request, the services of a staff member of their choice to represent them at disciplinary hearings and question all witnesses. Where it is apparent that inmates are not capable of effectively collecting and presenting evidence on their own behalf, staff representation at disciplinary hearings is provided.

Discussion: Where the inmate requests representation by counsel at major disciplinary hearings and where counsel agrees to abide by institutional policies and procedures, facilities are encouraged to consider the appropriateness of such representation.

10.17 Written policy and procedure specify that the disciplinary decision is based on a preponderance of the evidence presented and that a written record is made of the decision and the supporting reasons, a copy of which is given to the inmate. The record of the hearing and supporting documents are kept in the inmate's file and in the disciplinary committee's records.

Discussion: A preponderance of the evidence refers to the weight and probative value of the evidence presented, and not to the volume of the evidence.

10.18 Written policy and procedure provide for the periodic audit and review by the chief executive officer of disciplinary hearings and dispositions to assure conformity with policy and regulations.

10.19 Written policy and procedure grant inmates the right to appeal decisions of the disciplinary hearing officer(s) to the administrator or designate within 15 days of the decision. The appeal is decided within 30 days of the day it is filed and the inmate is notified promptly in writing of the results of the appeal.

Discussion: Inmates should be advised of their right to appeal decisions of the disciplinary officer(s) at the time they are provided the decision. The appeal process should consider three factors: Was there substantial compliance with facility standards on inmate discipline? Was the decision based on substantial evidence? Under the circumstances, was the sanction imposed proportionate to the offense?

10.20 Written policy and procedure provide that where an inmate is found not guilty of an alleged rule violation, all documentation relating to the alleged violation is removed from all the inmate's files.

Discussion: Where an inmate is found guilty of only some of the rule violations he or she was originally charged with in connection with a single incident, and where that incident is described in a single disciplinary report, the inmate's record should show clearly the violations that were not proven. All disciplinary reports, regardless of disposition, may be kept and used for statistical or research purposes providing all identification is removed.

11. SPECIAL MANAGEMENT INMATES

11.01 Written policy and procedure provide for disciplinary detention for inmates who require temporary separation from the rest of the inmate population because of serious violations of conduct regulations. Disciplinary detention is used only where other available dispositions are inadequate to regulate an inmate's behavior within acceptable limits, and where the inmate's presence in the general inmate population poses a serious threat to the orderly operation or security of the institution.

Discussion: Segregation or isolation of an inmate from the general inmate population for a short period of time is an accepted correctional procedure and is used in the control and management of behavior. Disciplinary detention is the confinement of an inmate to an individual cell that is separated from the general population and may occur only after a finding of a rule violation at a disciplinary hearing.

(See related standards under Inmate Rules and Disciplines.)

11.02 Written policy and procedure specify that inmates are placed in disciplinary detention for a major rule violation only after a hearing by the disciplinary committee.

The facility establishes a graduated schedule which sets a range of sanctions for specific rule violations. Under that sanctioning schedule, a maximum of 15 days in disciplinary detention is sufficient for most violations. In cases of serious aggravated offenses, the schedule permits disciplinary detention for a maximum of 30 days for violations arising out of a single incident. Consecutive disciplinary detention sanctions are permitted only for violations arising from totally separate incidents, and any disciplinary detention beyond 30 days requires the approval of the chief executive officer. Before an inmate is confined in disciplinary detention for 30 days or more, a classification review (at which the inmate has a right to be present) is held to determine whether the inmate's behavior indicates a problem that is appropriately addressed through reclassification, transfer or other means, rather than continued disciplinary sanctions. The time an inmate spends in disciplinary detention is proportionate to the offense and takes into account the inmate's prior conduct.

- 11.03 Written policy and procedure provide for administrative segregation for an inmate whose continued presence in the general population poses a serious threat to life,

property, self, staff, other inmates or to the security or orderly running of the institution, when (1) the inmate is segregated from the general population pending investigation or trial for a criminal act; or (2) the inmate is segregated from the general population pending transfer; or (3) the inmate requests or requires placement in administrative segregation for the inmate's own protection; or (4) the inmate's behavior while confined in disciplinary detention indicates that the inmate requires close supervision and separation from the general population, upon release from disciplinary detention.

