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**MAINE STANDARDS FOR
JAILS, HOLDING FACILITIES, AND
SHORT-TERM DETENTION AREAS**



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**MAINE STANDARDS FOR
COUNTY JAILS, HOLDING
FACILITIES, AND SHORT-TERM
DETENTION AREAS**

Maine Department of Corrections

Effective September 1, 1982

Maine Standards for County Jails, Holding Facilities, and Short-Term Detention Areas

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Definitions

ADMINISTRATION (of medication). The act of giving a single dose of an identified drug to a patient.

ADMINISTRATIVE SEGREGATION. A form of separation from the general population when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff or other inmates, or to the security or orderly running of the institution. Inmates pending investigation for trial on a criminal act or pending transfer can also be included (see Protective Custody and Segregation).

ADMINISTRATOR. The Sheriff, Chief of Police, Facility Administrator, or other duly authorized person who is responsible for the operation of a jail, holding facility, or short-term detention area.

BOOKING. Both a law enforcement process and a detention facility procedure. As a police administrative action, it is an official recording of an arrest and the identification of the person, place, time, arresting authority, and reason for the arrest. In the detention facility, it is a procedure for the admission of a person charged with or convicted of an offense, which includes searching, fingerprinting, photographing, medical screening, and collecting personal history data. Booking also includes the inventory and storage of the individual's personal property.

CELL BLOCK. A group or cluster of single and/or multiple occupancy cells or detention rooms immediately adjacent and directly accessible to a day or activity room. In some older facilities the cell block consists of a row of cells fronted by a day room of corridor-like proportion.

CHEMICAL AGENT. An active substance, such as tear gas, used to deter activities which might cause personal injury or property damage.

CLASSIFICATION. A process for determining the needs and requirements of those for whom confinement has been ordered and for assigning them to housing units and programs according to their needs and existing resources.

COMMUNITY RESOURCES. Any individual, public or private organizations or agencies who offer services, facilities, or other functions which can meet the needs of the facility.

CONTRABAND. Any item possessed by inmates or found within the confinement facility which is declared illegal by law or not specifically approved for inmate possession by those legally charged with the responsibility for administration and operation of the facility.

CONTROL CENTER. Secured space outside the inmate-occupied area to

consolidate facility communications, monitor intercoms installed in inmate living areas, monitor internal alarms, or control locks and doors. Program needs dictate whether the control center is established for corrections functions only or is combined with other functions (such as law enforcement).

DAYSPACE. A secure area directly adjacent to an inmate living area to which inmates may be admitted for activities such as bathing, exercise, recreation, and dining. Spaces originally designed for circulation, such as corridors, are not dayspaces.

DEPARTMENT. The Maine Department of Corrections.

DETAINEE. Any person confined in a jail, holding facility or short-term detention area, not serving a sentence for a criminal offense.

DETENTION. The confinement of an inmate in a secure area (usually pretrial inmates).

DETENTION AREA. The spaces in a facility routinely used for detention functions, including cells, corridors, processing areas, and other spaces in which inmates may be present.

DETOXIFICATION CELL. A cell which is used to temporarily hold one or more chemically impaired persons during the detoxification process until they can care for themselves and be moved to general housing areas, or which is used to detain a person whose behavior requires close supervision.

DISPENSING (medication). The issuing of one or more doses of medication from a stock or bulk container.

DISCIPLINARY DETENTION. A form of separation from the general population in which inmates committing serious violations of conduct regulations are confined by the disciplinary committee or other authorized group for short periods of time to individual cells separated from the general population. Placement in detention may only occur after a finding of rule violation at an impartial hearing and when there is no adequate alternative disposition to regulate the inmate's behavior. (See Protective Custody and Segregation.)

DISCIPLINARY HEARING. A nonjudicial administrative procedure to determine if substantial evidence exists to find an inmate guilty of a rule violation.

DIVERSION. The official halting or suspension, at any legally prescribed processing point after a recorded justice system entry, of formal criminal or juvenile justice proceedings against an alleged offender. The suspension of proceedings may be in conjunction with a referral of that person to a treatment or care program administered by a nonjudicial agency or a private agency, or there may be no referral.

DUE PROCESS. Compliance with the fundamental rules which guarantee that an inmate has notice and an opportunity to present evidence in a dispute.

EDUCATIONAL RELEASE. A custody status under which inmates leave a detention facility to attend school in the community, returning to custody after school hours.

EMERGENCY. Any significant disruption of normal facility procedure, policy, or activity caused by riot, strike, escape, fire, natural disaster or other serious incident.

FACILITY. A jail, holding facility, or short-term detention area, including the buildings and site.

FACILITY PERSONNEL. Employees, full-time and part-time retained by a county or municipality to operate the facility. For the purposes of these standards, all volunteers and employees of other agencies and organizations are considered personnel when they are in the facility or on its grounds.

FACILITY PHYSICIAN. A person or organization licensed to practice medicine with whom the facility enters into an agreement to plan for and provide health services to the inmate population of the facility.

FIRE RESISTIVE. A building which has walls, ceilings, floors, partitions, and a roof made of noncombustible materials and which has a structural steel frame protected by a noncombustible material that has a fire resistance rating.

FOOTCANDLE. A unit for measuring the intensity of illumination; the amount of light thrown on a surface one foot away from the light source.

FORMULARY. A list of prescribed and nonprescribed medications routinely used in the facility. Additional medications may be prescribed by the facility physician as needed. In some facilities a list of medications which are not used comprises a formulary.

FURLOUGH OR TEMPORARY LEAVE. A custody status under which an inmate is legally allowed to leave a detention facility and go into the community unsupervised for purposes consistent with the public interest.

GOOD TIME. A system, established by law, whereby a convicted offender is credited a set amount of time, which is to be subtracted from his/her sentence, for specified periods of time served in an acceptable manner.

GRIEVANCE. A written complaint filed by an inmate with the facility administrator concerning personal health and welfare or the operations and services of the facility.

HEALTH CARE. The sum of all action taken, preventive and therapeutic, to provide for the physical and mental well-being of a population. Health care includes medical and dental services, mental health services, nursing, personal hygiene, dietary services, and environmental conditions.

HIGH-SECURITY AREA. A part of the facility in which high security inmates are housed or held. These areas have the highest level of physical and operational security.

HIGH-SECURITY INMATE. An inmate who cannot be allowed to mingle physically with other inmates without direct supervision. An inmate is assigned this classification normally because of assaultive behavior; because there might be a need for protection from other inmates; because there might be a threat to members of the staff or other inmates; because there might be a serious escape threat; or because there might be other factors which might jeopardize the security and good order of the facility.

HOLDING CELL. A cell within a facility that is used to hold one or more persons temporarily while they await processing, booking, court appearance, or discharge.

HOLDING FACILITY. A facility, or part of a building, used for the temporary detention of pretrial detainees prior to arraignment, release, or transfer. Sentenced inmates may be held only pending transfer to another facility or authority; sentences shall not be served in holding facilities. Two classifications of holding facilities are authorized: (1) up to 12 hours maximum length of detention; and (2) up to 48 hours maximum length of detention.

HOUSING AREA. A high-security, medium-security, or low-security cell or room, excluding holding, detoxification, infirmary, and segregation cells or rooms.

INFORMATION SYSTEM. Includes the concepts, personnel and supporting technology for the collection, organization, and delivery of information for administrative use. There are two types of information:

1. Standard information, consisting of the data required for operational control, such as daily count, positive and negative release rates, absconding or runaway rates, referral sources, and payroll data in a personnel office;
2. Demand information, which can be generated when a report is required, such as the number of inmates in educational and training programs, and duration of confinement.

