

~~JAIL~~

CRIMINAL

DETENTION

FACILITY

STANDARDS

~~Criminal Detention Facility Review Commission~~  
~~February, 1988~~

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~~*These Standards are dedicated to*~~

**OWEN BARNES**

~~*Who spent many hours working on them.  
He was claimed by death before he could see the completed work,  
But his input will be recognized for many years to come.*~~

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# ~~Criminal Detention Facility Review Commission~~

~~Mike Grady, Coordinator~~

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Newton Hailey  
Dr. Howard McCord, Jr.  
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Bob Cockman  
The Honorable Carroll Gravett  
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# **CRIMINAL DETENTION FACILITY REVIEW COMMISSION**

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## Chapter I

# LEGAL AUTHORIZATION FOR THE CRIMINAL DETENTION FACILITY REVIEW COMMISSION

Act 882 of 1985, Arkansas Seventy-fifth General Assembly, Regular Session, 1985, as amended by Act 881 of 1987 provides:

### For An Act to Be Entitled

AN ACT TO CREATE THE CRIMINAL DETENTION FACILITIES REVIEW COMMISSION AT STATE LEVEL FOR THE PURPOSE OF REVIEW OF PRESENT MINIMUM STANDARDS FOR LOCAL CRIMINAL DETENTION FACILITIES (LOCAL JAILS) TO DETERMINE THEIR APPLICABILITY; TO AUTHORIZE THE COMMISSION TO PRESCRIBE NEW STANDARDS IF THAT COURSE IS DETERMINED ADVISABLE; TO AUTHORIZE THE COMMISSION TO PUBLISH AND DISTRIBUTE STANDARDS FOR IMPLEMENTATION BY LOCAL AUTHORITIES AS DEEMED NECESSARY TO INSURE THAT PRISONERS HELD IN LOCAL JAILS ARE ACCORDED CLEAN, HEALTHFUL, SANITARY LODGING IN A SAFE SECURE ENVIRONMENT, AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

### SECTION 1.

For the purpose of the Act:

- (a) ~~"Criminal Detention Facilities Review Commission" means the Commission established in Section 2 hereof.~~
- (b) ~~"Criminal Detention Facilities Review Committee" or "Committee" means a committee which was appointed by the several District Circuit Judges under provisions of Act 741 of 1983 as amended by Ad 539 of 1985.~~
- (c) ~~"Coordinator" is the person appointed by the Governor under the provisions of Ad 741 of 1983.~~
- (d) ~~"Criminal Detention Facility" means any institution in which prisoners may be held for any length of time whatsoever, including county-city jails, regional jails and/or any type of temporary holding facility.~~
- (e) ~~"Guidelines for Operating Local Criminal Detention Facilities" (herein guidelines) means those guidelines which will result from the work of the commission.~~
- (f) ~~"Intermediate/Long-term Facility" means a criminal detention institution in which prisoners may be held from time of intake through a one-year period.~~
- (g) ~~"Short-term Facility" means any institution operated by a local unit of government in which persons may be incarcerated from time of initial intake up to sixty (60) days.~~
- (h) ~~"Twenty-four Hour or Overnight Facility" means any institution operated by a local unit of government in which persons may be incarcerated from time of intake up to twenty-four (24) hours.~~

### SECTION 2.

~~There is hereby established a Criminal Detention Facilities Review Commission, hereinafter referred to as the commission, the members of which shall be appointed by the Governor.~~

- ~~(a) The Commission shall be responsible for developing guidelines for the operation of local Criminal Detention Facilities as defined above.~~
- ~~(b) The Coordinator of the Commission shall make himself available to the Commission in the capacity of an advisor.~~
- ~~(c) The Commission membership shall consist of seventeen persons drawn from the following disciplines, professions, groups and associations in numbers as shown:~~

- ~~(1) Three Sheriffs~~
- ~~(2) Three Chiefs of Police~~
- ~~(3) Two Attorneys~~

~~(4) Two Nutritionists~~

~~(5) Two Architects~~

~~(6) Three State Citizens (not related to the field of criminal justice, preferably from the education field)~~

~~(7) One Medical Doctor~~

~~(8) One Dentist~~

~~(d) On those dates when the Commission members shall be called upon to perform actual duties, each member shall be paid per diem at the rate of forty-five dollars (\$45.00) per day, lodging costs not to exceed forty dollars (\$40.00) per day on a reimbursable, receipt-required basis, travel expense at the established state rate and incidental expenses such as parking, telephone and postage spent in connection with their work. The Coordinator shall be responsible for certifying their vouchers to appropriate personnel of the Department of Finance and Administration for payment.~~

~~(e) The Commission will dissolve itself at the conclusion of the business meeting at which they approve the final printed copy of the minimum guidelines.~~

### **SECTION 3.**

~~If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.~~

### **SECTION 4. EMERGENCY,**

~~It is hereby found and determined by the General Assembly that a need exists to develop, update and revise our Minimum Standards for local Criminal Detention Facilities within the state, and that immediate action is necessary to achieve sorely needed changes to our present standards. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.~~

## Chapter I ## DEFINITIONS

Throughout the Standards set forth herein, the following definitions shall apply:

- A. **Chief Executive:** the elected or appointed person in whom rests the ultimate authority and responsibility for the administration and operation of the Criminal Detention Facility and for the care and confinement of detainees confined therein, and for all facility personnel.
- B. **Criminal Detention Facility**, as defined in Act 822 of 1983, means any institution in which ~~prisoners~~ inmates may be held for any length of time whatsoever, including county-city jails, regional jails and/or any type of temporary holding facility. "Criminal Detention Facility," "the facility," and "jail" are used herein interchangeably.
- C. **Detainee** means any person confined for any length of time within a Criminal Detention Facility. "Inmate" and "detainee" are used interchangeably herein and refer to both those persons charged with criminal violations who are awaiting trial and those persons being confined after conviction.
- D. **Health Authority** means a licensed physician, health administrator or agency. When this authority is other than a licensed physician, final medical judgment rests with a single responsible physician who is licensed in Arkansas and who has been so designated by the Chief Executive.
- E. Use of the terms "he" and "him" within these standards shall also mean "she" and "her."
- F. Use of the word "shall" within these standards connotes a mandatory standard.
- G. Use of the word "should" within these standards connotes a recommended standard.
- H. **Intermediate/Long-term Facility** means a criminal detention institution in which ~~prisoners~~ inmates may be held from time of intake through a one-year period.
- I. **Short-term Facility** means any institution operated by a local unit of government in which persons *may* be incarcerated from time of intake up to *sixty* (60) days.
- J. **Twenty-four Hour or Overnight Facility** means any institution operated by a local government in which persons *may* be incarcerated from time of intake up to twenty-four hours.
- K. **Book In Facility Only-** means a two (2) to six (6) hour holding facility that must follow Jail Standards. This can be recommended by the Judicial Committee Members.
- L.. A ~~Registered or Certified~~ Licensed Dietician means a person ~~registered~~ licensed by the Arkansas Dietetics Licensing Board ~~Commission on Dietetic Registration after passing the National Certification Examination.~~

## Chapter II III

# ADMINISTRATION

### **SECTION ~~2-1001~~ 3-1004. ADMINISTRATOR**

The Chief Executive of a Criminal Detention Facility shall ~~appoint~~ designate an Administrator to oversee the operation of the facility, or shall assume that position himself. A person so ~~appointed~~ designated shall be vested with the authority to control the operation of the facility and with the authority over all personnel employed by the facility or confined therein. The Administrator reports directly to the Chief Executive in his duties overseeing the facility. This Standard shall not apply in those cases where a Civil Service Commission retains the authority of appointing a Criminal Detention Facility Administrator.

### **SECTION ~~2-1002~~ 3-1002. INVOLVEMENT OF CHIEF EXECUTIVE OFFICER**

The Chief Executive shall at all times ~~be responsible for keeping~~ fully informed on all aspects of the Criminal Detention Facility. He shall be familiar with staff management procedure and ~~prisoner~~ inmate safety, security and welfare.