Discussion: Before an inmate is placed in administrative segregation, consideration should be given to alternatives other than specialized housing for the inmate, such as transfer to another facility.

11.04 Written policy and procedure provide that a review is held by the classification committee, at which the inmate has a right to be present, whenever it is proposed that an inmate be transferred from disciplinary detention to administrative segregation.

11.05 Written policy and procedure provide for admission to the administrative segregation unit for purposes of protective custody only where there is substantial evidence that protective custody is warranted or where

the inmate provides written consent to such confinement. Where an inmate consents to administrative segregation for protective custody, the inmate may at any time request assignment to the general inmate population, and such requests shall be granted, unless there is substantial evidence to show that protective custody in the unit is necessary. Where an inmate does not consent to administrative segregation for protective custody, a review is held at which the inmate has a right to be present before the inmate can be placed in the administrative segregation unit. In emergency circumstances, the inmate may be placed in administrative segregation for protective custody without consent for no more than 48 hours; the inmate's status in administrative segregation is reviewed within 48 hours to determine if continued protective custody is necessary.

- 11.06 The status of inmates in administrative segregation is reviewed by the classification officer or other authorized body at least every seven days for the first two months, including an interview of the inmate, where appropriate. The status of inmates in administrative segregation beyond two months is reviewed at least every 30 days; that review includes an interview of the inmate.
- 11.07 Physical living conditions in administrative segregation units are approximately equivalent to the physical living conditions of the general population; exceptions are

permitted only where shown by a preponderance of the evidence to be necessary to protect the life and safety of persons or the security and order of the institution. Inmates in administrative segregation may retain a reasonable amount of personal property and are accorded the same general privileges as inmates in the general population.

Discussion: See Physical Plant 2.08.

- 11.08 Written policy and procedure provide that inmates in administrative segregation have access to programs and services that include, but are not limited to: education, commissary, library services, social services, counseling, religious guidance and recreation. (Not applicable to Holding Facilities.)
- 11.09 Written policy and procedure provide that inmates in administrative segregation are allowed reasonable telephone privileges that are as similar as possible to those of the general inmate population; exceptions are permitted only where shown by a preponderance of the evidence to be necessary to protect the life and safety of persons or the security and order of the institution.
- 11.10 Disciplinary detection units are maintained in a healthful manner and all inmates so confined are accorded decent and humane treatment.

Discussion: See Physical Plant 2.08.

- 11.11 Written policy and procedure specify the limitations on the personal property that inmates may retain in disciplinary detention, as well as the limitations on other privileges for inmates in disciplinary detention.

Discussion: The personal property of inmates in disciplinary detention may be impounded, and other privileges may be restricted or eliminated.

- 11.12 Written policy and procedure provide that inmates in disciplinary detention are allowed those telephone privileges related specifically to access to the judicial process, as well as those specifically authorized by the chief executive officer or designee.
- 11.13 Rooms or cells in disciplinary detention and administrative segregation units are situated so that the inmates assigned to them can converse with others and be observed by staff members.
- 11.14 Written policy and procedure provide that all inmates in disciplinary detention and administrative segregation are fully clothed.
- 11.15 Written policy and procedure provide that all inmates in disciplinary detention and administrative segregation are provided basic personal items for use in their cells, unless there is imminent danger that an inmate will destroy any item or induce self-injury.

Discussion: Inmates in disciplinary detention and administrative segregation should be provided basic items needed for their personal hygiene, as well as items such as eyeglasses and writing materials. If a supervisor judges that there is imminent danger that an inmate will destroy an item or use it to induce self-injury, the officer may deprive the inmate of the item. In such cases, every effort should be made to supply a substitute for the item or permit the inmate to use the item under the supervision of the officer.

11.16 Written policy and procedure provide that whenever an inmate in disciplinary detention or administrative segregation is denied or restricted in the use of any item or the participation in any activity usually permitted to inmates so confined, a report of the action is made and forwarded to the chief executive officer.