INMATE. Any person, whether pretrial, unsentenced, or sentenced, who is confined in a jail, holding facility, or short-term detention area.

INMATE LIVING AREA. Space provided for sleeping, storage of approved personal affects, personal hygiene accommodations, and activity.

INMATE-OCCUPIED AREA. That portion of a facility which could normally be occupied by inmates.

INMATE RECORDS. Information concerning the individual's personal, criminal, and medical history, behavior, and activities while in custody, including but not limited to: commitment papers, court orders, detainers, personal property receipts, visitors list, photographs, fingerprints, type of custody, disciplinary infractions and actions taken, grievance reports, work assignments, program participation and miscellaneous correspondence.

INSPECTION. An unannounced or announced visit by the Department or its designee to a facility to determine compliance or noncompliance with these standards.

JAIL. A confinement facility operated by a county which holds persons detained pending adjudication and/or persons committed after adjudication for sentences of one year or less.

JAIL CAPACITY. The number of persons a facility may house under full, normal operation without the addition of extra beds or mattresses to accommodate overcrowding. Capacity excludes seating space, sleeping accommodations, or beds in holding, detoxification, segregation, and infirmary cells.

LIFE SAFETY CODE. A manual published by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest; one chapter is devoted to corrections facilities.

LOW-SECURITY INMATE. An inmate who is allowed, under intermittent supervision, to work, participate routinely in group activities, and intermingle. An inmate is assigned this classification when it is determined that the inmate is not assaultive, does not pose a serious escape threat, and does not pose a threat to the good order of the facility.

MAJOR RULE VIOLATION. A violation of inmate rules that is punishable by actions which affect release time or actions which result in a major change in conditions of confinement.

MEDICAL PERSONNEL. Individuals whose primary duties are to provide health services to inmates in keeping with their respective levels of health care training or experience. This may include correctional officers or other correctional personnel such as social workers, who may be trained and appropriately supervised to carry out certain specific duties with regard to the administration of health care.

MEDICAL RECORDS. Separate records of medical examinations and diagnoses maintained by the responsible physician.

MEDICAL RESTRAINTS. Either chemical restraints, such as sedatives, or physical restraints, such as straight jackets, applied only for medical or psychiatric purposes.

MEDICAL SCREENING. A system of structured observation/initial health assessment to identify newly arrived inmates who pose a health or safety threat to themselves or others.

MEDIUM-SECURITY INMATE. An inmate who is allowed, under direct staff supervision, to participate routinely in group activities and to intermingle. An inmate is assigned this classification when it is determined that the inmate is not normally assaultive, is not a serious escape threat, does not pose a threat to members of staff or other inmates, and does not pose a threat to the good order of the facility.

MINOR RULE VIOLATION. A violation of inmate rules which is punishable by actions which do not affect release time or actions which do not result in a major change in conditions of confinement, but which may result in a short-term restriction or loss of privileges.

MODIFIED DIET. Changes in the regular menu that are designed to control specific nutrients or to modify the consistency of the diet based on the inmate's medical or nutritional needs.

NEW FACILITY. A building opened after September 1, 1982.

OBSERVATION CELL. A cell used to temporarily house an inmate in need of close supervision and observation.

OFFICER. An employee of a county or municipality who has detention or corrections responsibilities. Officers do not necessarily have law enforcement authority, nor are they necessarily sworn staff members.

POLICY. A statement of what is to be done in relation to an issue. It reflects the philosophy of the organization, and defines the purpose for which the action is taken.

POLICY AND PROCEDURE MANUAL. A policy and procedure manual should be a comprehensive collection of policies and corresponding procedures that provide all staff with a guide addressing all aspects of the facility and its operations. The manual should be easy to use. The contents should be consistent with facility philosophy, constitutional requirements, court rulings, and professional detention standards.

POST ORDERS. A written set of procedures describing activities associated with a work station (post).

PRETRIAL RELEASE. A procedure whereby an accused person who has been taken into custody is allowed to be unconfined before and/or during his/her trial.

PROCEDURE. A detailed description of how a policy is to be accomplished. It describes the steps to be taken, the order in which they will be carried out, and by whom.

PROTECTIVE CUSTODY. A form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety. The inmate's status is reviewed periodically by the classification committee or other designated group. (See Administrative Segregation and Disciplinary Detention.)

QUALIFIED HEALTH PERSONNEL. Physicians, dentists, and other professional and technical workers who by state law engage in activities that support, complement, or supplement the functions of physicians and/or dentists and who are licensed, registered or certified, as appropriate to their qualifications, to practice.

RENOVATED FACILITY. A facility in which more than \$5,000 has been spent for alterations or improvements, after September 1, 1982.

RESTRAINT EQUIPMENT. Any mechanical contrivance, appliance, or object designed or fashioned to physically control or incapacitate a person, such as handcuffs, irons, or straight-jackets.

SAFETY EQUIPMENT. This includes firefighting equipment (chemical extinguishers, hoses, nozzles, water supplies, alarm systems, sprinkler systems, portable breathing devices), gas masks, fans, first aid kits, stretchers, emergency alarms, and other items necessary to ensure the safety of facility personnel, inmates and visitors.

SALLY PORT. An enclosure situated either in the perimeter wall or fence of the facility or within the interior of the facility, containing gates or doors at both ends, only one of which opens at a time. This method of entry and exit ensures there will be no breach in the perimeter or interior security of the facility.

SECURITY (OR CUSTODY). The degree of restriction of inmate movement within a detention/correctional facility, usually divided into maximum, medium and minimum risk levels.

SECURITY AREA. A defined space whose physical boundaries have controlled access and egress.

SECURITY DEVICES. Locks, gates, doors, bars, fences, screens, ceilings, floors, walls and barriers used to confine and control inmates. Also electronic monitoring equipment, security alarm systems, security light units, auxilliary power supply, and other equipment used to maintain facility security.

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SECURITY PERIMETER. The outer portions of a facility which actually provide for secure confinement of inmates. This perimeter may vary for individual inmates, depending upon their security classification.

SEGREGATION. The confinement of an inmate to an individual cell that is separated from the general population. There are three forms of segregation: administrative segregation, disciplinary detention, and protective custody.

SHORT-TERM DETENTION AREA. A section of a building used for the detention of pretrial detainees for periods of up to four hours.

SPECIAL MANAGEMENT INMATES. Persons whose behavior presents a serious threat to the safety and security of the facility, the inmate, the staff, or the general inmate population. Special handling and/or housing is required to regulate their behavior.

STAFF MEMBER. For the purposes of these standards, employees who have detention and/or corrections responsibilities.

STANDARD. A statement of general applicability which is a minimum requirement for jails, holding facilities and short-term detention areas in Maine.

STRIP SEARCH. An examination that can include visual inspection of body cavities of an inmate's naked body for weapons, contraband, and physical abnormalities. This also includes a thorough search of all the inmate's clothing while not being worn by the inmate.

SUPERVISORY STAFF. Facility personnel charged with the responsibility of supervising other personnel during a given period of time.

TEMPORARY RELEASE. A period of time during which an inmate is allowed to leave the program or institution and go into the community unsupervised for various purposes consistent with the public interest.

TRAINING. An organized, planned, and evaluated activity designed to achieve specific learning objectives. Training may occur on site, at an academy or training center, at an institution of higher learning, through contract service, at professional meetings or through closely supervised on-the-job training. Meetings of professional associations are considered training when there is clear evidence of the above elements.