### **SECTION ~~3-1003.~~**

~~The appointed Administrator shall be responsible to the Chief Executive for administering the Criminal Detention Facility and for the care and welfare of all persons confined in the facility.~~ **Combined with 3-1001 above.**

### **SECTION ~~2-1003~~ 3-1004. WRITTEN POLICIES**

The Chief Executive, ~~or his designee as he deems appropriate,~~ shall prepare a written policy ~~and guideline document for all areas that Criminal Detention Facility Standards require a policy~~ which fully describes the facility routine to include the philosophy under which the facility will be operated. This policy and guideline should be made available to the staff. Provisions should be made in the document for two-way communication between all members of the staff, inmates and public figures, the latter communication being true only to the extent deemed advisable by the Chief Executive taking into consideration the necessity of preserving discipline among the inmates.

### **SECTION ~~2-1004~~ 3-1005. FISCAL MANAGEMENT**

The Chief Executive, or his ~~appointed~~ designated Administrator, shall be responsible for total fiscal management with the funds so provided by the governing body. This responsibility of necessity includes budgeting for needed equipment, supplies, manpower and related expense for complete jail management which conforms in every respect with Arkansas State law, local laws, and these Standards. The Chief Executive shall be held responsible for submission of an all-encompassing budget, to the appropriate approving authorities, and shall not be held responsible for failure of that approving authority to provide for sufficient personnel, equipment, supplies and other necessary operating expenses.

## Chapter ~~III~~ IV

### PERSONNEL STANDARDS

#### SECTION ~~3-1001~~ 4-1001. APPLICABILITY

These Standards are applicable to all personnel employed in a Criminal Detention Facility.

#### SECTION ~~3-1002~~ 4-1002. MINIMUM STANDARDS FOR PERSONNEL

- A. When personnel are being ~~hired~~ selected, special inquiry shall be made into the character, morals and standing in the community of each applicant, giving special attention to details provided ~~from~~ in the application, background investigation, and verbal responses to questioning of the applicant. The background investigation form required by Law Enforcement Minimum Standards or its equivalent shall be used and kept on file. A high school education or equivalent shall be required of all new employees. The attributes of physical fitness, experience, demonstrated aptitude and previous training and experience should be the prevailing factors in the ~~selection~~ hiring process. Personnel shall be free of a felony record.
- B. Criminal Detention Facility personnel shall be at least 18 years of age on the date of hiring.
- C. All new Criminal Detention Facility personnel whose duties bring them into contact with inmates shall be required to meet the medical standards required by Law Enforcement Minimum Standards and evidence of each employee's ability to meet the medical and psychological standards shall be kept on file in the facility.
- D. Health examinations which include, at a minimum, an examination for communicable disease, shall be required of all Criminal Detention Facility personnel at the time of hiring, and should be required on at least an annual basis. Evidence of the examination shall be kept on file in the facility.
- E. All criminal Detention Facility personnel shall successfully complete training equivalent to the basic jail course which is offered by the Arkansas Law Enforcement Training Academy or the Department of Correction within ~~one year~~ nine months of being hired. Personnel may be granted a three month extension within which to complete the training. Certified law enforcement officers are exempt as long as the Chief Executive certifies that the officer is knowledgeable of these Standards. ~~For the first 24 months after the effective date of these Standards, the following shall apply: if~~ If training cannot be obtained completed within one year nine months (with a three month extension) from date of hire, the Chief Executive shall document in writing the attempts made to obtain complete training. In no case shall training be deferred beyond two years. ~~Each new employee should be required to undergo at least 15 days of on-the-job training and orientation prior to being assigned to work alone. The Chief Executive may waive the on-the-job training for those whom he believes to be qualified, but a record shall be made of the waiver and the reason for the waiver and placed in the personnel file of the individual concerned. Each new employee shall work on a probationary status for a minimum of one year from date of hire.~~
- F. The Chief Executive ~~should encourage~~ shall require all employees to complete ~~take the self-taught course offered at no cost by the U.S. Bureau of Prisons and Jail Inspection Service~~ 16 hours of continuing education per year.
- G. A personnel file shall be maintained for each employee by the Chief Executive or the Administration of each Criminal Detention Facility and the file shall include all data relative to the training ~~health~~ and job qualifications of each person.
- H. The Chief Executive shall be responsible for budgeting for sufficient personnel. The governing body shall be held responsible for sufficient funding to carry out in total all of the requirements contained in Chapter VIII, Section 8-1001, A-C. These three standards shall be met. A lack of funds shall not be considered in mitigation because the safety and security of the facility and personnel therein rests to a great degree on these standards.

The Chief Executive shall, when necessary to correct any ~~lack of~~ personnel issues which prevents implementation of ~~these~~ these standards, request in writing, immediate intervention and assistance from the governing body of the county or municipality and, if the request is denied, shall request immediately in writing, the necessary intervention and assistance from the Criminal Detention Facility Review Committee.



## **Chapter V**

### **RECORDS AND COMMITMENT RECEIVING PROCEDURE**

## **Chapter IV**

### **RULES OF CONDUCT FOR PERSONNEL**

#### **SECTION 4-1001. PERSONNEL ORIENTATION**

The Chief Executive and/or the Administrator shall be responsible for seeing that each employee of the Facility is briefed on the care, treatment, custody and control of inmates. Prior to assuming duties that require care and control of the inmates, the employee must be familiarized with the facility's written rules of conduct that are published in a regulation manual provided to all employees and acknowledged as received.

#### **SECTION 4-1002. RULES OF CONDUCT**

Basic rules of conduct shall be in writing and ~~published in a regulation manual~~ provided to each employee. The Chief Executive is generally responsible for the content composition of the rules of conduct ~~in general~~, but at a minimum those rules shall cover at least the ~~factors herein~~ topics listed below:

- A. Each employee shall be responsible for knowing and complying with these rules of conduct
- B. The personnel shall orient their personal conduct toward professionalism. When on duty, they should be properly groomed, neat and clean, mentally alert, and at all times should strive to present a high level of physical fitness. When off-duty, ~~Personnel off-duty are encouraged~~ required to maintain a professional image.
- C. All personnel must perform their duties in a polite and professional manner when interacting ~~dealing~~ with inmates ~~prisoners~~. They shall not use profane and/or abusive language, nor shall they in any manner abuse an inmate ~~prisoner~~.
- D. All personnel who are qualified to use defensive equipment shall know the location of ~~any~~ all such equipment ~~on hand~~, and shall be fully ~~knowledgeable~~ trained and certified ~~of~~ on the procedures and justification for its use against an inmate.
- E. If an emergency squad has been established by the Chief Executive, all personnel assigned to that squad ~~body~~ and shall be expected to be fully familiar with all ~~facets~~ aspects of the operation.
- F. Personnel shall be constantly alert for unusual incidents among the inmates, such as escape plots and attempts to smuggle contraband or prohibited items into the facility.
- G. For security purposes, ~~unless authorized by the appropriate authority such as a public relations officer of the facility~~, personnel shall not discuss management and operations of the facility with anyone except co-workers and superiors, and then discussions shall be conducted in a discrete manner.
- H. Personnel shall not buy from, sell to, barter or trade in any manner with inmates, family or friends of an inmate or a representative of any of these persons. Personnel shall not accept gifts of any kind, regardless of value, from an inmate or ~~their~~ his representative, family members or friends. The Chief Executive may allow an exception for Act 309 inmates in accordance with the Arkansas Department of Corrections 309 Policy.
- I. Personnel shall not engage in distracting activities while on duty.
- J. Personnel shall not recommend a specific bondsman or attorney or other services of this nature to an inmate. Personnel ~~should~~ shall have ~~reference~~ approved material ~~(such as yellow pages)~~ from which an inmate may seek services, and that material ~~should~~ shall be made available to inmates and their counselors on request.



- K. Personnel ~~should~~ may use physical force against an inmate only to the extent that it is necessary in self-defense, to prevent injury or death to himself or another person; to quell an inmate who might grievously harm or injure himself, to end a disturbance or to prevent a riot or escape; to prevent destruction of public property; and to enforce a lawful command to which an inmate is reacting with physical resistance.
- L. In the event of an incident involving the use of force, as in paragraph K. above, the involved personnel ~~shall~~ will make an immediate written report of all details to their immediate supervisor who will ~~forward~~ disseminate the report in accordance with the department's established administrative policies.

## Chapter V

# RECORDS AND COMMITMENT RECEIVING PROCEDURE

### SECTION 5-1001. RECEIVING OF INMATES

~~A professional atmosphere in which a procedure is utilized for booking an inmate prisoner into the Criminal Detention Facility in a smooth, fast and courteous manner shall be planned by the Chief Executive and implemented as Criminal Detention Facility routine.~~ The procedure used for booking an inmate into the facility should be professional, smooth, fast and courteous.