11.17 Written policy and procedure provide for the issue and exchange of clothing, bedding and linen, and for bathing, laundry, barbering and hair care services, for inmates in disciplinary detention and administrative segregation on the same basis as inmates in the general

inmate population. Exceptions are permitted only where found necessary by the senior officer on duty, and are recorded in the unit log and justified in writing.

- 11.18 Written policy and procedure require that inmates in disciplinary detention and administrative segregation receive normal institution meals.
- 11.19 Written policy and procedure provide that inmates in disciplinary detention and administrative segregation be permitted to exercise outside of their cells and, whenever possible, outdoors, a minimum of one hour per day at least five days per week. (Not applicable to Holding Facilities.)
- 11.20 Written policy and procedure provide that inmates in disciplinary detention and administrative segregation have access to legal materials and to other reading matter.

Discussion: See Inmate Rights 1.03, 1.04 and 1.05.

- 11.21 Written policy and procedure provide that inmates in disciplinary detention and administrative segregation are provided the same opportunities for visitation and correspondence that are available to the general inmate population, unless it is shown by a preponderance of the evidence that withholding of such privilege is necessary to protect the life and safety of persons or the security and order of the institution.

11.22 Written policy and procedure provide that staff members in disciplinary detention and administrative segregation units maintain a permanent log, in which admissions of all inmates to the units are recorded, with information on name, number, housing location, date admitted, type of infraction or reason for admission, tentative release date and special medical or psychiatric problems or needs. The log is also used to record all visits by officials who inspect the units or counsel inmates, all unusual inmate behavior and all releases.

Discussion: Information in the log regarding the inmate's behavior and demeanor should be used in the required review of the inmate's status in segregation.

11.23 Written policy and procedure require that inmates in disciplinary detention and administrative segregation are visited daily by the senior correctional supervisor in charge of the unit; at least three times weekly and at the inmate's request by members of the medical staff; and at the inmate's request by members of the program staff.

11.24 Written policy and procedure require that a psychological assessment, including a personal interview, is conducted when an inmate remains in administrative segregation or

disciplinary detention beyond 30 days. If confinement continues for an extended period, a psychological assessment is made at least every three months. (Not applicable to Holding Facilities.)

12. MAIL AND VISITING

- 12.01 Written policy and procedure govern inmate correspondence.
- 12.02 There is no limit on the volume of mail an inmate may send or receive, or on the length, language, content or source of mail or publications, except where there is a reasonable belief that the limitation is necessary to protect public safety or institution security. Written policy and procedure may prohibit inmates from using the mail to conduct business or from corresponding with other inmates (except family members, for legal matters, or where specifically approved by the chief executive officer.) Inmates may receive soft-cover books and publications from sources other than publishers. No publication is rejected solely because its content is religious, philosophical, political, social, or sexual, or because its content is unpopular or repugnant. Mail and publications are subject to all search and inspection requirements for contraband.
- 12.03 Reasonable limitations on the receipt of packages may be set by the chief executive officer. All packages are subject to search and inspection for contraband.
- 12.04 All prisoner mail is mailed out and delivered daily, and in no event is delayed more than 24 hours, excluding weekends and holidays.

12.05 Inmate mail, both incoming and outgoing, is not read, censored, or rejected, except where there is a reasonable belief of a threat to the safety or security of the institution, a public official, or any other person, or where there is a reasonable likelihood that the correspondence is being or will be used in furtherance of illegal activities. Random checks may be made of incoming mail.

Discussion: If complaints are received that individuals are receiving harassing or threatening correspondence from inmates, or that they no longer wish to receive mail from a particular inmate, letters may be appropriately censored or returned to the inmate unmailed.

12.06 Written policy and procedure provide that inmates are notified when mail written by or addressed to them is either rejected or censored, together with the reasons therefor. The inmate and the author are provided an opportunity to protest the decision, and such complaints are referred to officials who did not participate in the original disapproval of the correspondence.

12.07 Written policy and procedure provide that inmates are permitted to send sealed letters to a specified

class of persons and organizations, including but not limited to: courts; counsel; officials of the confining authority; federal, state and local chief executive officers and criminal justice officials; administrators of grievance systems; and members of the paroling authority. Mail to inmates from this specified class of persons and organizations may be opened only to inspect for contraband and, except for mail from officials of the confining authority, only in the presence of the inmate.