WORK RELEASE. A formal arrangement, sanctioned by law, whereby an inmate is permitted to leave confinement to maintain approved and regular employment in the community, returning to custody during nonworking hours.

WORK STATION. A secure or nonsecure area that provides space and equipment to permit a facility staff member to carry out defined job

responsibilities. The area may be a writing surface, office, or cubicle. The level of security for a work station depends on program needs and whether controls or access to certain areas need to be protected.

Statutory Authority for Standards and Inspection

TITLE 34 M.R.S.A. SECTION 3

§ 3. Inspection of county jails; standards; transfer of prisoners.

The Department may make frequent inspections of all county jails and shall inspect all county jails at least twice in each year and report annually, before December 1st, to the Governor in respect to the conditions of said jails.

The commissioner shall establish standards for all county jails. Such standards shall approximate, insofar as possible, those established by the Inspector of Jails, Federal Bureau of Prisons.

Failure on the part of the county commissioners to maintain standards established under this section, discovered during any jail inspection conducted under this section, shall be reported by the commissioner in writing to the county commissioners of the county in which such jail is located, specifying deficiencies and departures from such standards and ordering their correction. It shall be the responsibility of the county commissioners to cause such deficiencies to be corrected and such standards to be restored, within 6 months from receipt of the report and order of the commissioner. For failure of the county commissioners to comply with such order, the commissioner may order the county jail to be closed and the prisoners transferred to the nearest county jail or jails meeting the prescribed standards and having available room for prisoners. The cost of transfer, support and return of such prisoners shall be paid by the county from whose jail the prisoners are transferred as provided in this section for other transfers. The commissioner may contract with any qualified person to serve as consultant to the Department for the purpose of inspections under this section and to inspect the county jails, and any law to the contrary notwithstanding, such qualified person may be an officer or employee of the Department.

The Department shall have the same authority regarding municipal lock-ups as is provided county jails by Title 34, Section 3.

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I. Maine Standards for County Jails

A. ADMINISTRATION

A.1 Each facility shall have an administrator who shall be responsible for all facility operations.

A.2 The administrator shall develop and maintain a set of written policies and procedures describing all aspects of facility administration and operation. A list of required policy and procedure topics is presented in Appendix A. Policies and procedures shall be kept in loose-leaf binders and shall be numbered as shown in Appendix A.

A.3 Written policies and procedures shall be available to all facility staff and shall form the basis for staff orientation and training.

A.4 The administrator shall submit a facility policy and procedure manual to the Department of Corrections by September 1, 1982. All subsequent changes made in the manual shall be submitted quarterly to the Department. The Department shall determine compliance of the manual contents with Maine Standards for County Jails.

A.5 All policies and procedures shall be reviewed by the administrator at least annually and shall be revised as frequently as needed.

A.6 Each administrator shall implement an Affirmative Action Plan that complies with all applicable laws and regulations and has been approved by the appropriate government agency.

A.7 Equal employment opportunity shall exist for all facility positions, with exceptions only where permitted by law.

A.8 Inmate grievance procedures shall be implemented and shall include provisions for the following:

- a. Access by all inmates, with guarantees against reprisals;
- b. Review of grievances;
- c. Applicability over a broad range of issues;
- d. Means for resolving questions of jurisdiction;
- e. Responses within a prescribed reasonable time limit;
- f. Written response to all grievances.

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B. TRAINING

B.1 The training of all county correctional officers shall comply with the requirements of 25 MRSA § 2801 et seq.

B.2 Prior to assignment to duty, all staff shall be provided with an orientation program.

B.3 Each year, administrative and managerial staff shall receive additional training in administrative and managerial skills.

B.4 A written training and staff development plan shall be developed for each facility, coordinated and supervised by a supervisory-level staff member. Training shall be based on, and consistent with, facility written policies and procedures.

B.5 All facility personnel shall receive training in the execution of written emergency plans.

B.6 Correctional officers working with inmates in disciplinary or administrative segregation shall be trained to handle these special types of inmates.

B.7 All facility personnel shall be familiar with inmate rules and regulations, and shall receive training in the enforcement of these rules and regulations.

B.8 All facility personnel authorized to use firearms shall receive training in the use, handling, and care of weaponry on a continuing basis.

B.9 All facility personnel authorized to use chemical agents shall receive training in their use and handling.

B.10 All facility personnel shall receive basic Red Cross First-Aid training during entry level training.

B.11 At least one staff member per shift shall be trained and certified in Cardio-Pulmonary Resuscitation techniques.

B.12 All facility personnel shall be trained to recognize the symptoms of mental illness and retardation, substance abuse, physical deficiencies, and suicide-prone behavior.

C. RECORDS AND DATA MANAGEMENT

C.1 Facility personnel shall collect, record, organize, process, and report data for management information purposes.

C.2 The security and accuracy of the information and data collection system shall be insured, including verification of

information, access to data, and protection from unauthorized disclosure.

C.3 Each facility shall maintain an accurate jail calendar containing the names of all persons committed to the facility, their home address, time of commitment, cause and authority for detention. The time and authority for any discharge shall also be noted.

C.4 Jail logs shall be maintained by each shift recording the following:

- a. Personnel on duty;
- b. Time and results of inmate population checks and counts;
- c. Time and results of security inspections;
- d. Names of inmates received and discharged and time of reception/release;
- e. Time of meals served;
- f. Medication dispensed;
- g. Shift activities, including any action taken on handling routine or unusual incidents or occurrences;
- h. Entry and exit of any visitors, including physicians, attorneys, volunteers, and all others;
- i. Notation of problems, disturbances, distribution and use of emergency and restraint equipment.

C.5 A permanent log shall be maintained for disciplinary or administrative segregation areas. The log may be combined with the logs required in Standard C.4. The log shall include notations of the following:

- a. All admissions or releases to the segregation unit, including date and time;
- b. All visits to the unit;
- c. Any medical requests from the unit or medical care delivered to the inmates in the unit;
- d. Any disciplinary action taken in the unit;
- e. Any problems or unusual events concerning the unit;
- f. Staff cell checks.

C.6 Accurate and current file folders shall be maintained for each individual detained. The folders shall contain at least the following:

- a. Inmate information and admission papers;
- b. Court records (consistent with Maine statutes);
- c. SBI and FBI sheets (where appropriate);
- d. Photographs and finger print cards;
- e. Itemized inventory forms for all clothing, property, money and valuables taken from the individual, together with signed receipts for such;
- f. Any other information about the inmate deemed pertinent by the facility personnel;
- g. Reports of disciplinary action;

- h. Records describing inmate work and program participation;
- i. Classification documents.

INMATE POPULATION RECORDS

C.7 There shall be a system for maintaining a daily and a monthly accounting of the inmate population. The Population Report Form (Appendix B) shall be completed for each facility and shall be submitted to the Department of Corrections at the end of each month.

C.8 Procedures shall prevent unauthorized access to, and improper disclosure of inmate file contents.

C.9 Prior to the release of any information to agencies other than criminal justice authorities or agencies with court orders for access, a Release of Information Consent Form (Appendix B) shall be signed by the inmate involved and a copy of the form placed in the inmate's file folder.

C.10 Inmates shall be permitted reasonable access to their files and records in accordance with the Freedom of Information Act (5 U.S.C. § 552) and Privacy Act guidelines and the Maine Freedom of Information Act.

MEDICAL RECORDS

C.11 Inmate medical records shall be kept in a separate medical file. The facility physician shall establish policies which determine access to medical files.