### SECTION 5-1002. VERIFICATION OF DETAINMENT

Proper legal authority shall be the basis of committing a person to confinement in the Criminal Detention Facility. The Chief Executive shall establish procedures to ensure that all warrants, court orders of commitment, arrest reports, etc. are checked for completeness to include an authorized signature, and to identify the detainee as the subject in question as fully as circumstances permit.

### SECTION 5-1003. JAIL LOG

A "jail log" or other detention record, which would provide accurate facility population records shall be kept, in which all pertinent information on every detainee is recorded. This log should contain characteristic and demographic data on the detainee, time/date of arrest, time/date of confinement, time/date of release, cause of confinement, classification of offense (felony or misdemeanor), arresting/confining officers, warrant or commitment data and all other data common to such action. Fingerprints should be obtained and furnished to the Arkansas State Police, or as required by law, on subjects who meet the criteria established by Arkansas law and who have not previously undergone that procedure by the arresting agency.

### SECTION 5-1004. INMATE INFORMATION

In all cases where a person is being confined within the Criminal Detention Facility, the following information shall be obtained and maintained within the facility except that in those cases where the person being confined has been confined in the Detention Facility within the previous 30 days, then requirements A, B, C, E, and F are optional:

- A. Previous criminal record;
- B. Known habitat and habits of the subject;
- C. Names and other identifying data of person(s) to be contacted in the event of an emergency.
- D. Known or stated illnesses to include name of medication or special diet, if any, prescribed;
- E. Names and identifying data of person(s) expected to visit or correspond with the inmate, including attorney(s), clergy or other professionals if the inmate freely provides that data.
- F. Social security and/or driver's license numbers and car license number if obtained; and
- G. Detailed descriptions of bruises, cuts, needle marks and/or apparent deformities of any type.

### SECTION 5-1005. PERSONAL PROPERTY OF INMATES

All personal property from an ~~inmate prisoner~~ shall be properly accounted for on a written receipt, placed in an envelope or other container which clearly identifies by appropriate markings that the inmate is the owner of that particular property. The ~~inmate prisoner~~ shall be given a copy of the receipt and the property will be held under tight security. If property of an evidentiary nature is seized at the receiving/booking station, it should not be listed with the property that will be returned to the ~~inmate prisoner~~ when he is released on bond or otherwise. Such evidentiary property should be handled under the procedure established for evidence handling, and in such cases the evidence seized shall be documented and the ~~inmate prisoner~~ shall be given a copy of the evidence receipt.

#### **SECTION 5-1006. SEARCH DURING RECEIVING OF INMATE**

At the time an inmate ~~prisoner~~ is being searched, he should be checked for vermin, cuts, bruises, needle marks or any bodily injury and all findings shall be entered in the inmate's ~~prisoner's~~ personal record. Any claims of illness or injury should be entered on the record and checked by professional medical personnel for accuracy if warranted. If an inmate ~~prisoner~~ appears to be ill, or is comatose or in a stupor, a medical doctor shall determine the condition of confinement. A vermin-infested inmate ~~prisoner~~ should be deloused by methods that have been recommended by Arkansas Department of Health.

#### **SECTION 5-1007. STRIP SEARCHES**

Strip searches shall be conducted in private by a person of the same gender as the inmate ~~person~~ being searched except when circumstances make the presence of additional personnel necessary. The Chief Executive shall have a written strip search policy.

#### **SECTION 5-1008. OPPORTUNITY TO CALL BONDING COMPANY**

After the booking procedure is completed, the ~~prisoner~~-inmate shall be allowed to call, without expense, an Arkansas licensed bonding company.

#### **SECTION 5-1009. INMATE ORIENTATION TO FACILITY RULES**

The inmate ~~prisoner~~ should be oriented to the rules of the facility ~~briefed~~ by permitting him to read plainly printed Facility Rules or by furnishing the inmate ~~prisoner~~ a copy of same.

#### **SECTION 5-1010. ASSIGNMENT TO QUARTERS**

At the conclusion of the admittance procedure the inmate-~~prisoner~~ shall be assigned suitable quarters, clean and adequate bedding and other items necessary for sanitation and proper hygiene.

#### **SECTION 5-1011. DISCIPLINARY ACTIONS**

Disciplinary actions taken against an inmate ~~prisoner~~ for any cause shall be reported in writing and kept in the inmate's ~~prisoner's~~ record file.

#### **SECTION 5-1012. UNUSUAL OCCURRENCES DOCUMENTED IN WRITING**

A written record of any unusual occurrence including, but not ~~necessarily~~ limited to, incidents of violence, force used against an inmate ~~prisoner~~, injury to another person by the inmate ~~prisoner~~, medical and/or dental treatment to include the result of such medical/dental treatment, disciplinary, and any other incident not named but of such importance that questions could later arise, shall be recorded in the private record file of the inmate ~~prisoner~~ concerned.

## Chapter VI

# INMATE RIGHTS AND DISCIPLINARY PROCEDURES

### **SECTION 6-1001. WRITTEN DISCIPLINARY POLICY**

The Chief Executive shall publish inmate rights and rules of conduct specifying disciplinary action and penalties which may result from infractions. This will be made available to all inmates through posting, having the inmate read from a *copy* or by giving each inmate a personal copy of the same. Provisions shall be made for those inmates who cannot read, and in every instance there should be a clear understanding of the rights and rules. The ~~receipt~~ receiving of this information shall be noted in writing by the inmate, or if refused, by the officer providing the information.

### **SECTION 6-1002. WRITTEN INMATE RIGHTS**

Published inmate rights shall include the following:

A. All inmates of a Criminal Detention Facility shall have reasonable access to the courts through counsel whether appointed or retained, and in the event counsel has not been retained or appointed, the inmate should have reasonable access to law library materials.

B. All inmates have a right to have access to their attorney. Legal consultation(s) shall be permitted in private, shall be unmonitored, and occur at the place of detention on a reasonable basis.

C. Inmates shall not be segregated solely because of race, creed or color.

D. Inmates shall be permitted to worship or meditate at a reasonable time as prescribed *by* their faith; to have access to clergy of their faith, if available, and to adhere to dietary laws of their faith where possible.

E. All inmates have a right to humane treatment which provides for nourishing food, access to medical and dental care when indicated, clean living quarters, and a healthy, safe and secure environment. ~~In no way~~ Under no circumstances shall denial of regular meal service be used as a disciplinary measure.

F. Inmates have a right to be secure from self-incrimination and shall not be subjected to unlawful attempts to obtain statements and/or confessions while they are incarcerated.

G. At the time of intake, the inmate shall be afforded an opportunity to make a reasonable number of unmonitored phone calls, at the inmate's expense, in which he may contact an attorney of choice, and a member of his family.

### **SECTION 6-1003. WRITTEN DISCIPLINARY PROCEDURES**

The Chief Executive shall establish a written policy regarding inmate disciplinary procedures which shall include the following:

A. A definition of minor inmate infractions and the appropriate disciplinary action;

B. A definition of major inmate infractions and the appropriate disciplinary action;

C. A procedure for written documentation of all disciplinary actions taken including the filing of criminal charges where appropriate;

D. A procedure for the due process handling of disciplinary actions which may include a hearing to be held within a reasonable time before a person designated by the Chief Executive.

## Chapter VII ~~VIII~~

### ~~PRISONER~~ INMATE SEPARATION

#### SECTION 7-1001 ~~8-1001~~. SEPARATION BY TYPE

A The Criminal Detention Facility shall provide for the separation by sight and sound, to the greatest extent possible, sound, of the following categories of inmates:

Female and male inmates;

Juveniles not under the protection of the Juvenile and Delinquency Prevention Act of the Arkansas Juvenile Code; and

Witnesses and civil inmates ~~prisoners~~.

B. The Criminal Detention Facility shall provide for physical separation of the following categories of inmates to the greatest extent possible:

Inmates with special problems (alcoholics, narcotic addicts, mentally disturbed persons, physically ill or ~~handicapped~~ disabled persons, persons with communicable disease);

Inmates requiring administration segregation;

Pre-trial detainees and post-trial detainees; and

Misdemeanants and felons.

#### SECTION 7-1002 ~~8-1002~~. WORK RELEASE AND TRUSTEE INMATES

Work release and trustee inmates ~~prisoners~~ should be separated from other ~~prisoners~~ inmates to the greatest extent possible.