12.08 Inmates without funds receive a postage allowance sufficient to maintain family and community ties and for all letters to their attorneys and to the courts. In the event that an inmate abuses the unlimited postage allowance for legal mail, reasonable limitations on the postage allowance may be imposed for that inmate.

12.09 Written policy and procedure provide for the forwarding of mail after the inmate's transfer or release.

12.10 Written policy and procedure provide for inmate access to telephone facilities.

Discussion: Sufficient telephone facilities should be provided to permit reasonable and equitable access to all inmates, except

those in disciplinary detention. (See related standard in Special Management Inmates). Written procedures should specify the hours of telephone availability, maximum length of calls, and any other limitations on telephone calls. Telephone facilities should allow for a reasonable amount of privacy.

12.11 Visiting is governed by written policy and procedure that are reviewed annually and updated as needed.

12.12 The facility devotes sufficient space, time and personnel to maximize visiting opportunities for inmates. Visiting hours are both reasonable and flexible so as to take into account the convenience of the majority of visitors. Visiting rooms allow some degree of privacy without jeopardizing security and conversations are not monitored. Visiting facilities allow for physical contact between inmates and the visitors of their choice except in those specific instances where there is a reasonable belief that such a procedure would jeopardize the safety or security of the facility. There is no age limitation for visitors. The facility may preclude a visitor only if there is a reasonable belief that the visitor poses a threat to the safety or security of the inmate or the

institution. (The provision with regard to contact visiting is applicable to Detention and Holding Facilities as soon as a security classification is completed and in no event beyond ten days after the inmate enters the facility.)

Discussion: Visiting is an important element in maintaining inmates' contact with the outside society. Daily visits are encouraged. Institutions are also encouraged to make arrangements to facilitate visits by children. The nature of the relationship between the inmate and the visitor may be considered in determining whether to permit or preclude a visit. Whether the relationship was established after confinement is a factor that may be taken into account, and such relationships may be subject to close scrutiny, particularly at maximum security institutions.

- 12.13 Written policy and procedure specify the conditions for extended visits between inmates and their families. Such visits are encouraged, in appropriate circumstances. (Not applicable to Holding Facilities.)

Discussion: Where extended visits between inmates and their families are not feasible, consideration should be given to allowing inmates to be furloughed to the community. See 12.16.

12.14 Written policy and procedure govern special visits for persons who have come long distances and visits to hospitalized inmates, to inmates in disciplinary status, and between inmates and attorneys or clergy.

12.15 The institution provides information to visitors about transportation to the facility and facilitates transportation between the facility and nearby public transit terminals. (Not applicable to Detention and Holding Facilities.)

12.16 Written policy and procedure provide that inmates with appropriate security classifications are allowed furloughs to the community in order to maintain community and family ties and for other purposes consistent with the public interest.

Discussion: See standards for Release Preparation and Temporary Release. Furloughs can benefit both inmates and their families. A strong furlough program can greatly increase inmate morale and well being,

and promote the potential for a satisfactory return by inmates to the community. Where furloughs are not appropriate, extended visits between inmates and their families should be encouraged. See 12.13.

13. INMATE MONEY AND PROPERTY CONTROL

13.01 Written policy and procedure specify the personal property inmates can retain in their possession. The written policy and procedure relating to inmate property and funds are updated annually and made available to inmates upon admission and when updated.

Discussion: It should be made clear to inmates what personal property they may retain, and inmates should be assured both that the facility's policies are applied uniformly and that their property will be stored safely.

13.02 Written policy and procedure provide for a written, itemized inventory of all personal property of inmates and for secure storage of inmate property, including money and other valuables. The inmate is given a receipt for all property held by the facility until the inmate's release and for all property sent to the inmate's designated address.

13.03 Inmates' personal funds are processed by accepted accounting procedures. Inmates have the opportunity to deposit and withdraw funds in their accounts except where substantial reasons justify otherwise.

13.04 Written policy and procedure provide that an inmate may deposit personal funds in an interest-bearing account and that the interest accrues to the inmate. (Not applicable to Holding Facilities.)