C.12 The medical file shall contain the following:

- a. The Inmate Medical Screening Form (Appendix B) completed at the time of admission;
- b. Inmate Health History Form (Appendix B);
- c. Any subsequent health appraisal forms;
- d. All findings, diagnoses, treatments;
- e. All requests for medical treatment or attention;
- f. A copy of all prescriptions and records of dispensing;
- g. The date, time, and place of all medical encounters and discharges from treatment;
- h. Other pertinent documents, including laboratory, x-ray, and diagnostic studies; signature and title of documentation; consent and refusal forms; and Release of Information Consent Forms.

C.13 When an inmate is transferred to another detention or correction facility, summaries or copies of the medical file shall be forwarded to specified medical personnel.

FOOD RECORDS

C.14 Accurate records shall be maintained of all meals served to inmates, to include: menu, number of meals served to inmates, by whom prepared, time of serving and portion sizes.

OTHER RECORDS

C.15 A written record of all incidents resulting in physical harm to any individual in the facility, or threatening the safety of any individual or the security of the facility, shall be promptly completed and transmitted to the facility administrator.

D. SAFETY AND SECURITY

SAFETY

D.1 Fire prevention regulations and practices shall be in accordance with the latest version of the NFPA Life Safety Code to ensure the safety of staff, inmates, and visitors.

D.2 A written evacuation plan shall be developed and used in the event of a fire or major emergency, including routes of evacuation and housing of inmates following evacuation. Appropriate sections of the plan shall be posted in areas where inmates and staff may familiarize themselves with it. There shall be fire drills, at least quarterly, conducted with the local fire department.

D.3 Noncombustible receptacles shall be provided for all smoking materials which are allowed for inmate use.

D.4 In emergency situations, correctional officers shall use only those weapons approved by the facility administrator.

D.5 Written plans shall provide for the continuing operation of the facility in the event of a work stoppage or other job action. These plans shall be provided to all supervisory personnel.

D.6 An emergency electrical power facility shall be provided for quick recovery to maintain essential services, security and safety. The equipment shall be tested at least quarterly for effectiveness.

SECURITY

D.7 A security perimeter shall prevent access to the facility by

unauthorized personnel.

D.8 The facility shall maintain a control center to ensure order and security.

D.9 Audio communication shall be maintained between the control center and all inmate living areas.

D.10 There shall be written post orders for every station within the facility.

D.11 All security perimeter entrances, control center doors, cell block doors and corridor doors shall be kept locked except when in use. Doors to vacant units, unoccupied cells and storage rooms shall be locked at all times.

D.12 At least weekly inspections of locks, bars, windows, masonry, ventilator covers, access plates, protection screens, doors and other security equipment shall be conducted by the administrator or his/her designee. The date, time, and result of these inspections shall be recorded in a log. The facility administrator shall take appropriate steps to correct all identified problems.

FIREARMS, SECURITY DEVICES, AND TOXIC MATERIALS

D.13 Firearms, ammunition, chemical agents and other security equipment shall be securely stored outside of the security perimeter and shall be readily accessible in the event of an emergency.

D.14 Firearms, chemical agents and other security equipment shall be inspected at least monthly and the inspection shall be recorded in a log; all security equipment shall be kept in working condition.

D.15 There shall be a written record of both routine and emergency distribution of any security equipment.

D.16 Weapons shall not be permitted inside the security perimeter of the facility except during emergency situations. Secure storage shall be provided outside of the security perimeter for weapons brought to the facility by law enforcement and other personnel.

D.17 Any correctional officer discharging firearms or chemical agents shall prepare a written report for the facility administrator by the conclusion of the shift. Any person on whom chemical agents or firearms are used shall be examined immediately by a physician.

D.18 The use of restraint equipment shall be governed by written policy and procedure. The use of restraint equipment within the facility for any reason shall be followed by a written report to the facility administrator by the conclusion of the shift.

D.19 The control and use of any flammable, caustic, or toxic

material shall be governed by written policy and procedure.

KEYS

D.20 All correctional officers shall be familiar with the locking system of the facility and shall be able to release prisoners immediately in the event of a fire or other emergency. A duplicate set of keys shall be readily available for emergency situations.

TOOLS AND UTENSILS

D.21 A system shall govern the control and use of keys, tools, and culinary equipment. Such items shall be securely stored and distributed by a check-out/check-in system.

SEARCHES

D.22 Searches of facilities, personnel, visitors, and inmates to control contraband and maintain security shall be governed by written policies and procedures. The administrator shall maintain a list of items designated as contraband and shall describe contraband in inmate rules and visiting rules.

D.23 All inmates shall be searched whenever entering or leaving the security perimeter. Any inmate entering the security perimeter may be subject to a strip search. Any strip search shall be conducted in private and in a manner that preserves the dignity of the inmate, by a staff member of the same sex in an area completely free from members of the opposite sex, and under sanitary conditions.

D.24 When a crime is suspected to have been committed within the facility, searches and the preservation of evidence shall be governed by written policy and procedure.

E. SUPERVISION OF INMATES

E.1 The use of physical force by correctional officers shall be limited to justifiable instances of self-protection, protection of others, protection of property, and prevention of escapes as described in MRSA Title 17-A. Any use of physical force shall be followed by a written report to the facility administrator.

E.2 There shall be sufficient staff to perform all functions relating to the security, custody, supervision of inmates and the direction of the facility in compliance with Maine Standards for County Jails. An annual staffing analysis shall be conducted by

each county, no later than one month prior to the annual inspection. Written staffing plans shall be developed and submitted to the Department of Corrections for review and approval. Plans shall detail staff assignment in the facility and the number of full and part-time staff positions. Plans shall be submitted annually, at the time of the annual inspection.

E.3 The administrator shall inspect all areas of the facility at least weekly and all areas shall be visited by supervisory staff daily. All inspections and visits shall be logged.

E.4 There shall be a system to physically count inmates. Count data shall be recorded on the Inmate Daily Count Form (Appendix B).

E.5 No correctional officer shall enter a high-security area unless assistance is available from another staff member, and unless the entry is monitored.

E.6 Visual surveillance equipment, if used in inmate toilet, cell, or shower areas, shall be located to preserve inmate rights for privacy.

E.7 Inmates shall be prohibited from supervising, controlling, exerting or assuming any authority whatsoever over other inmates.

E.8 Policies governing the supervision of female inmates by male staff and male inmates by female staff shall be in conformance with equal employment opportunity.

E.9 Correctional officer posts shall be located in or immediately adjacent to inmate living areas to permit officers to hear and respond promptly to problems in the living areas.

E.10 All inmates shall be personally observed by a correctional officer at least every 30 minutes on an irregular schedule; the time of all such checks shall be logged. Closer observation shall be provided for inmates who are violent, suicidal, mentally ill, intoxicated, or who have other special problems and needs.

E.11 As provided in 34 MRSA § 952-A, positions of trust may be granted to sentenced inmates. Inmates of this description shall be supervised when outside the cell area and shall never be allowed to assume any authority over other inmates. Criteria shall be established by the facility administrator to assure that positions of trust shall be granted based on careful consideration of each case.

F. ADMISSION AND RELEASE

ADMISSION

F.1 The admitting officer shall positively identify the arresting or committing officer, verify the arresting or transporting officer's authority to make the commitment and verify that he/she has the appropriate commitment papers to assure proper documentation.

F.2 The admitting officer shall conduct a complete and thorough search of the individual including a search of any prosthetic devise(s). Any inmate entering the jail security perimeter may be subject to a strip search. Inmates not entering secure areas or who are expected to be released soon should not be strip searched.

F.3 Appropriate sections of the Admission and Release Form (Appendix B), shall be completed upon admission for each inmate.