## Chapter ~~VIII~~ IX

# SECURITY

### SECTION ~~8-1001~~ 9-1001. SECURITY REQUIREMENTS AND GUIDELINES

Every Criminal Detention Facility shall, ~~and absolutely must,~~ have sufficient personnel ~~sufficient in number~~ to ensure that the facility is never, ~~under any condition,~~ left unattended while a person is confined therein.

- A. There must be ~~paid~~ personnel on duty twenty-four hours per day who are awake, alert and responsive to all situations that might arise. Staffing patterns must be approved by the Criminal Detention Facility Review Committee to ensure that an adequate number of personnel are on duty at all times. If both male and female inmates are confined, both male and female jail personnel shall be on duty.
- B. Personnel must have audio contact with all ~~inmates~~ prisoners, either in person or by means of electronic monitoring devices, at all times. ~~They~~ Personnel shall visually check at no more than sixty-minute intervals on an irregular basis, all security features of the cell area, make account of the ~~inmates~~ prisoners, watching for any unusual factors, and the results of this check shall be ~~mechanically recorded or manually recorded and initialed or signed, in ink,~~ by the person making the check. In existing facilities where the jailer performs a dual function such as booking officer and dispatcher, the Criminal Detention Facility Review Committee shall assess whether the physical structure of the facility permits him to adequately perform both functions.
- C. A female officer shall be on duty full time when females are confined, and she shall be required to make all the checks of the cells with female inmates as described in paragraph A above. Outside of an emergency situation, no male officer will enter the cell where female inmates are being held unless accompanied by a female officer. Outside of an emergency situation, no female officer will enter the cell where male inmates are being held unless accompanied by a male officer.
- D. The Chief Executive shall publish a search procedure policy for control of contraband. The responsibility for the proper execution of that search procedure .policy shall rest upon the Administrator or the senior officer present.
- E. The Chief Executive shall publish a policy to include guidance for all detention personnel in emergency situations. The plan shall establish a procedure to be followed in the event of escapes, riots, fire or smoke situations within the facility, inmate disturbances, assaults against officers or inmates, and should include any other circumstance that the Chief Executive believes to be of a threatening nature. All personnel shall familiarize themselves with the emergency plan and have a very clear understanding of their response and contribution to successfully implementing the plan.
- F. No inmate shall exercise any authority over other inmates, be given access to records of other inmates, nor be permitted to have access to, or use of, keys that control facility security.
- G. No person shall be permitted to enter the secure area of the Criminal Detention Facility while armed, except in the event of an emergency.
- H. The Chief Executive shall establish a written policy to govern the control and use of fire arms/ammunition, chemical agents and any other security devices. Emergency equipment shall be kept on hand and all detention personnel will be trained in the use of such equipment with the training noted in their personnel file before being permitted access to, or use of, those items.
- I. The Chief Executive shall establish a written policy to govern key control in the Detention Facility.
- J. The Chief Executive shall establish a **written** policy addressing security measures for trusty-status inmates.
- K. In existing facilities where the jailer performs a dual function, such as booking officer and dispatcher, the Criminal Detention Facility Review Committee shall assess whether the physical structure of the facility permits him to adequately perform both functions.
- L. For those inmates who are under the age of 18 or for whom there exists known mental or who have demonstrated

behavior problems, detention personnel shall check at no more than thirty-minute intervals and the check shall be documented as in paragraph B above.

## Chapter ~~IX~~ X

# MEDICAL, DENTAL AND MENTAL HEALTH CARE SERVICES

### **SECTION ~~9-1001~~ ~~10-1001~~. WRITTEN PLAN REQUIRED**

The Chief Executive shall establish a written plan for making all medical, dental and mental health services available for inmates. The Plan shall include the designation of a health authority.

### **SECTION ~~9-1002~~ ~~10-1002~~. HEALTH CARE DELIVERY REQUIREMENTS**

For health care delivered in the facility, adequate space, equipment, supplies and materials shall be provided as ~~designated~~ by the health authority. A private examination room ~~(which can serve other purposes when not used for medical/dental consultations)~~ shall be provided in intermediate term facilities.

### **SECTION ~~9-1003~~ ~~10-1003~~. EMERGENCY AND SICK CALL PROCEDURES REQUIRED**

The Chief Executive shall insure that an emergency and sick call procedure is instituted which extends medical, mental, and dental services to all inmates.

### **SECTION ~~9-1004~~ ~~10-1004~~. RECORDS REQUIRED**

A written or electronic record shall be made and retained in the Criminal Detention Facility's file of the facility of all inmate medical and dental complaints and the prescribed medication or treatment. Place, date, time and nature of the health encounter shall be documented. ~~Arkansas Department of Correction medical forms are recommended for use. No inmate shall have access to the medical record of any other inmate.~~

### **SECTION ~~9-1005~~ ~~10-1005~~. MEDICATION ADMINISTRATION**

All medication prescribed for an inmate shall be ~~given~~ administered in accordance with the instructions of the designated health authority. A complete record shall be retained in the inmate's file of all medication prescribed. A complete record of all medications ~~given~~ administered to inmates shall be kept, and where possible, the inmate shall acknowledge the receipt of medication by signature or initial. All medication shall be kept in a locked storage area. Drug Medication administration will be the responsibility of the Chief Executive or his designee. No inmate shall be allowed to administer medications to another inmate, ~~nor shall any inmate have access to the medical records of another inmate.~~

### **SECTION ~~9-1006~~ ~~10-1006~~. EMERGENCY NOTIFICATION POLICY**

Written policy established by the Chief Executive shall specify the process by which those individuals so designated by the inmate are notified in case of serious illness or injury.

### **SECTION ~~9-1007~~ ~~10-1007~~. TRANSFER OF INMATE RECORDS TO OTHER FACILITIES**

In accordance with HIPAA, Copies of the medical record maintained by the Criminal Detention Facility shall be routinely sent to the any facility to which an inmate is may be transferred.

### **SECTION ~~9-1008~~ ~~10-1008~~. PSYCHIATRIC EVALUATION**

Inmates who exhibit strange or abnormal behavior should be referred for psychiatric or psychological evaluation as soon as possible. Full records of referrals should be retained, in accordance with HIPAA.

### **SECTION ~~9-1009~~ ~~10-1009~~. EMERGENCY AND LIFE SAVING TECHNIQUES AND EQUIPMENT REQUIRED**

A first aid kit and an automatic external defibrillator (AED) shall be available in a secure, but easily accessible, location within the Detention Facility. A medical training program or suitable alternative shall be established for eDetention Facility personnel, such as first aid, CPR or any other available programs that will aid in the recognition of signs and symptoms of and knowledge of action required in potential emergency situations. All personnel shall maintain certification for life saving techniques and devices.



**SECTION 9-1010 ~~10-1010~~. INMATE TESTING PROHIBITED**

The Chief Executive shall establish a written policy which prohibits the use of inmates for medical, pharmaceutical, or cosmetic experiments. The policy does not preclude individual treatment of an inmate based on his/her needs for a specific medical procedure which is not generally available.

**SECTION 9-1011 ~~10-1011~~. REQUIREMENTS FOR USE OF RESTRAINTS**

The Chief Executive shall establish a written policy ~~for dealing with~~ providing for the appropriate use of restraints ~~for persons who are medical/psychiatric type~~ upon inmates who demonstrate the need for restraints because of medical or psychiatric conditions. The policy should, at a minimum, require documentation of the use of restraints for such inmates and the documentation shall be retained in the inmate's medical record.

**SECTION 9-1012 ~~10-1012~~. DETOXIFICATION PROCEDURES**

Detention Facility personnel shall not engage in a detoxification process of an inmate, except to the extent authorized in writing by ~~a qualified physician~~ the designated health authority. The Chief Executive shall establish, with the help of ~~a qualified physician~~ the designated health authority, a detoxification plan.

**SECTION 9-1013 ~~10-1013~~. WRITTEN DELOUSING PROCEDURES REQUIRED**

The Chief Executive shall establish a written procedure for delousing inmates and the facility. This procedure shall be established in accordance with the recommendations from the Arkansas Department of Health.

**SECTION 9-1014 ~~10-1014~~. TUBERCULOSIS SCREENING REQUIRED**

All Detention Facility personnel and all inmates shall receive tuberculosis screening and tuberculosis prevention, in accordance with Arkansas Department of Health rules pertaining to the control of tuberculosis.