13.05 Written policy and procedure govern the return of inmates' personal property and funds upon release. Where an inmate is sent any material that is not prohibited by law, but is considered contraband by the facility, the material is either returned to the sender or held by the facility and provided to the inmate upon release; in either event the inmate is notified.

Discussion: If funds are sent to an inmate, they are held in accordance with standard 13.04 above. See related standards in Mail and Visiting.

14. INMATE WORK PROGRAMS

Standards in this section do not apply to Holding Facilities.

14.01 Long-term institutions conduct an inmate work program that ensures full-time employment for all eligible inmates so that there is minimal idleness. Jobs are genuine and no more inmates are assigned a task than the task requires.

14.02 Detention facilities operate according to a written inmate work assignment plan that provides for inmate employment subject to the number of work opportunities available and the maintenance of facility security.

Discussion: To the greatest possible extent, a job should be provided for every inmate who wants one.

14.03 The facility provides opportunities for inmate employment in prison industries and facility maintenance and operation and to the extent possible provides for inmate employment in public works and community projects.

14.04 The inmate work day is structured to approximate the work day for similar work in the community.

14.05 Whenever possible, inmate work assignments provide experience relevant to the current job market. Work assignments for women inmates are not limited to traditional work assignments for women.

- 14.06 Written policy and procedure provide a compensation schedule for work performed by inmates. Employed inmates are paid sufficient wages so that they can make purchases from the canteen and accumulate funds to assist them upon their release.
- 14.07 The inmate work plan includes provision for employment for handicapped inmates.
- 14.08 Written policy and procedure establish furlough and work release programs to provide additional employment opportunities for inmates, consistent with the requirements of institutional and community security.

Discussion: Inmates working on furlough or work release may be required to reimburse the jurisdiction for a reasonable share of its cost for their room and board.

- 14.09 Written policy and procedure provide that inmate working conditions, both within the facility and for inmates on work release, comply with all applicable federal, state and local work safety laws and regulations.
- 14.10 Inmate training and work programs utilize the advice and assistance of labor, business and industrial organizations.

14.11 Written policy and procedure provide that pretrial detainees are not required to work except to do personal housekeeping.

Discussion: Although pretrial detainees may not be required to work beyond keeping their living area clean, the opportunity to work should be made available to them.

15. RELIGIOUS SERVICES

15.01 Written policy and procedure ensure access to religious programs for all inmates who are affiliated or wish to become affiliated with religious denominations or groups. Provision is made for access to facilities, clergy or spiritual advisors, publications and religious symbols, subject only to those limitations necessary to maintain institutional order and security. All participation in religious activities is voluntary.

Discussion: A presumption of legitimacy attaches to newly formed religions, but the presumption may be rebutted by conduct which demonstrates that the religion is not authentic or that the religious group is not acting in good faith.

15.02 Religious program staff have access to all areas of the facility, including administrative segregation and disciplinary detention units.

15.03 A chaplain or a designated staff member coordinates and supervises the facility's religious programs.
(Not applicable to Holding Facilities.)

15.04 There is a systematic approach to determine the personnel requirements of the religious programs to ensure all inmates access to staff and services.
(Not applicable to Holding Facilities.)

16. RECREATION AND INMATE ACTIVITIES

Standards in this section do not apply to Holding Facilities.

- 16.01 Written policy and procedure provide for a comprehensive recreational program away from the inmate's cell or room that includes leisure time activities. Time required to be spent in the cell or room is kept to a minimum.
- 16.02 The recreation program includes both cultural and athletic activities. The program provides the opportunity for at least one hour of physical exercise per day from the inmate's cell or room in an area which is designated for recreation and frequent opportunities to exercise outdoors, weather permitting.
- 16.03 The facility employs a full-time, qualified recreation director who supervises all recreation programs. In smaller facilities, a part-time staff member or trained volunteer may perform this function.
- 16.04 Sufficient facilities and equipment suitable for the planned recreation activities are maintained in good condition and are available to the inmate population.
- 16.05 There is a systematic approach to determine the personnel requirements for the recreational program to ensure inmates access to staff and services.

16.06 Written policy and procedure permit inmates to participate in community activities, provided the inmates' custodial status allows them to leave the facility.