F.4 Inmates shall be photographed and fingerprinted upon admission. Juveniles shall be fingerprinted and photographed only when they are charged with offenses which would be crimes if they were adults.

F.5 The Inmate Medical Screening Form (Appendix B) and Inmate Health History Form (Appendix B) shall be completed for each inmate upon admission. These forms shall be completed by staff members who have been certified to do so by the facility physician.

F.6 If any inmate shows signs of, or complains of any illness, injury, or wound, he/she shall not be held at the facility until the arresting/transporting officer has secured a written certificate of examination and appropriate treatment from a physician.

F.7 Each inmate detained shall be allowed to communicate with his/her family and attorney by completing at least two unmonitored phone calls during the admission process.

F.8 Pretrial detainees for whom bail has not been set shall be allowed to consult with a bail commissioner prior to being assigned to housing.

F.9 After the booking process is completed, inmates to be housed shall be required to strip and shower, and his/her body, clothing, and personal effects carefully inspected for contraband and vermin. If there is indication of vermin, disinfecting procedures shall be implemented.

F.10 Each inmate shall be assigned to initial housing according to his/her immediate security needs, physical and mental condition, and other considerations.

F.11 The inmate shall be given clothing where necessary, and

provided bedding and personal hygiene items to include:

- a. Soap;
- b. Toothbrush;
- c. Toothpaste;
- d. Comb;
- e. Shaving materials where necessary;
- f. Special hygiene items (determined by the administrator);
- g. A mattress of a type approved by the Department;
- h. Two sheets, or one mattress cover and one sheet;
- i. Blankets in sufficient number to ensure comfort.

F.12 If an inmate is received at the facility during the service of a meal, he/she shall be served the meal during or immediately after admission.

INMATE PROPERTY CONTROL

F.13 All money, valuables, and other personal property shall be taken from inmates at the time of admission and shall be securely stored. If necessary, clothing taken from an inmate shall be cleaned and/or disinfected before storage. An itemized inventory, signed by the inmate and the admitting officer shall be completed in duplicate. One copy shall be given to the inmate, the other shall be placed in the inmate's file.

F.14 Inmates shall not be allowed to have money in their possession.

ORIENTATION

F.15 Each inmate shall receive a thorough orientation to the facility and its operation. Written materials shall be provided, reviewed by the inmate and discussed with a staff member. If an inmate cannot read, the written materials shall be read to him/her by a staff member. For inmates who do not speak English, the orientation shall be provided in their own language.

F.16 Upon admission, each inmate shall be provided with written information about the regulations governing the treatment of inmates of his/her category, the disciplinary requirements of the facility, the authorized methods of seeking information and making complaints, and any other information necessary to enable the inmate to understand both his/her rights and obligations, and to adapt to the routine of the facility.

F.17 A copy of inmate rules and regulations, including the range of possible sanctions for each violation, shall be provided at the time

of admission. The inmate shall verify receipt of the rules in writing.

F.18 If a significant number of inmates who do not speak or read English and who speak a common language are admitted to the facility within a calendar year, the facility shall prepare rules and regulations in the language which the inmates speak and read.

F.19 A copy of rules and regulations regarding access to medical services and program services shall be provided to each inmate upon admission.

RELEASE

F.20 Before an inmate is released from the facility, positive identification shall be made of the individual and the authority for release shall be verified. The appropriate sections of the Admission and Release Form (Appendix B) shall be completed prior to release.

F.21 Upon release, items of personal property, money and valuables returned shall be compared against the inventory of property taken, and the inmate and releasing officer shall be required to sign a receipt for all property returned.

G. CLASSIFICATION

G.1 A written system of classification shall provide levels of classification of inmates. Classification shall serve several purposes, including:

- a. Identifying the level of custody required and describing effective correctional programming;
- b. Identifying inmates with emotional and social problems;
- c. Providing courts with information to aid in determining bail and imposing sentences;
- d. Diverting individuals from inappropriate detention.

G.2 The facility classification system shall involve collecting information on each inmate and verifying information where possible. The classification process shall be consistently applied by all staff. The basis for all classification decisions shall be described in writing.

G.3 Classification procedures shall screen, evaluate, and identify unsentenced inmates who do not endanger the community. To aid pretrial release consideration, the facility shall provide information to the courts, bail commissioners, and other appropriate officials describing unsentenced inmates who do not pose a threat

to the community.

G.4 Each facility shall have a classification specialist or a staff member trained in classification techniques and theory, who is responsible for the administration of classification procedures.

G.5 An inmate's race, color, creed, or national origin shall not be the basis for classification decisions.

G.6 Written safeguards shall ensure each inmate's right to limited due process regarding classification decisions (notice, opportunity to respond, statement of reason for action).

G.7 Inmates shall be provided with the opportunity to appeal classification decisions.

G.8 An initial classification of each inmate shall be completed within 72 hours of admission. The initial classification decision and current status of each inmate shall be reviewed after admission as follows: 15 days, 30 days, 90 days, and every 90 days thereafter. Inmates shall be permitted to request reviews of their progress and status and to request changes in their housing and program assignments at least monthly.

H. INMATE MANAGEMENT AND SEPARATION

H.1 Female inmates shall be provided living quarters which are separate from male inmates.

H.2 Juvenile inmates shall be separated by sight and, as possible, by sound from the rest of the inmate population. When common facilities are used, scheduling shall prevent contact with adult inmates.

H.3 Juveniles shall only be housed consistent with the provisions of Title 15 MRSA, Chapters 501 through 513 of the Maine Juvenile Code.

H.4 A written plan shall determine the areas of each facility in which inmates may be separated and shall describe a process for making separation decisions. Consistent with the plan, the following inmate types shall be provided with appropriate supervision, custody, and separation:

- a. Pretrial detainees;
- b. Convicted inmates;
- c. Repeat or habitual offenders;
- d. Narcotic addicts or chemically impaired persons;
- e. Those who might be a threat to facility staff or other inmates;
- f. Those whose safety might be threatened by other inmates;

- g. Inmates who are mentally ill;
- h. Inmates who are suicide-prone;
- i. Material witnesses or persons who are detained on noncriminal charges;
- j. Escape risks;
- k. Crime partners;
- l. Known enemies.

H.5 Inmates shall be housed only in facilities approved by the Department of Corrections. Department approval is required for the housing of male or female inmates, and approval is required for housing juveniles or adults.

H.6 Searches of inmates shall be conducted by a staff person of the same sex as the inmate.

H.7 Staff members shall not view toilet or shower areas occupied by inmates of the opposite sex.

I. INMATE DISCIPLINE

I.1 There shall be two categories of conduct which may result in disciplinary action: infractions and offenses.

Infractions are breaches of written facility rules and regulations for which a variety of sanctions may be imposed.

Offenses are acts which are criminal under the laws of Maine and/or the United States, and which may be referred to the District Attorney for prosecution.

I.2 When a staff member has a reasonable belief that an inmate has committed an infraction or an offense, that person shall prepare a disciplinary report which shall include, but not be limited to the following information:

- a. Description of incident and immediate action taken;
- b. Specific rules violated;
- c. A formal statement of the charge;
- d. Unusual inmate behavior;
- e. Staff or inmate witnesses;
- f. Disposition of any physical evidence;
- g. Reporting staff member's signature, date, and time of report.

I.3 Infractions for which the maximum penalty is deprivation or limitation of privileges for 48 hours or less, a warning, a verbal reprimand or counseling, shall be considered minor rule infractions. Procedures for handling minor rule infractions shall include:

- a. The inmate shall be informed of the specific charges of an incident by the facility administrator;

- b. The inmate shall be given an opportunity to explain or deny the charges within 72 hours of the incident;
- c. The inmate shall be notified of any report placed in his/her file, and of any action taken;
- d. There shall be provisions for appeal of any disciplinary decisions or actions.