**SECTION 9-1015 ~~10-1015~~. COMPLIANCE WITH HIPAA REQUIRED**

All medical, dental, and mental health services shall be provided in accordance with HIPAA.

## Chapter X XI

# MAIL, COMMUNICATION AND ~~VISITING~~ VISITATION

### ~~SECTION 11-1001.~~

~~The Chief Executive shall establish rules for prisoner visitation by attorney, clergy and other visitors. The timing and conditions are at the convenience of the facility routine and the Chief Executive may set those conditions that best fit into the scheme of orderly operations.~~

### ~~SECTION 10-1001 11-1002.~~ VISITOR'S LOG

A visitor's log shall be maintained. The Chief Executive shall determine what data should be gathered on visitors and may deny visitation if said data is not provided.

### ~~SECTION 10-1002 11-1003.~~ VISITATION PRIVILEGE

~~Visitation~~ Visiting is a privilege that can be revoked by the Chief Executive when he believes it is in the best interest of the security and safety of the Criminal Detention Facility.

### ~~SECTION 10-1003 11-1004.~~ RULES REQUIRED FOR SEARCHES IN VISITATION AREAS

The Chief Executive should formulate rules for searching visitors, inmates and visitation areas.

### ~~SECTION 10-1004 11-1005.~~ WRITTEN POLICY REQUIRED FOR INCOMING CORRESPONDENCE

The Chief Executive shall establish a written policy governing correspondence by inmates. Indigent inmates should be provided making provision for inmate postage allowance of a minimum of two first class stamps per week for those who are indigent.

### ~~SECTION 10-1005 11-1006.~~ WRITTEN POLICY REQUIRED FOR INSPECTION OF MAIL

The Chief Executive shall establish a written policy for inspection of incoming mail and packages, in order to intercept cash, checks, money orders and other contraband items. Items seized shall be properly receipted and copy of same furnished to the inmate. The policy should include a provision that states that mail will not be held for more than 24 hours, excluding holidays and weekends.

### ~~SECTION 10-1006 11-1007.~~ WRITTEN POLICY REQUIRED FOR OUTGOING INMATE CORRESPONDENCE

The Chief Executive shall establish a written policy to provide for an inmate to send sealed letters to courts, officials of the confining authority, counsel, government officials, administrators of grievance organizations and parole or probation authorities. Letters to and from such cited persons or agencies may be opened for contraband inspection but only in the presence of the inmate.

### ~~SECTION 11-1008.~~

~~The written policy shall provide that mail will not be held for more than 24 hours, excluding holidays and weekends. (Combined above in 10-1005).~~

### ~~SECTIONNN 10-1007 11-1009.~~ INSPECTION GUIDELINES

Letters or packages to or from inmates shall be opened and inspected for contraband but may not be censored. Letters may be read if there is reasonable suspicion that there is a threat to order and security, or that the letter or package is being used to further illegal activity. If a letter or package is rejected for delivery, the inmate should be so notified unless notification would infringe on security or law enforcement activity.

**SECTION 10-1008 ~~11-1010~~.**

A telephone shall be made available for inmate usage to notify family and legal counsel at time of incarceration. The Chief Executive shall establish policy for other telephone usage.

**SECTION 10-1009 ~~11-1011~~. COMMISSARY**

If commissary items are provided, they shall be made available at locally established retail prices.

## Chapter XI XII

# FOOD SERVICE

### SECTION 11-1001 ~~12-1001~~ GENERAL GUIDELINES

Inmates shall be offered three meals daily, two of which should be hot meals. The menus for these meals will be reviewed once or more annually by a Registered or Certified Dietician using both the recommended dietary allowances and the basic four food groups for guidance. The minimum daily calorie level offered for sedentary inmates shall be 2300 calories, and the minimum calories for active inmates shall be 2700 calories. Meals should be served at specific planned times, with a designated person responsible for service. Food should be served promptly after it is prepared to insure that hot food is served hot and cold food is served cold. Coffee, tea or milk or a suitable substitute as well as the appropriate condiments will be served with each meal.

### SECTION 11-1002 ~~12-1002~~ FOOD SERVICE RECORDS

Records of the food actually served in the Criminal Detention Facility should be preserved for at least twelve months, and shall be checked by a Registered or Certified Dietician once or more annually to insure that the food actually served makes the calories and other nutrients (protein, iron, vitamins A and C) available to inmates.

### SECTION 11-1003 ~~12-1003~~ CONFORMANCE TO DEPARTMENT OF HEALTH RULES AND REGULATIONS

When provided, kitchen facilities and/or any other entity providing food service to the facility shall conform to the Arkansas Department of Health rules and regulations pertaining to food service establishments. Food handlers must meet current requirements of the Arkansas Department of Health.

### ~~SECTION 12-1004.~~

~~Food handlers must meet current requirements of the Arkansas Department of Health.~~

### SECTION 11-1004 ~~12-1005~~ SPECIAL DIETARY NEEDS

Special or therapeutic diets as recommended by the Facility's Health Authority shall be provided for inmates. Special diets are provided for inmates whose religious beliefs require the adherence to religious dietary laws.

### SECTION 11-1005 ~~12-1006~~ DINING AREAS

Food may be fed to inmates in their cells, day room, corridors, or in a dining room, but wherever served, the area shall be cleaned immediately afterwards and trash removed to an outside dumpster or a garbage collection area.

### SECTION 11-1006 ~~12-1007~~ TWENTY-FOUR HOUR AND OVERNIGHT FACILITIES

Twenty-four Hour/Overnight Facilities are exempt from sections 11-1001, 11-1002 and 11-1003, 12-1001, 12-1002, and 12-1003, but they shall provide three meals at regular intervals and maintain records of the foods actually served for at least 12 months.

### SECTION 11-1007 ~~12-1008~~ FOOD SERVICE INSPECTION RECORDS

Records of food service related inspections from any and all city, state, or federal agencies shall be kept for two years.

### SECTION 11-1008 ~~12-1009~~ OUTSIDE FOOD

The Chief Executive shall not permit any food to be brought into the Facility except that which is furnished by the Facility, or purchased through the canteen. Only the Chief Executive can make an exception to this rule and he shall exercise rigid controls to insure that the Facility does not become infested or unsanitary.

## Chapter ~~XII~~ XIII

# **PRISONER INMATE WORK RULES**

### **SECTION 12-1001 ~~13-1001~~ PRE-TRIAL DETAINEES**

Pre-trial detainees are required to work, but only to the extent that they must keep their living quarters clean. If they volunteer to perform other tasks, they shall be supervised closely and utilized on tasks commensurate with the trust that the Chief Executive deems appropriate to the individual concerned.

### **SECTION 12-1002 ~~13-1002~~ SENTENCED INMATES**

Sentenced inmates ~~prisoners~~ may be assigned to work programs that the Chief Executive deems appropriate.

### **SECTION 12-1003 ~~13-1003~~.**

~~Act 413 of 1977 specifically places authority for handling of work release prisoners on the~~ The Chief Executive Officer is given broad discretion and gives him a wide range in authority to set his own proscribed inmate work rules. ~~The Act is being included and printed herein in its entirety and shall be the only guideline for these standards except, that when a Chief Executive handles such program, he will publish and obtain appropriate approval of the guidelines as the Act authorizes:~~

#### **Act 413 of 1977**

~~AN ACT to Provide for the release of Misdemeanants on "Work Release."~~

~~Be It Enacted by the General Assembly of the State of Arkansas:~~

~~Act 413~~ \_\_\_\_\_ ~~Acts of Arkansas 904~~

### **SECTION 1. DEFINITIONS.** ~~In this Act, unless the context otherwise require:~~

- A. **"Chief Executive Officer"** shall mean the Sheriff of the County if the criminal detention facility is owned or operated by a county of this State, or the Chief of Police if the criminal detention facility is owned or operated by a municipality of this State.
- B. **"Legislative Body"** means the quorum court of the county in which the county-owned or operated criminal detention facility is located, or if the criminal detention facility is owned or operated by a municipality, it shall then mean whatever body is authorized to adopt ordinances for that jurisdiction
- C. **"Work-Release"** shall mean programs under which inmates selected to participate in such programs may be gainfully employed or attend schools outside of a jail.
- D. **~~SECTION 2.~~** Any person who may be convicted of a misdemeanor by any court in this State, and who shall be committed to a jail to serve a sentence imposed by any court of competent jurisdiction and/or in default of the payment of the fine and costs adjudged against him, may be released for the purpose of participation in Work-Release programs under the conditions and procedures contained in Section E, below ~~3 of this Act~~.
- E. **~~SECTION 3.~~** The Chief Executive may allow inmates as described in Section D, above, ~~Section 2~~ to participate in "Work Release" programs in accordance with rules, regulations, and procedures adopted by the Chief Executive. Under any "Work-Release" program, earnings by the inmate shall be paid directly to the Chief Executive and applied as follows:
  - (1) The Chief Executive shall retain an amount to be established by the Legislative Body which will reasonably compensate the Chief Executive for the cost of feeding and housing such inmate.
  - (2) The Chief Executive shall determine if the inmate has persons depending upon him for their support and may remit to such persons that portion of the earnings which the Commissioner considers reasonable.

