

NIC JAIL INSPECTORS MEETING
JULY 2001
JAIL STANDARDS SURVEY

1. Response name/title/state/agency	2. Does your state have Standards for Jails? Yes ___ No ___ If yes, how long have Standards existed? ___ Compliance mandatory ___? 2	3. Do Standards govern jail operation, jail construction or both? Yes ___ No ___ Explain: ___	4. Are regular inspections or Audits conducted to assess compliance with Standards? Yes ___ No ___ Other ___ Explain: ___	5. What authority (agency, board) enforces Standards compliance?	6. What sanctions may be taken in event of non-compliance? Explain: ___	7. Has Standards revision been recently completed or planned? Yes ___ No ___ Explain: ___	8. If revision has been completed or planned, what major changes, updates or modifications were or will be made? Explain: ___
Jack Kann Manager County Jail Service Unit Michigan	Yes, 1953 Mandatory	Yes, Operational Standards are mandatory. Construction standards are recommended.	Yes, Annual inspections are conducted and follow-up for those facilities who are in non-compliance.	The Attorney General	Compliance "order" issued by the Director of the department then a remedial action date is set. If no plan is in place or non-compliance issues addressed it is forwarded to the Attorney General for further action.	Yes, 1998 (August) the Department implemented the new jail standards follows closely with ACA mandatory standards.	Closely follows with the ACA mandatory standards.
Donald Nadler New York State Commission of Corrections	Yes, 1975, Compliance Mandatory	Both	Yes, Each facility is visited at least once a year, and assessed on compliance with NYS Minimum Standards. Facilities that are subjects of numerous complaints or grievances, are in substantial non-compliance, or have unusual numbers of reportable incidents will be visited more frequently.	The Commission enforces standards compliance, with the possibility of a court ordered directive if it comes to that.	The Commission can take the facility's authorization to house inmates for others, it may revoke variances that had been granted from existing standards, it may depopulate some or all of the jail which could result in the construction of a new jail, and it could get a court order directing the county to comply if all other actions failed to resolve the situation.	Yes, The Commission works with the NYS Sheriff's Association and also continuously monitors the standards for compliance with changing laws, court orders and correctional philosophies and is continually modifying the standards as needed to reflect these changes and to provide mandate rather than possible while still maintaining safe, stable and secure facilities.	A recent change allow facilities to limit showers and shaves for those in segregation units as well as provide alternatives to hot meals to those who are "throwers". We are looking to rebok at special housing and medical issues more closely in the near future and continue our policy of monitoring the standards proactively.
Mike Howerton, Chief of Operation, Local Facilities Department of Corrections Virginia	Yes, 1978, Mandatory	Yes - Both through separate regulatory documents.	Yes, Annual inspection, Triennial Audits.	Board of Corrections	Levels of sanctions from corrective action plan to closure.	Yes, Currently revising all regulatory policy and standards.	Include O.J.C. Direct Supervision, ADA/Design Factors, hardware specs, consolidations of standards, C-BGP and organizational updating.
David C. Underwood, Coordinator Criminal Review Committee Arkansas	Yes, 1973, Mandatory	Yes, We must approve all new jail construction. Jails must be operated within the standards.	Yes, Annually with no-notice inspection as needed.	The State of Arkansas Criminal Detention Facilities Review Committee.	We refer them to circuit court for closure or a consent order for further operations.	No, February 1988	N/A

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William Croust California Board of Corrections	Yes, 1963, Elective	Yes, Standards cover operations, policy, procedures and physical plant requirements.	Yes, Inspections are conducted Biennially	None, other than publish results of inspections to facility administrator, Judge of the superior court, funding authority (board of supervisors/city council) and a Biannual report to the state legislature.	None	Yes, Standards are reviewed, and if necessary, revised every two years by the Board of Corrections through an Executive Steering Committee chaired by the board member and consisting of local subject matter experts. New revised regulations are effective February 15, 2001	No major modifications
Tom Schlager, Inspection Supervisor Pennsylvania	Yes, 20+ years, Compliance Mandatory	Yes, Both. There are 27 minimum standards, with sections addressing operational issues (i.e. admissions, commissary, security) as well as jail construction issues (i.e. housing, sanitation and safety).	Yes, Title 37 Chapter 95 (Minimum Operating Standards for county prisons) requires a minimum of one annual inspection of every county prison in the state. A follow-up walkthrough is then conducted of county facilities that demonstrated non-compliance issues to determine what corrections have occurred and/or are being planned.	State Regulatory Authority - Title 37, Chapter 95 Regulatory responsibilities are assigned to the PA Department of Corrections.	Technically, the Secretary of Corrections can take matters before the Commonwealth Court to force compliance. However, sanctions are basically limited to the designation of non-compliance issues in the formal inspection report as being a "recommendation" (existing two continuous years) or a "citation" (existing more than 2 continuous years). County officials are notified (as part of the official report) that a citation constitutes deliberate indifference and that this information could be utilized by a plaintiff(s) for litigation purposes. The Office of County Inspections and Services endeavors to encourage and work with county officials to develop an action plan to correct the non-compliance issues.	Yes, Of the 27 sections in Title 37, Chapter 95, 12 sections underwent regulatory review beginning in 1997 and were finalized in 2000. The remaining 15 sections are currently undergoing the same review process, with the finalization target date of 2002.	Per the regulatory review directive issued by Governor Tom Ridge, the intent is to 'stream' the language, focusing on needless and deleting philosophical rhetoric. The objective is to identify minimum standards, but not have the state establish the details. Instead, the intent is to allow flexibility to each county to meet the standards according to the scope (i.e. population, type of inmate, physical design) of their facility and the resources available to that individual county. Written local policy is being emphasized in each of the 27 sections to demonstrate accountability, compliance and enforcement.