I.4 Where the possible sanction for violation of a rule is limitation or deprivation of any privilege for more than 48 hours, the violation shall be treated as a major infraction and shall be handled formally.

I.5 An inmate charged with a major infraction shall be given a written copy of the alleged rule infraction within 24 hours after being charged.

I.6 An investigation of the reported major infraction shall be started within 48 hours of the time the infraction is reported.

I.7 Within 7 days of the major infraction, there shall be a hearing before a person or persons not directly involved in the incident under consideration, appointed by the sheriff or jail administrator.

I.8 The inmate shall be present at the hearing unless he/she waives in writing his/her right to attend or his/her behavior justifies removal from the hearing. Absence of the inmate from the hearing shall be documented.

I.9 The inmate shall be allowed to call witnesses and to present documentary evidence in his/her defense. The number of witnesses may be limited by the facility administrator for cause.

I.10 Inmates, at their request, shall be allowed to be represented by a staff member or, with the permission of the facility administrator, by another inmate. Staff members shall not be required to represent inmates, but may choose to do so.

I.11 A copy of the decision and the sanctions imposed by the person(s) hearing the matter shall be provided to the inmate.

I.12 The inmate shall have the right to appeal a decision within 10 days to a designated person who shall consider the following:

- a. If there was substantial compliance with facility standards on inmate discipline;
- b. If the decision was based on substantial evidence;
- c. If the sanction imposed was proportionate to the infraction.

I.13 If an inmate is found not guilty of an alleged infraction, all reference to the incident shall be removed from his/her file folder.

I.14 There shall be provisions for prehearing detention of inmates charged with a major infraction or offense when necessary to ensure

the safety of the inmate or the facility.

I.15 Inmates shall be placed in disciplinary detention for a major infraction only after a hearing.

I.16 As provided in 17-A MRSA § 1253, sentenced inmates who faithfully obey all rules and requirements of the facility may accrue monthly reduction in their sentences.

I.17 Inmates shall not be subject to any situation in which inmates exert influence or impose discipline on each other.

I.18 The facility administrator shall periodically review disciplinary hearings and dispositions.

I.19 The administrator shall specify the limitations on the personal property that inmates may retain in disciplinary detention, as well as the limitations on other privileges for inmates in disciplinary detention.

I.20 Inmates in disciplinary detention shall be allowed those telephone privileges related specifically to access to the judicial process, as well as those specifically authorized by the facility administrator or designee.

I.21 A copy of inmate rules and regulations shall be posted in all housing areas at all times.

J. SPECIAL MANAGEMENT INMATES

J.1 Except in emergencies, punitive segregation shall be imposed only after a full hearing before the facility disciplinary board. In emergency situations the highest ranking staff member on duty shall be notified at once, and the administrator as soon as practical, when an inmate is placed in segregation.

J.2 The length of segregation shall depend on the cause for segregation and the behavior of the inmate while segregated. Except in the most unusual circumstances (and then only with the administrator's authorization) an inmate shall not be kept in segregation as punishment for more than 7 days for any one offense. The cases of inmates in administrative or protective segregation shall be reviewed by the facility classification specialist every week.

J.3 Inmates in administrative or protective segregation shall be released only after review by the facility classification specialist, classification committee, or facility administrator.

J.4 Any cell used for segregation shall be as large as any other cell of similar capacity in the facility. The cell shall be clean, well-lighted, with adequate heat and ventilation. There shall be a

toilet, water for drinking and washing, and bedding. An inmate may be moved to an unequipped cell only if it is necessary to prevent suicide or other self-destructive acts or to prevent damage to the cell or equipment.

J.5 Inmates placed in segregation shall have similar access to health care and programs as other inmates in the facility.

J.6 Segregated inmates shall receive the same meals as those provided to the rest of the jail population.

J.7 Inmates in segregation shall not be deprived of regular jail clothing and bedding except for his or her own protection.

J.8 Segregated inmates shall be able to maintain the same level of personal hygiene as other inmates; they shall be provided with the same toilet articles and have the same bathing and showering schedule as the rest of the jail population.

J.9 Inmates in segregation shall be given opportunities for exercise and shall have the same rights to mail, reading material, and access to legal material as any other inmates.

J.10 Writing and visiting privileges shall not be denied inmates in segregation except in unusual circumstances and for specific reasons which do not extend to access to courts.

J.11 Anything that could be used for self-destruction shall be removed from a self-destructive or suicide-prone inmate. Inmates of this type shall be closely supervised to prevent injury or suicide attempts.

K. INMATE COMMUNICATION

K.1 The length, source, or volume of mail an inmate may send or receive shall not be limited, except where the administrator determines that there is clear and convincing evidence to justify such limitation.

K.2 Inmate mail, incoming and outgoing, shall not be read or censored except where a reasonable belief of a threat to the safety and security of the jail, public officials, or the general public justifies such activities. Inmates shall be notified in writing of the intent to read or censor mail before mail is read.

K.3 Incoming inmate mail may be inspected for the purpose of intercepting contraband. Outgoing mail shall be left sealed.

K.4 Outgoing correspondence to attorneys, courts, county, state, or federal government representatives, officials of the confining authority and administrators of grievance systems, shall not be opened by the facility.

K.5 Incoming correspondence from attorneys, court, county, state, or federal government representatives, officials of the confining authority and administrators of grievance systems may be opened only to inspect for contraband and only in the presence of the inmate concerned.

K.6 Incoming mail shall be delivered to inmates within 24 hours. Outgoing mail shall be delivered to the postal service on every business day.

K.7 If any publication, correspondence, or contents of a package is withheld by the administration, the inmate to whom it is addressed and the sender shall be notified in writing of the item withheld and the reasons. The inmate and the sender shall be provided an opportunity to protest the decision. Any item which is refused shall be returned to the sender, unless it contains illegal matter and/or is kept as evidence.

K.8 Indigent inmates shall be provided with writing supplies and postage in an amount allowing them to send at least three letters (one-ounce) per week.

K.9 Indigent inmates shall be provided with unlimited writing supplies and postage for the purpose of corresponding with attorneys and courts.

K.10 Written policies and procedures shall grant inmates the right to visit with family, friends, legal and religious advisors, and the news media, subject only to limitations necessary to maintain order and security.

K.11 A secure and suitable area shall be provided for inmates and visitors to converse at normal voice levels.

K.12 The administrator shall establish a visiting schedule which includes opportunities for visiting on at least one weekend day and one evening during the week. Each inmate shall have the opportunity for at least three hours of visiting each week with relatives and friends. The facility shall provide for special visits outside of visiting hours when necessary.

K.13 The number of visitors an inmate may receive shall be limited only by facility space constraints.

K.14 Written rules governing visitors' conduct and responsibilities shall be conspicuously posted in visiting areas. A visitor shall be refused only if there is a reasonable belief that the visitor poses a threat to the safety or security of the inmate or the institution.

K.15 Visits with family and friends shall be supervised by a staff member. In the absence of a substantial security risk, and consistent with the inmate's classification, informal communication, including the opportunity for physical contact, shall be allowed.

There shall be no age limitation for visitors.

K.16 Members of the clergy shall be allowed to visit inmates at any reasonable hour.

K.17 An inmate may choose not to participate in a visit. If an inmate refuses to participate in any visit, he/she shall sign a written statement that he/she refused the visit.

K.18 Inmates shall be allowed to have confidential access to attorneys and their authorized representatives at any reasonable hour.