17. EDUCATION AND VOCATIONAL TRAINING

Standards in this section do not apply to Holding Facilities.

- 17.01 In long-term institutions, there is a certified, comprehensive and continuous education program available to all inmates that extends through the high school level. Provision for college-level courses is encouraged. In detention facilities there is, at a minimum, provision for academic education courses extending through the high school level.
- 17.02 In long-term institutions, vocational training opportunities are available to all inmates. Detention facilities are encouraged to make vocational training opportunities available. Vocational training programs for women inmates are not limited to traditional areas of employment for women.
- 17.03 In long-term institutions, educational and vocational counseling are provided so that inmates are placed in the phase of an educational or vocational program most suited to their needs and abilities. Detention facilities are encouraged to provide such counseling.
- 17.04 There is a system for ensuring that the education program continues to meet the needs of the inmate population, including non-English speaking inmates.

- 17.05 There is a systematic approach to determine the personnel requirements for the educational and vocational programs to ensure all inmates access to staff and services.
- 17.06 There is an annual evaluation to measure the effectiveness of the educational and vocational training programs against stated performance objectives.
- 17.07 At least every three years, the educational and vocational training programs are assessed systematically against stated objectives by qualified individuals, professional groups and trade associations. (Not applicable to Detention Facilities.)
- 17.08 Educational supervisors and instructors are licensed or accredited by the state or other appropriate body.
- 17.09 Inmates working in the educational or vocational programs, including inmates working as teachers or in other certified professions, receive training and supervision.
- 17.10 The educational program is supported by sufficient equipment and educational materials.
- 17.11 The institution's educational program allows for flexible scheduling that permits inmates to enter at any time and to proceed at their own learning pace.

- 17.12 The educational program includes instruction in functional social skills.
- 17.13 Vocational training programs are integrated with academic programs and are relevant to the vocational needs and interests of inmates and to employment opportunities in the community.
- 17.14 Vocational instructors are licensed or certified by the state or other appropriate body. "
- 17.15 Whenever possible, the facility uses community resources in the vocational training programs and in subsequent job placement.
- 17.16 To the maximum extent feasible, educational and vocational program opportunities are provided for handicapped inmates, comparable to those provided to non-handicapped inmates.

18. LIBRARY SERVICES

Standards in this section do not apply to Holding Facilities. They do apply to law libraries. See Inmate Rights 1.05 on law libraries.

18.01 The facility provides library services available to all inmates.

Discussion: The facility should provide access to a full range of legal, reference, and reading materials for education and recreational purposes. The requirements for materials to be available in the law library are set out at Inmate Rights 1.05. Access arrangements may vary according to location of an institution, resources available, the needs of inmates and the organization of the institution.

18.02 The facility has a qualified staff member who coordinates and supervises library services. In smaller facilities, trained volunteer staff may be used to perform this function.

18.03 There is a systematic approach for determining the library service needs of the inmate population. Foreign language materials are available for non-English speaking inmates.

18.04 The parent agency has a full-time staff member, preferably qualified in library science, to coordinate and supervise the library services for all institutions in the system. This function may be performed on a contract basis by a qualified contractor. (Not applicable to Detention Facilities that are not part of a system of institutions.)

18.05 In long-term institutions, library services are available five days a week, including evenings. Library services in detention facilities are scheduled as frequently as possible to ensure reasonable access.

18.06 There is a systematic approach to determine the personnel requirements for the library services so that inmates are assured access to staff and services.

Discussion: Sufficient library staff should be available to assist inmates in learning what is available and how to locate it. The American Correctional Association/American Library Association Joint Committee on Institution Libraries has established staff/inmate ratios that may be useful in determining the number and type of library personnel required.

18.07 Library services in long-term institutions provide for, at a minimum:

Planned and continuous acquisition of materials
to meet the needs of users;

Logical organization of materials for convenient
use;

Circulation of materials to satisfy the needs of
users;

Information services to locate facts;

A reader's advisory service that helps provide
users with suitable materials;

Promotion of the uses of library materials; and

An environment that is well lighted, has good
acoustics and temperature control, and is
generally inviting in appearance.