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Scott Blough, Administrator Bureau of Adult Detention, Department of Rehabilitation and Correction Ohio	Yes, 1976, Standards 1976, Compliance Mandatory, Jails are required to comply with minimum standards by state statute.	Yes, Minimum standards establish operational and physical requirements for existing jails. Construction/renovation criteria govern construction of new jails, additions, renovations or alterations.	Yes, Jails are inspected annually on a selected group of standards (about 30 standards) and to gather jail data. The standard grouping changes every year. Fire safety and health are checked every year. Temporary holding facilities that hold prisoners for three hours or less complete a self-audit and are not inspected.	By state law, the Director of the Dept. of Rehab and Correction may take action through the Attorney General to enjoin compliance with the Minimum Standards. Ohio Jail Advisory Board reviews situation and makes recommendation of action to the Director. Enforcement is usually only taken in the event of life threatening conditions or inadequate separation of males, females and juveniles.	Jails are non-compliance is required to submit a plan of action indicating corrective action. See #5.	Yes, Standards were revised in 1998 and are currently undergoing revision.	In general, standards are being simplified and streamlined. Some areas are being expanded including medical, space requirements and suicide. Standards for private home detention companies have just been completed. Standards for the state run central home detention unit are near completion. Additional info: http://www.dpscs.state.oh.us
Donald Jones Maryland Commission on Correctional Services	Yes, 1960's, Compliance Mandatory	Operational issues only.	Yes, Audits are conducted biennially.	Maryland Commission on Correctional Services (under the direction of the Secretary of the Department of Public Safety and Correctional Services.	The Commission may order certain operations with life threatening concerns ceased, and/or order closure of a facility.	Yes, Standards for private home detention companies have just been completed. Standards for the state run central home detention unit are near completion.	Standards for private home detention companies have just been completed. Standards for the state run central home detention unit are near completion. Additional info: http://www.dpscs.state.md.us
Don Garrison, Director Jail Inspection Division Oklahoma State Department of Health	Yes, 1977, Mandatory	Yes - Both	Yes, Quarterly - Environmental and Operations Yes, Two times per year - paperwork, audit first inspection; physical plant inspection second inspection.	Oklahoma State Department of Health	Attorney General may close on request.	No	Medical, Mentally Ill, Overcrowding
William Lynn, Jail Standards Coordinator Idaho Sheriff's Association	Yes, 1976, Elective	Yes, Minimum standards for operation. Minimum standards for construction (very general).		Idaho Sheriff's Association	None	Yes, Full revision - 1998 Supplemental revisions - 2000	We attempt to incorporate current best practices, U.S. Supreme Court decisions, and 9 th Circuit decisions.

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Lt. Vincent J. Gibney Pinellas County Sheriff's Florida	Yes, 1975, Compliance Mandatory	Yes, The Florida model jail standards (AKA "F.M.J.S.") cover both jail construction and jail operation.	Certified "F.M.J.S." inspectors must conduct a facility inspection at least once a year.	By state statute, only "the courts" can truly enforce standard compliance.	The sanctions are at the discretion of the court. Sanctions vary: "written or verbal notice of violation" "restricted use" "closure" We work with the counties to resolve the problems and issues. Closure is nearly unheard of and even restricted use is limited. Unquestionably, we work toward joint resolution and we seldom think of sanctions.	Florida's DOC was tasked enforcement power. In 1986 the legislature disallowed standards and "special standards" committee formulate powers over to courts.	The F.M.J.S. mandates a formal annual review of existing standards to ensure appropriateness and applicability.
Martin J. Ordman, Director Office of Detention Facilities/ Wisconsin Dept. of Corrections.	Yes, Compliance Mandatory. The role of inspecting has existed for decades.	The standards govern both construction and operations. The construction piece is not all-inclusive, as there are other state agencies requiring review and approval. The major portion of rule is operations.	Inspections by our office are required at least annually by statute. Our folks are in the jails far more often than that in most cases.	The enforcing agency is the Wisconsin, Dept. of Corrections.		We are currently in the process of revising two of rules - secure juvenile detention and unlocked work release facilities. We anticipate completion of them in 2001. We have one other rule - jails - which will be on this year	as well. The major change includes both construction and operations. We are hoping to beef up requirements in the areas of mental health, medical care and programs. There are others.
Paul Downing, State Jail Inspector Indiana Department of Corrections	Yes, 1982, Mandatory	Both. The State standards merely state jails will be built to ACA Standards.	Yes, Semiannual inspections	Courts	Petition the circuit Court Judge of the county concerned to close, or alter the use of, a jail.	Yes, Standards board has just been appointed.	Planning changes in strip search, medical care, and continuing education for jailers.
Sean Medeiros Massachusetts Department of Corrections	Yes, 1980's, Compliance Mandatory	Yes, Most standards relate to jail operations. However, some standards discuss physical plant requirements cell size, use of facilities etc.	Yes, Audits conducted twice per year.	The Commissioner of the Department of Corrections.	Technically the commissioner can take matters before a court to force compliance. However, generally sanctions are not employed rather the commissioner's designee works closely with the sheriff's staff to persuade them into developing a workable plan of action.	Yes: Standards revisions are planned with the county representatives on an ongoing basis and the current standards were last revised in 1989 and further revisions are planned within the next several months.	We deleted and simplified a lot of the existing standard language.