K.19 Every inmate shall have unrestricted and confidential access to the courts. Inmates shall have the right to present any issue before a court of law or governmental agency.

- a. An inmate has the right to consult with his/her attorney at the place of confinement as often and as long as is necessary. The facility may establish reasonable hours during which attorneys may visit. If there is a genuine possibility of violence or escape by the inmate, he/she may be kept under observation, but conversations may not be monitored.
- b. The right of consultation with an attorney shall include the exchange of correspondence between an inmate and his/her attorney. Letters to an attorney shall be mailed without examination or censorship. Incoming mail from an attorney to an inmate may be examined, only in the presence of the inmate, solely for the detection of contraband but may not be read.
- c. The right of access to courts includes the right to prepare and file legal papers with the court. In doing so, an inmate is entitled to receive assistance from law school legal assistance programs, (if available) legal assistance agencies, law library facilities, and other inmates. Inmates shall be provided with materials necessary to prepare legal papers and any documents prepared must be transmitted to the courts by facility personnel, at public expense if necessary.

L. MEDICAL SERVICES

L.1 The facility physician shall approve written policies and procedures for the following:

- a. Receiving screening (Appendix B);
- b. Health appraisal data collection;
- c. Nonemergency medical services;

- d. Emergency medical and dental services;
- e. Decision on emergency nature of illness or injury;
- f. First aid;
- g. Immediate notification of next-of-kin or legal guardian in case of life-threatening illness, injury, or death;
- h. Arrangements for providing chronic and convalescent care and preventive maintenance;
- i. Arrangements for providing close medical supervision of inmates with special medical and psychiatric illness;
- j. Screening, referral, and care of mentally ill, suicide prone, retarded, disabled, and handicapped inmates;
- k. Delousing procedures;
- l. Arrangements for providing detoxification procedures;
- m. Handling of pharmaceuticals;
- n. Periodic laboratory and medical reexaminations.

L.2 All work of qualified medical personnel shall be governed by written job descriptions which are approved by the facility physician.

L.3 The facility physician shall request the space, equipment, supplies, and materials necessary for the delivery of health care services in the facility; the administrator shall attempt to meet the requests.

L.4 The facility physician shall prepare a quarterly report on the health care delivery system, the health environment of the facility, and an annual statistical summary of services rendered.

L.5 All state licensing and/or certification requirements and restrictions shall apply to health care personnel working in the facility. Copies of all licensing and/or certification credentials shall be on file in the facility.

L.6 The security regulations of the facility shall apply to all medical personnel. All medical personnel shall be acquainted with security regulations and shall sign a statement to that effect.

L.7 In facilities which house females, medical services to meet the special needs of women shall be available, including obstetric services, gynecological services, and necessary prenatal and postnatal care and treatment.

L.8 All persons injured in an accident shall receive immediate medical attention.

L.9 The facility shall have a physician or medical organization responsible for health care services in accordance with a written agreement or contract.

L.10 Except for regulations necessary to ensure the security and order of the facility, the facility physician and qualified medical personnel shall have no restraints imposed upon him/her regarding the practice of medicine.

L.11 The facility physician shall conduct sick call at least once each week, at which inmates may report nonemergency injuries and illness, and may receive appropriate medical treatment. Sick call shall be long enough to allow all interested inmates to attend.

L.12 The facility physician shall determine strategic locations for first-aid kits and shall determine their contents. The physician shall also establish a procedure for monthly inspection and maintenance of the kits.

L.13 Emergency medical and dental care shall be available at all times. Written plans shall include arrangements for the following:

- a. Emergency evacuation of affected inmates from the facility;
- b. Use of an emergency medical vehicle;
- c. Use of one or more designated hospital emergency rooms or other appropriate health facilities;
- d. Emergency on-call medical and dental services when the emergency health facility is not located nearby.

L.14 Inmates shall be given physical examinations by the facility physician within two weeks of admission. At this time the physician shall collect further data to complete the medical and psychiatric history and profile. The physician may require such laboratory and diagnostic tests as he/she feels necessary in his/her professional judgment to detect communicable diseases or illness in general. Provisions for periodic reexamination shall be made as required by the physician.

L.15 The informed consent standard of the Maine medical community shall be observed for all examinations, treatments and procedures regarding inmate care.

L.16 No inmate shall be subjected to medical or pharmaceutical testing for research purposes. There shall be strict guidelines to govern voluntary inmate participation in nonmedical and nonpharmaceutical testing.

L.17 Inmate requests for medical attention shall be collected daily. Nonmedical facility personnel shall never diagnose or treat an illness. The facility physician shall determine appropriate responses to inmate medical needs.

L.18 Written procedures shall be established by the facility physician for the proper management of pharmaceuticals to include:

- a. A formulary;
- b. Requirements that the facility adhere to all

- regulations established by the State Board of Pharmacy regarding medications;
- c. Policies regarding prescriptions of all medications with particular attention paid to behavior modifying medication and those medications which are subject to abuse;
 - d. Policies regarding medication dispensing and administration;
 - e. Policies regarding secure storage and weekly inventory of all controlled substances, syringes, needles and surgical instruments.

L.19 All prescribed medications and treatment shall be administered only by the physician or in accordance with a standing order of the physician by those personnel authorized as provided in 34 MRSA § 912. Any person administering medication shall receive instructions from the physician and shall be accountable for administering medication according to orders. A record shall be maintained of all medications administered by the staff member involved.

L.20 All medication shall be labeled with the prescription number, type of medication, prescribed dosage, time to be administered, date of prescription, the inmate's name, and the name of the prescribing physician. A copy of each prescription shall be placed in the inmate's medical file.

L.21 Medication shall be administered in the prescribed dosage at the prescribed time by the physician or jail personnel as authorized by 34 MRSA § 912. The person administering medication shall require the inmate's signature as evidence of receipt of medication. If an inmate refuses to sign, the refusal shall be recorded.

L.22 The facility physician shall determine whether medication shall be left in an inmate's possession.

L.23 Dental care and treatment, not limited to extractions, shall be provided to inmates when the health of the inmate during the confinement period would otherwise be adversely affected.

L.24 Inmates suspected of having contagious or infectious diseases shall be isolated immediately from other prisoners and shall be examined by a physician within 12 hours. In such cases, where removal to a hospital is not ordered, the physician's instructions regarding the care of the patient and sanitization of eating utensils, clothing, and bedding shall be expressly followed.

L.25 Arrangements shall be made for providing detoxification programs under medical supervision for alcohol, opiate, barbituate, and other drug-dependent inmates (either in the facility or through transfer to other facilities).

L.26 The death of an inmate shall be reported immediately to the attending physician. If a physician was not in attendance, the Chief Medical Examiner shall be notified immediately.

L.27 The death of an inmate by accident, illness, or suicide shall be reported to the Department of Corrections by telephone within 24 hours (72 hours on weekends). A written report shall include the inmate's name, age, address, reason and authority for incarceration, cause of death, time of death, time last seen by a staff member, and the time death was reported to the Chief Medical Examiner or physician in attendance. This report shall be mailed to the Department within 72 hours of the death.

L.28 Inmates shall be given access to nonevaluative material in their medical and dental records and to evaluative summaries, but not raw data from psychiatric and psychological assessments in their health files. All materials in the inmate's health file shall be made available to the inmate's private physician upon request, with the authorization of the inmate.

L.29 The facility physician shall have access to information contained in the inmate's confinement record when the physician believes that the information contained therein is relevant to the inmate's health.

M. FOOD SERVICE

M.1 Minimum daily caloric requirements for sedentary inmates shall be 2,500 and for active inmates shall be 2,800.