18.08 Detention facilities provide for access to library
services. That access may be through arrangement with
a local community library, such as frequent, regularly
scheduled visits of a book-mobile.

18.09 The library participates in available inter-library
loan programs.

19. SOCIAL SERVICES AND COUNSELING

Standards in this section do not apply to Holding Facilities.

- 19.01 The facility provides a social service program that includes a range of resources appropriate to the needs of inmates, including individual and family counseling and community services.

Discussion: Facilities are encouraged to provide social service programs through informal or contractual arrangements with community agencies.

- 19.02 The social services program is administered and supervised by a person qualified and trained in the social and behavioral sciences or a related field, and counseling is provided by qualified, trained counselors.

- 19.03 All facility personnel are familiar with the counseling programs available to inmates so that they may refer inmates to appropriate services.

- 19.04 Written policy and procedure provide for substance abuse programs for inmates with drug and alcohol addiction problems.

Discussion: The substance abuse programs should include such elements as:

Staff trained in drug and alcoholic treatment to design and supervise the programs;

Selection and training of former addicts and recovered alcoholics as employees or volunteers in the programs;

Coordination of the institution programs with substance abuse programs in the community;

Efforts to motivate addicts to seek help;

Realistic goals for the rehabilitation of inmates with drug and alcohol abuse problems; and

Flexible approaches to meet the varying needs and problems of addicts and abusers.

20. RELEASE PREPARATION AND TEMPORARY RELEASE

Standards in this section do not apply to Holding Facilities.

- 20.01 All sentenced inmates are given the opportunity to participate in a program of release preparation prior to their release from the facility.
- 20.02 Where feasible, the release preparation program provides for graduated release through a systematic decrease in supervision and corresponding increase in inmate responsibility.
- 20.03 Written policy and procedure govern the temporary release of selected inmates in accordance with applicable statutes. Temporary release programs include the following requirements:
- Written operational procedures;
 - Careful screening and selection procedures;
 - Written rules of inmate conduct;
 - A system of supervision to minimize inmate abuse of program privileges;
 - A complete record keeping system;
 - A system for evaluating program effectiveness; and
 - Efforts to obtain community cooperation and support.
- 20.04 Where statutes permit and classification review determines appropriate, inmates are allowed escorted and unescorted leaves into the community.

- 20.05 Where statutes permit and classification review determines appropriate, inmates are allowed to participate in work or study release programs.
- 20.06 Written policy and procedure specify behavior that is unacceptable during temporary release and the general range of sanctions that may be applied to inmates who exhibit such behavior.
- 20.07 When a pretrial intervention program, diversion program, or parole program is conducted in the facility, sufficient staff, space and equipment are provided to service the program.
- 20.08 To the extent possible, inmates participating in work or study release programs are housed apart from other inmates.

Discussion: Such housing may consist of minimum security "honor" facilities outside the facility. Where separate housing is not available, work or study release inmates should be separated from the general inmate population to the degree possible.

21. ADMINISTRATION AND MANAGEMENT

- 21.01 Written personnel policy and procedure require the selection, retention, and promotion of all personnel on the basis of merit and job-related qualifications.
- 21.02 The facility has an affirmative action plan that complies with all applicable laws and regulations and has been approved by the appropriate government agency.
- 21.03 Written policy and procedure specify that equal employment opportunity exists for all positions, with exceptions only where permitted by law.

Discussion: The determination that an exception applies should be approved by an appropriate person or agency outside the correctional system.

- 21.04 The facility's training program for all employees is coordinated and supervised by a qualified employee at the supervisory level, who follows a specific plan reviewed annually.
- 21.05 Written policy and procedure provide that all new employees receive 40 hours of orientation prior to job assignment and an additional 40 hours of training during their first year of employment. Provision is made to acknowledge and give credit for prior training received.

In addition, all employees who work in direct and continuing contact with inmates in long-term institutions and large detention facilities receive 30 additional hours of training in at least the following areas during their first year of employment:

- Security procedures;
- Supervision of inmates;
- Report writing;
- Significant legal issues;
- Inmate rules and regulations;
- Grievance and disciplinary procedures;
- Rights and responsibilities of inmates;
- Fire and emergency procedures;
- First aid;
- Human relations and communications skills;
- Crisis intervention;
- Special needs of minorities, females and handicapped inmates;
- Recognition of the signs and symptoms of mental illness and mental retardation;
- Recognition of the signs and symptoms of chemical dependency; and
- Problem-solving and guidance.