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Greg Carlson, St. Detention Facility Inspector, Minnesota Dept. of Corrections	Yes, 1978, Compliance Mandatory	Yes, Rules Chapter 2911 cover facility operations and Rules 2900 cover new construction.	Yes, inspections are statutorily required at least once every biennium. Inspections are generally done on an annual basis for about 70% of facilities and about every two years for 30% of facilities.	Commissioner of Dept. of Corrections	The four levels of sanctions ranging from a written order by the inspector for correction within a specific time frame not to exceed 180 days to a restricted use order or condemnation order.	Yes, The 2911 Rule was amended and updated in 1999.	Many rules were dated to reflect more current best practices and a higher level of mandatory standards in the medical area.
Denny Macomber Nebraska Jail Standards	Yes, 1980, Compliance Mandatory	Yes, Our standards address operational and constructions issues.	Yes, Each of the 72 facilities in our state is inspected on annual basis.	The Nebraska Jail Standards Board enforces compliances with the Nebraska Minimum Jail Standards.	The jail Standards Board will initially require a corrective action plan to be submitted within six months for all out of compliance issues. If the plan is not acceptable or the jail does not comply with the terms of the plan the Jail Standards Board may petition the District Court for closure of the Jail. Since the advent of our Standards we have not had any jails that successfully opposed the Board.	Yes, We are in the process of revising our Standards. Actually we are always in the process of revising either our adult or juvenile detention standards.	Most of our changes have been issues, addressing computerization of records issues, increasing training requirements, and further defining discipline and classification due process requirements.
Robert Powell Kentucky	Yes, 1983, Compliance Mandatory	Yes, Standards cover operations, policy, and construction.	Yes, inspections are conducted biennially.	Kentucky Department of Corrections	Restrict occupancy, order corrections, or order closure.	Yes, Standards are reviewed every two years by a Jail Standards Commission. Commission is composed of 50% who represent state interest and 50% who represent county interest.	Major changes include recognition of Objective Jail Classification and new Strip Search Standards.
Tony McChung, Coordinator Georgia Dept. of Community Affairs	Yes, 1979, Elective	Yes	No	Voluntary	None	Yes, 1998	Major changes more closely tracks ACA Standard.

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Ginger Martin, Administrator of Community Corrections Oregon Department of Corrections	Yes, 1979, Mandatory 2000, Elective Old are mandatory new volunteer standards has been developed by Oregon Sheriffs Association and DOC.	Both - Old standards. New standards are operations only.	Both DOC conducts inspections. Sheriffs Association has developed peer review extended operational standards.	DOC - basic (old) standards. New standards are voluntary and peer-reviewed. The Attorney General enforces compliance at the request of DOC.	DOC (old standards) offers technical assistance, peer assistance and if non-compliance persists. The Attorney General can close the facility.	Yes - New in 2000 the Oregon Sheriffs Association and DOC developed comprehensive operational standards that are voluntary and inspected by peer review.	See #7. New standards provide greater operational details for correctional facilities. Elimination of obsolete standards and accommodation of realistic application for existing/older facilities. The most significant revision, however, involved the emphasis on classification. Facilities are encouraged to develop a comprehensive plan, which, if approved, will enable more, multiple occupancy housing and fewer single cells.
Blake E. Taylor, Jr., Director Division of Inspections and Operational Review South Carolina Department of Corrections	Yes, 1980, Mandatory	Yes, Jail design and construction must conform to standards. Operations are evaluated continually against standards.	Yes, Annual formal inspection, with follow-up inspection approximately six (6) months later.	South Carolina Department of Corrections, Division of Inspections and Operational Review. (This entity's nomenclature changes periodically due to agency reorganizations. This statutory reference is Jail and Prison Inspection Division.)	Closure of facility. As an alternative, actions (i.e., move staff, reduced population, commitment for expansion, etc.) may be stipulated for the facility to avoid or delay closure.	Yes, Major versions in 1997. Minor versions are made whenever circumstances indicate the need to do so.	
Ralph Nichols, Director Maine Department of Corrections	Yes, 1951	Yes	Yes, every two years.	Maine Department of Corrections	Limiting use of facility to closures.	Yes, Revisions now being promulgated.	Reflect changing case law and professional practices.