- (3) The Chief Executive shall determine if the inmate has created victims of his criminal conduct who are entitled to restitution or reparations for physical injury or loss or damage to property, and may remit to such victims that portion of the earnings which the Chief Executive considers reasonable; provided, however, that in no case shall the portion of earnings remitted for restitution be in excess of twenty-five percent (25%) of the inmate's income remaining after deductions for the cost of care and custody and family support in Subsections (1) and (2). The names and addresses of the victims and the amount of restitution to be paid shall be provided to the Chief Executive Officer by certificate of the trial court in which the defendant was confined.

~~**SECTION 4. SEVERABILITY.** If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.~~

~~**SECTION 5.** All laws and parts of laws in conflict with this Ad are hereby repealed.~~

**APPROVED:** March 10, 1977

## Chapter ~~XIII~~ XIV

### SAFETY

#### **SECTION ~~13-1001~~ 14-1001. GENERAL PROVISIONS**

While the following sections deal with specific fire and safety measures, this chapter is not intended to be all-inclusive in regard to the safety and welfare of the individual inmate. Because potential hazards are too numerous to detail, it is the responsibility of the Chief Executive to establish rules, regulations and inspection procedures for the facility to ensure, to the greatest degree possible, the health, safety, and well-being of the inmate detainee.

#### **SECTION ~~13-1002~~ 14-1002. ANNUAL FIRE INSPECTION REQUIRED**

Pursuant to the fire code, the Chief Executive shall have the Criminal Detention Facility inspected at least annually by the state or local fire marshal for fire prevention and safety measures, and a record of such inspections will be kept on file within the Facility. A copy of the inspection shall be sent to the Coordinator's Office. The fire sprinkler system and fire safety equipment shall be inspected annually; vent hoods shall be inspected on a biannual basis. Copies of the inspections sent to the Coordinator's Office shall contain these items.

#### **SECTION ~~13-1003~~ 14-1003. WRITTEN FIRE PLAN REQUIRED**

A written fire plan concerning fire prevention shall be maintained to insure the safety of the inmates, staff and visitors. The plan should detail staff responsibilities, cover evacuation procedures, and through a posted map or drawing show locations of exits, breathing apparatus, fire hoses or fire extinguishers, evacuation routes, and any other features pertinent to fire safety. All personnel will be briefed as to location and use of emergency keys. Annual fire drills shall be conducted and shall be included in the written fire plan.

#### **SECTION ~~13-1004~~ 14-1004. WRITTEN EMERGENCY PLAN REQUIRED**

A written emergency plan which covers emergencies other than fire shall be maintained and all personnel shall be trained and knowledgeable of their duties should an emergency occur. Evacuation procedures shall be detailed and duties assigned to all personnel and shall include the location of keys to emergency exits and instructions for usage.

#### **SECTION ~~13-1005~~ 14-1005. EXIT SIGNS**

Facility exits must be plainly and permanently marked. All corridors and walkways leading to or from an exit shall be kept free of refuse, litter and obstacles of all types which might cause problems under emergency conditions.

#### **SECTION ~~13-1006~~ 14-1006. REQUIREMENTS FOR STORAGE OF FLAMMABLE AND TOXIC MATERIALS**

Storage of flammable, toxic and caustic materials must conform to local, state and national laws or regulations. House cleaning supplies shall be kept in a secure and uncluttered closet or locker provided for those materials and shall not be permitted in cells or hallways except when being used.

#### **SECTION ~~13-1007~~ 14-1007. INMATE USE OF TOOLS**

When an inmate is permitted to use any tool, all safety rules shall be observed, and any safety equipment recommended such as goggles and guards for machines shall be available and used.

#### **SECTION ~~13-1008~~ 14-1008. FIREFIGHTING EQUIPMENT**

Basic firefighting equipment, to include at least chemical and dry type fire extinguishers, plus emergency compressed air breathing apparatus, shall be maintained in a secure but accessible storage area. All personnel shall be trained on the proper use of all equipment.

## Chapter ~~XIV~~ XV

### INMATE SERVICES AND PROGRAMS

#### SECTION ~~14-1001~~ ~~15-1001~~. APPLICABILITY

This Chapter applies to all Facilities holding inmates in excess of fourteen days.

#### SECTION ~~14-1002~~ ~~15-1002~~. WRITTEN POLICY REQUIRED

The Chief Executive shall establish written policy to provide recreation and leisure time activities, library services, social and religious services.

#### SECTION ~~14-1003~~ ~~15-1003~~. INMATE PARTICIPATION OPTIONAL

The policy shall provide an option for inmates ~~prisoners~~ to decline to ~~enter into any or all of~~ participate in the activities without prejudicial results ~~should the prisoner later desire to participate~~.

#### SECTION ~~14-1004~~ ~~15-1004~~. COUNSELING SERVICES

The policy should provide for counseling services, such as substance abuse, if required.

#### SECTION ~~14-1005~~ ~~15-1005~~. INMATE EXERCISE

Exercise outside the cell shall be made available to all inmates on a daily basis for one hour, provided the inmate(s) elect to participate. This standard is subject to the discretion of the Chief Executive in situations where security may be jeopardized.



## Chapter ~~XV~~ XVI

### EXISTING FACILITIES

#### SECTION ~~15-1001~~ ~~16-1001~~. DEFINITION

For the purpose of this chapter, existing facilities shall be defined as a facility which was in operation or a facility which had design plans approved by a Criminal Detention Facilities Review Committee prior to the date of this standard's adoption.

#### SECTION ~~15-1002~~ ~~16-1002~~. INSPECTIONS

Onsite inspections of detention facilities shall be the duty of the Criminal Detention Facilities Review Committee with the assistance of the Coordinator ~~LED BY THE COORDINATOR~~ and ~~they~~ the Committee shall use ~~these Criminal Detention Facility Standards~~ ARKANSAS JAIL standards and along with the Coordinator's Office official forms to inspect Criminal Detention Facilities provided by the Coordinator's Office in order to maintain statewide continuity.

#### SECTION ~~15-1003~~ ~~16-1003~~. DOCUMENTATION

~~Courtesy eCopies~~ of all reports and documents pertaining to detention facilities shall be sent to the office of the Coordinator. A master file of inspection reports on each facility shall be maintained by the Criminal Detention Facility Review Committee at the County Clerk's Office in the county in which the facility is located. ~~All requirements of Act 741 of 1983 as amended by Act 539 of 1985 and Act 881 of 1987 shall be as related to reporting duties of the Committees.~~ Within thirty days following an inspection, a written report of each inspection shall be made to the chief circuit judge for the judicial district within which the facility is located. A copy of the report should also be sent to the county judge or the governing body of the political subdivision whose facility is the subject of the report.

#### SECTION ~~15-1004~~ ~~16-1004~~. ENVIRONMENTAL SYSTEMS, GENERAL

Lighting will be appropriate to the activity for the area in question. Air circulation shall be provided and temperature shall be between 65° and 85° Fahrenheit. All mechanical, plumbing, electrical, life safety and security control equipment and systems shall be secure from unsupervised inmate access. An automatic cut-in generator shall be provided with capacity to operate electrical equipment and minimum illumination inside and around the facility.

#### SECTION ~~15-1005~~ ~~16-1005~~. FIRE DETECTION

Fire, smoke, and products of combustion detection equipment shall be provided in accordance with the latest adopted state fire code. Said equipment will be battery powered or part of the emergency power system.

#### SECTION ~~15-1006~~ ~~16-1006~~. ~~DISABLED HANDICAPPED~~ ACCESSIBILITY

There shall be facilities available in which to house and care for ~~disabled handicapped~~ inmates. Readily available facilities which would be a suitable alternative solution are acceptable in meeting this requirement.