Employees who work in direct and continuing contact with inmates in small detention facilities and holding facilities receive at least 20 additional hours of training in the above areas in their first year of employment.

Discussion: Employees who work in direct and continuing contact with inmates, such as educational and vocational training instructors, counseling personnel, recreation staff and line correctional officers, require additional training in interpersonal relationships, group dynamics and inmate life styles. Additional on-the-job training is also encouraged.

20.06 Written policy and procedure provide that all employees, including administrative and managerial staff, continue to receive a minimum of 40 hours of training each year after the first year of employment, in areas related to the employee's occupational specialty or to specific duties regularly performed. This includes administrative, managerial, and supervisory training for those who perform such duties, and training in the areas listed in Standard 21.05 above for employees who work in direct and continuing contact with inmates.

Discussion: Ongoing training enables employees to sharpen their skills, reinforce their knowledge and understanding of the fundamentals of their jobs, and familiarize themselves with new developments in the

corrections field and new policies and procedures of the institution. Retraining provides employees an opportunity to exchange experiences and communicate to the administration about issues of special concern.

21.07 All personnel who work with inmates in disciplinary detention and administrative segregation receive specialized training and supervision.

21.08 All personnel authorized to use firearms are trained in weaponry on a continuing, inservice basis and are required to qualify annually.

Discussion: See related standards on weapons and use of force in Security and Control.

21.09 All personnel authorized to use chemical agents are trained in their use.

Discussion: See related standards in Security and Control.

21.10 Written policy and procedure provide that legal assistance is readily available to the chief executive officer.

21.11 Where there is an inmate welfare fund, written policy and procedure govern its operation.

- 21.12 Written policy and procedure provide for continuing internal audits of the facility's fiscal activities and periodic post-audit independent review.
- 21.13 There is an inmate commissary or canteen operated on a non-profit basis where inmates can purchase an approved list of items not furnished by the facility. Strict controls are maintained over its operation and regular accounting procedures are followed. In small facilities, provision may be made for purchase of items from a nearby store. (Not applicable to Holding Facilities.)
- 21.14 Written policy and procedure ensure that the sentencing courts and parole authorities are advised regularly of the extent and availability of services and programs for inmates. (Not applicable to Holding Facilities.)
- 12.15 Where volunteers are used to enrich and supplement services to inmates, written policy and procedure governing the volunteer program include at a minimum the following elements: (1) recruiting, orientation, and training of volunteers; (2) supervision and coordination of volunteers; (3) role of volunteers; and (4) accountability and protection of volunteers.
- 12.16 Written policy and procedure regulate the management of inmate records, which are kept current and accurate.

- 21.12 Written policy and procedure provide for continuing internal audits of the facility's fiscal activities and periodic post-audit independent review.
- 21.13 There is an inmate commissary or canteen operated on a non-profit basis where inmates can purchase an approved list of items not furnished by the facility. Strict controls are maintained over its operation and regular accounting procedures are followed. In small facilities, provision may be made for purchase of items from a nearby store. (Not applicable to Holding Facilities.)
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- 12.16 Written policy and procedure regulate the management of inmate records, which are kept current and accurate.

- 21.17 The facility maintains a complete cumulative case history on each inmate which is available in a central file. (Not applicable to Holding Facilities.)
- 21.18 Inmate records are safeguarded from unauthorized and improper disclosure. The facility establishes procedures to limit access to inmate records to persons and public agencies that have both a "need to know" and a "right to know." Under no circumstances does an inmate have access to another inmate's records.
- 21.19 Written policy provides that inmates have access to their files and records and sets forth procedures and conditions for that review in accordance with applicable statutes.

Discussion: Inmates have a serious and legitimate interest in access to their files. Such access should normally be permitted except where there is a reasonable belief that actual harm would result to the inmate or others.

With regard to inmates' access to their medical records, see Health Care Services.
5.40.