#### SECTION ~~15-1007~~ ~~16-1007~~. EXITS

There shall be at least two identifiable exits from each housing area to permit the prompt evacuation of inmates and staff under emergency conditions. Required exits should lead directly to a hazard-free area where adequate supervision can be provided. The two exits must be as remote from each other as possible.

#### SECTION ~~15-1008~~ ~~16-1008~~. INTAKE, BOOKING AND RELEASE AREAS

The intake/booking and release area should be located inside the security perimeter, and have the following components:

- A. Booking area.
- B. Access to drinking water.
- C. Access to shower facilities. (24Hour/Overnight Facilities are exempt.)
- D. Secure storage for inmates' personal property.
- E. Temporary holding area with seating.

- F. Operable toilets and wash basins.

Provisions should be made to insure the safety of inmates and personnel and security of the facility. The intake area may also be used to process inmates for release.

#### **SECTION 15-1009 ~~16-4009~~. ALCOHOL UNIT**

Alcohol units shall be designed for detention of intoxicated persons during the sobering process ONLY, and these inmates shall be moved to cells or other areas as soon as they can properly care for themselves. Alcohol units shall be equipped with the following:

- A. Seating.
- B. A detention facility type toilet.
- C. A wash basin

#### **SECTION 15-1010 ~~16-4010~~. GENERAL HOUSING REQUIREMENTS**

All rooms or cells shall have, at a minimum, access to the following facilities:

- A. A toilet above floor level, a wash basin, and drinking water, available without staff assistance.
- B. Shower facilities (24 Hour/Overnight Facilities are exempt).
- C. Hot and cold running water, and
- D. A bed above floor level.

#### **SECTION 15-1011 ~~16-4011~~. SINGLE CELLS**

The minimum square foot area of single cells will be 50-square feet per inmate. If cell confinement exceeds 16 hours per day, 70-square feet per cell will be provided. (24-Hour/Overnight Facilities are exempt from this requirement.) Cell space is measured from interior to interior wall less the space occupied by plumbing chases and columns. Cell space includes the space occupied by bed, plumbing fixtures, entrances and exits.

#### **SECTION 15-1012 ~~16-4012~~. MULTIPLE OCCUPANCY HOUSING**

Where used, multiple occupancy sleeping rooms shall house no more than 50 inmates. These areas shall provide:

- A. The ability for observation by staff.
- B. A minimum floor area of 35-square feet per inmate in a sleeping area.
- C. Beds above floor level.

#### **SECTION 15-1013 ~~16-4013~~. SPECIAL HOUSING**

There shall be at least one cell or room for ill, mentally disoriented, injured, non-ambulatory, or administrative segregation inmates which provides for staff observation. Readily available alternative facilities may be used to meet this requirement.

#### **SECTION 15-1014 ~~16-4014~~. ACTIVITY ROOMS**

Activity rooms in the facility must have sufficient air circulation and temperature and lighting for the activities being performed and access to toilets and wash basins within the area. These areas include multi-purpose rooms, recreation areas or program areas for inmates and/or work areas for staff. Where practical, activity rooms should have natural light provided by skylight or windows. (24-Hour/Overnight Facilities are exempt.)

#### **SECTION 15-1015 ~~16-4015~~. LINEN STORAGE**

Space shall be provided to store and issue facility clothing and bedding, and to provide for the exchange of personal and facility clothing when inmates appear in court or are to be released. Storage space for clean bedding and facility clothing shall be convenient to inmate housing areas. (24 Hour Facilities are exempt from clothing storage.)

#### **SECTION 15-1016 ~~16-4016~~. EXERCISE SPACES**

Inmates incarcerated in excess of 14 consecutive days shall have access to outdoor or indoor exercise areas. Indoor exercise programs ~~may be conducted in a multi-purpose room or room specifically set aside for indoor exercise~~, shall be in spaces in which lighting, temperature and ventilation are appropriate for the activity to be conducted. Hallway areas or bullpen areas in front of cells or rooms will not be considered exercise space.

**SECTION 15-1017 ~~16-1017~~. SECURE STORAGE**

Space shall be provided for the secure storage of chemical agents, restraining devices and related security equipment. The equipment shall be located in an area which is accessible to authorized personnel only. Separate and secure space will be provided for evidence and contraband. Cleaning equipment and supplies shall be stored in a supervised area.

**SECTION 15-1018 ~~16-1018~~. ADMINISTRATIVE SPACE**

Adequate space will be provided for general administrative and staff functions.

**SECTION 15-1019 ~~16-1019~~.**

Adequate space and equipment will be provided for food preparation and/or handling.

**SECTION 15-1020 ~~16-1020~~. VISITATION AND CONSULTATION AREA**

The area for visiting by the public shall be outside the security perimeter, visiting area for the inmate shall be inside the security perimeter. The visiting area shall be acoustically treated to reduce noise. These areas may also be used as private consultation rooms for law enforcement officers, attorneys, clergy, etc. Optional contact visitation spaces may be provided.

## Chapter XVI XVII

# NEW CONSTRUCTION

### SECTION 16-1001 17-1001. DEFINITION

For purposes of this chapter "new construction" shall be defined as: any new Facility; any area of construction added beyond the outside walls and/or roof of an existing facility; and any area of construction within an existing facility affecting more than 50% of the existing Facility's floor area. (For purposes of this chapter, "remodeling" is defined as construction within the existing facility's structure affecting 50% or less of the existing facility's floor area.) The intention is to have all new areas of construction or remodeling either inside or outside an existing facility meet the specifically applicable section or sections as outlined in this chapter. For example, if plans are made to add a visitation or consultation area to an existing facility, the construction must be done in compliance with Section 16-1027. Likewise, if plans are made to convert existing space into a cell area, the new cell construction must meet the requirements of this chapter.

### SECTION 16-1002 17-1002. PLAN REVIEW

All design plans shall be presented in person to the Coordinator by the ~~agency facility's architect or the architect's representative of the local judicial district~~. The design plans shall also be accompanied by a written narrative explaining detailed compliance with these standards. The Coordinator will make himself available to assist the requesting ~~agency facility~~ with review of plans for standard conformity, and the Coordinator can suggest changes, but the Coordinator has no official approval capacity.

### SECTION 16-1003 17-1003. PLAN APPROVAL

~~As described in Act 741, as amended by Act 539 of 1985, the~~ Criminal Detention Facility Review Committee shall have final approving authority of plans ~~relating to compliance with standards for the construction of jails~~. The committee will issue final written approval upon the incorporation of all requested changes requested by the Coordinator and/or the Committee, ~~and final approval will be withheld until committee requested changes have been incorporated and resubmitted.~~

### SECTION 16-1004 17-1004. DOCUMENTATION

~~Courtesy e~~Copies of all reports and documents pertaining to detention facilities shall be sent to the office of the Coordinator. A master file of inspection reports on each facility shall be maintained by the Criminal Detention Facility Review Committee at the County Clerk's office in the county in which the facility is located.

### SECTION 16-1005 17-1005. BUILDING CODES

All new construction, in addition to these standards, will be designed and constructed in accordance with the codes and standards adopted by the Arkansas Fire Marshal, Arkansas Department of Health, State Building Services, and others as required, and the latest edition of the Life Safety Code. ~~Plans shall be reviewed and approved by the State Fire Marshal.~~ If an addition increases the existing square footage by more than 50%, the entire Facility shall be made to conform with the entire Code.

### SECTION 16-1006 17-1006. ENVIRONMENTAL SYSTEMS, GENERALLY

Lighting will be appropriate to the activity for the area in question. Air circulation shall be provided and temperature shall be maintained between 65° and 85° Fahrenheit (exceptions can be made in extreme conditions and emergencies). All mechanical, plumbing, electrical, life safety, and security control equipment and systems shall be secured from unsupervised inmate access.

Automatic cut-in generators shall be provided of adequate capacity to operate electrical equipment and to provide minimum illumination within and around the facility.

### SECTION 16-1007 17-1007. FIRE DETECTION

Fire, smoke, and products of combustion detection equipment shall be provided according to the latest adopted state fire code. Said equipment will be battery-powered or part of the emergency power system.

## **SECTION ~~16-1008~~ ~~17-1008~~. HANDICAPPED ~~DISABLED~~ ACCESSIBILITY**

There shall be facilities available in which to house and care for handicapped inmates. All areas of the facility including ~~public areas~~ shall be accessible to and usable by disabled persons ~~the physically handicapped in accordance with the Arkansas Architectural Barrier Act of 1968.~~

## **SECTION ~~16-1009~~ ~~17-1009~~. EXITS**

There shall be at least two identified exits (~~except where allowed by the building code a single exit may be provided~~) from each housing area to permit the prompt evacuation of inmates and staff under emergency conditions. Required exits should lead directly to a hazard-free area where adequate supervision can be provided. The two exits must be as remote from each other as possible.

## **SECTION ~~16-1010~~ ~~17-1010~~. FLOOR DRAINS**

Floor drains shall be designed, in accordance with the latest Arkansas plumbing code, to serve all housing and other areas where necessary to facilitate cleaning and prevent inmate flooding of the facility. Floor drains shall be located outside the cell space to reduce the incident of tampering and flooding. Floor drain systems cannot drain into any sanitary sewer line within any area in which inmates are housed or detained.

## **SECTION ~~16-1011~~ ~~17-1011~~. NATURAL LIGHT**

Natural light will be provided directly to all cell areas and if ~~at all~~ possible to activity rooms and day rooms, via skylight or windows, both of which are designed to minimize introduction of contraband or escape, as appropriate. (24 Hour/Overnight facilities are exempt)

## **SECTION ~~16-1012~~ ~~17-1012~~. CONTROLLED ACCESS**

All pedestrian and vehicular entrances and exits to the facility shall be via sally port. The electric doors should be visible physically or electronically and be operated from the control center. The vehicular sally ports should be located adjacent to the intake area for transportation of inmates in and out of the facility. Interior sally ports should be located at points between inmate housing and/or public areas.

## **SECTION ~~16-1013~~ ~~17-1013~~. INTAKE, BOOKING, AND RELEASE AREAS**

Intake/booking and release areas shall be located inside the security perimeter and have the following components:

- A. Booking area.
- B. Sally port vehicular and/or personnel.
- C. Access to drinking water.
- D. Access to shower facilities (24-Hour/Overnight Facilities are exempt.)
- E. Secure storage for inmate's personal property
- F. Telephone facilities.
- G. Private interview space or spaces.
- H. Temporary holding area with seating.
- I. Operable toilets and wash basins

This area shall be designed so that newly admitted inmates may be processed in a thorough, humane and orderly manner. Provisions should be made to insure the safety of inmates and personnel and security of the facility. The intake area may also be used to process inmates for release.

## **SECTION ~~16-1014~~ ~~17-1014~~, ALCOHOL UNITS**

Alcohol units shall be designed for detention of intoxicated persons during the sobering process ONLY, and these inmates shall be moved to cells or other areas as soon as they can properly care for themselves. Alcohol units shall be equipped with the following:

- A. Seating.
- B. A detention facility type toilet.
- C. A wash basin.
- D. A flush action floor drain.
- E. A minimum of 15-square feet of floor space shall be provided for each inmate. The unit shall be constructed with view panels to allow unhampered visual supervision and should be located near the intake area.

## **SECTION ~~16-1015~~ ~~17-1015~~, INMATE SEPARATION**

The facility shall be designed and constructed so those inmates can be separated according to existing laws and regulations, or according to the facility's classification plan. The facility shall have a sufficient number of cell blocks or clusters of detention rooms in an appropriate configuration so that the various categories of inmates can be housed separately.

## **SECTION ~~16-1016~~ ~~17-1016~~. GENERAL HOUSING REQUIREMENTS**

Activity rooms or cells shall have, at a minimum, access to the following facilities:

- A. A toilet above floor level, a wash basin, and drinking water, available without staff assistance.
- B. Shower facilities. (24 hour/overnight facilities are exempt.)
- C. Hot and cold running water, and
- D. A bed above floor level ~~and a desk or writing surface.~~
- E. Desk or a writing surface.

## **SECTION ~~16-1017~~ ~~17-1017~~. SINGLE CELLS**

All single cells shall have a minimum 60-square foot of floor space providing inmates spend no more than 16 hours per day locked in cells. If cell confinement exceeds 16 hours per day, 70-square feet per cell will be provided.

Cell space is measured from interior wall to interior wall less the space occupied by plumbing chases and columns. Cell space does include the space occupied by bed, desk, plumbing fixtures, and entrances and exits. A minimal horizontal room dimension of 6' 8" and a clear ceiling height of 8'0": is required.

## **SECTION ~~16-1018~~ ~~17-1018~~. MULTIPLE OCCUPANCY HOUSING**

Where used, multiple occupancy sleeping rooms may house no more than 50 inmates. These areas will provide:

- A. The ability for observation by staff.
- B. A minimum floor area of 35-square feet per inmate in the sleeping area.
- C. Minimum clear floor-to-ceiling height of: 8'0" where room contains 10 or fewer inmates go where room contains 11 or more inmates
- D. Beds above floor level.

## **SECTION 16-1019 ~~17-1019~~. SPECIAL HOUSING**

There shall be at least one cell or room for ill, mentally disoriented, injured, non-ambulatory, or administrative segregation inmates which provides for staff observation.

## **SECTION 16-1020 ~~17-1020~~. DAYROOMS**

There shall be a dayroom for each cell block or detention room cluster. The room shall have a minimum of 35-square feet of floor space per inmate served from the separate and distinct adjacent sleeping area. In housing areas utilizing cells housing two inmates each, dayroom areas may be sized at 17 1/2' square feet per inmate providing that scheduling of dayroom use insures that actual occupancy does not exceed 35-square feet per inmate. Square footage is to be calculated exclusive of a 3-foot wide circulation space directly in front of the cell doors. Inmates incarcerated in excess of 14 consecutive days shall have access to the dayrooms. (24-Hour/Overnight Facilities are exempt.)

## **SECTION 16-1021 ~~17-1021~~. ACTIVITY ROOMS**

Activity rooms in the facility must have sufficient air circulation and temperature, and lighting for the activities being performed, and access to toilets and wash basins within the area. These areas include multi-purpose rooms, recreation areas, or program areas for inmates and/or work areas for staff. (24-Hour Overnight Facilities are exempt.)

## **SECTION 16-1022 ~~17-1022~~. LINEN STORAGE**

Space shall be provided to store and issue facility clothing and bedding, ~~and to provide for the exchange of personal and facility clothing when inmates appear in court or are to be released. Storage space for linen, bedding and facility clothing shall be convenient to inmate housing areas. (24-Hour/Overnight Facilities are exempt from clothing storage.)~~

## **SECTION 16-1023 ~~17-1023~~. EXERCISE SPACES**

~~Inmates incarcerated in excess of 14 consecutive days shall have access to both indoor and outdoor exercise areas. Indoor exercise programs may be conducted in a multi-purpose room or room specifically set aside for indoor exercise, in spaces which lighting, temperature and ventilation are appropriate for the activities to be conducted. Hallway areas in front of cells or rooms will not be considered exercise space, (24-Hour/Overnight Facilities are exempt.)~~

## **SECTION 16-1024 ~~17-1024~~. SECURE STORAGE**

Space shall be provided for the secure storage of chemical agents, restraining devices and related security equipment. Equipment shall be located in an area which is accessible to authorized personnel only. Separate and secure space will be provided for evidence and contraband. Cleaning equipment and supplies shall be stored in a supervised area.

## **SECTION 16-1025 ~~17-1025~~. ADMINISTRATIVE SPACE**

Adequate space will be provided for general administrative and staff functions.

## **SECTION 16-1026 ~~17-1026~~. FOOD SERVICE SPACE**

Adequate space and equipment will be provided for food preparation and/or handling. **(24 HOUR/OVERNIGHT EXEMPT)**

## **SECTION 16-1027 ~~17-1027~~. VISITATION AND CONSULTATION AREA**

The area for visitation by the public shall be outside the security perimeter, visiting area for the inmate shall be inside the security perimeter. The visiting area shall be acoustically treated to reduce noise. These areas may also be used as private consultation rooms for law enforcement officers, attorneys, clergy, etc. Optional contact visitation spaces may be provided. .

## **SECTION 16-1028 ~~17-1028~~. HEALTH ROOM**

~~See the provisions of Section 10-1002.~~

New facilities must contain a health room that can be used as a private examination room for the purpose of delivery of health care services, as described in Section 9-1002.

**SECTION 16-1029. LAUNDRY**

Adequate space and equipment will be provided for laundry. (24 hour and overnight exempt.)