M.2 The current edition of the publication "Recommended Dietary Allowances" of the National Academy of Sciences shall guide the preparation of menus to ensure balanced meals.

M.3 Food preparation shall be under the direct supervision of a paid employee who is qualified by experience and/or training.

M.4 Under no circumstances shall nutrition be sacrificed because of financial constraints or considerations.

M.5 There shall be a system to account for all food and supplies in order to prevent pilferage.

M.6 Meals served to personnel and guests shall be identical to meals served to inmates.

M.7 Food shall not be withheld from inmates as punishment nor offered as a reward.

M.8 Cyclical menus shall be written for at least a three-week period and shall be posted in the food preparation area. Menus shall include portion and serving sizes. Changes in menus shall be recorded; substitutions shall be of equal nutritional value. Menus shall be kept for at least six months after use.

M.9 The current menu shall be posted in the food preparation area and in an area where inmates may have access to it.

M.10 Orders by a physician for special diets shall be followed according to the physician's written instructions or the written instructions of a local dietician or a dietician from the Department of Corrections.

M.11 Provisions shall be made for special diets when an inmate's religious beliefs require adherence to particular dietary practices, provided that the food is found within the community.

M.12 Thanksgiving and Christmas holidays shall be recognized with the preparation of special meals.

M.13 Food service and related sanitation practices shall comply with the rules promulgated by the Maine Department of Human Services.

M.14 The administrator shall establish policies which describe the amounts and types of food which inmates are allowed to have in their living areas, to ensure that sanitary conditions are maintained.

M.15 Food preparation shall consider food flavor, texture, temperature, appearance, and palatability.

M.16 Only carefully screened inmates, in good health and free from communicable disease and open, infected, wounds shall be assigned to food service work.

M.17 Recipes for the number of portions needed shall be available and shall be used.

M.18 When canned or preserved foods are served, they shall have been prepared in accordance with Department of Human Service requirements.

M.19 Whenever ice is used, it shall come from a sanitary source and shall be handled in a manner so as not to cause contamination.

M.20 Space for group dining shall be provided. When security or safety considerations require dining in inmate cells, the basis for the decision shall be documented.

M.21 All meals shall be served under the direct supervision of a staff member to prevent favoritism, careless serving, and waste.

M.22 Three meals, two of which are hot, shall be served daily. There shall not be a span of more than 14 hours between the evening meal and breakfast. There shall not be more than 6 hours between daytime meals.

M.23 Food shall be served promptly after it is prepared. Procedures shall ensure hot food is served hot and cold food is

served cold.

M.24 Coffee, tea, or milk as well as appropriate condiments shall be served with each meal.

M.25 A full set of cutlery (knife, fork, and spoon) shall be issued as needed to each inmate unless doing so would be dangerous to inmates, staff, or the security of the facility.

M.26 A control system shall be established for the issuing and return of cutlery at each meal.

M.27 Sugar shall not be placed on the table in an open container.

M.28 Periodic sanitation inspections by a local health officer shall be solicited. The results of the inspections shall be kept for at least six months.

M.29 A daily inspection of all food service areas and equipment shall be conducted by administrative or food service personnel.

M.30 A constant supply of hot water shall be ready on demand at all sinks and dishwashers during all hours of operation.

M.31 All garbage shall be stored in watertight containers with plastic trash or garbage liners and tight fitting covers, and shall be disposed of daily so as not to permit transmission of disease or provide a breeding place for flies.

N. INMATE ACTIVITIES AND SERVICES

COMMISSARY

N.1 The administrator shall make arrangements for inmates to purchase cigarettes, tobacco, candy, or any other items the administrator authorizes. Inmates shall be allowed to purchase authorized items with their own funds. Items should be priced as closely as possible to actual costs. Any profits shall be put into the commissary or into an inmate fund. Accounting for all funds shall follow generally accepted accounting principles.

N.2 Indigent inmates shall be provided, without charge, those items specifically authorized by the facility administrator.

LIBRARY

N.3 A library shall be maintained in each facility consisting of fiction, nonfiction, educational, reference and legal materials as well as magazines and newspapers. Library services shall be

available to inmates at least twice weekly.

N.4 Library services shall include materials responsive to the interests and educational needs of inmates, and arrangements with local, county, and state libraries, including law libraries, for interlibrary loan.

RECREATION AND LEISURE-TIME ACTIVITIES

N.5 A television shall be provided by the facility for viewing by the inmate population.

N.6 Table activities shall be provided in inmate living areas or in multipurpose areas.

N.7 Inmates shall have access daily to at least one hour of indoor or outdoor physical exercise away from their cell areas. When weather permits, exercise shall be provided outdoors in a secure recreation area.

N.8 Work assignment plans for facility housekeeping and maintenance shall help avoid inmate idleness and promote constructive activities for inmates.

N.9 Inmates may be employed in the following manner or for the following purposes:

- a. As provided in 34 MRSA § 1001 employment of inmates for the benefit of the county;
- b. As provided in 34 MRSA § 1001 to provide assistance in the improvement of property owned by charitable organizations;
- c. As provided in 34 MRSA § 1005 when a written petition signed by at least 3% of the voters, as determined by the voters in the last gubernatorial election, is presented;
- d. As provided in 34 MRSA § 1008 for public work-related projects in the county.

N.10 Contracts for the employment of inmates shall be prepared as provided in 34 MRSA § 1006.

N.11 Pretrial detainees shall not be required to work except to do personal housekeeping.

N.12 All work programs and work release programs shall include provisions for handicapped inmates.

RELIGION

N.13 Every inmate shall be allowed to practice the religion of his/her choice, and shall have access to facilities, clergy or spiritual advisors, publications and religious symbols, subject to the considerations of facility order, security and space. Inmate participation in religious activities shall be voluntary.

N.14 Religious groups shall be allowed to assemble and shall be provided a place for assembly, as possible, within the limits of facility operations and security.

N.15 A chaplain or designated staff member shall coordinate facility religious programs. He/she shall have access to all areas of the facility.

O. INMATE PROGRAMS

Q.1 The administrator or his/her designee shall prepare an annual written needs assessment for inmate programs, services, and activities, and shall submit it to the Department of Corrections at the time of each annual inspection.

Q.2 Sentencing courts shall be advised at least quarterly, in writing, of the extent and availability of inmate services and programs at the facility.

Q.3 The facility administrator shall designate at least one staff member to be responsible for assessing the needs of inmates, coordinating the delivery of services and programs to inmates and developing local resources.

RELEASE PREPARATION

Q.4 A program of release preparation shall be provided to sentenced inmates prior to their release from the facility. At the minimum, the program shall include information on:

- a. Employment agencies;
- b. Health agencies;
- c. Welfare agencies;
- d. Educational and vocational educational agencies.

Q.5 Where feasible, the release preparation program shall provide for graduated release through a systematic decrease in supervision and corresponding increase in inmate responsibility.

COUNSELING

Q.6 Inmate counseling shall be available to include but not be limited to:

- a. Substance abuse;
- b. Religion;
- c. Mental health;
- d. Crisis intervention;
- e. Health and welfare;
- f. Education and vocation;
- g. Family problems.

Q.7 Inmate participation in nonemergency counseling shall be voluntary.

Q.8 All facility personnel shall be familiar with counseling programs available to inmates so that they may refer inmates to appropriate services.

EDUCATION

Q.9 At a minimum, academic education courses extending through the high school level shall be available.

Q.10 The facility educational program shall offer flexible scheduling that permits inmates to enter at any time and to proceed at their own learning pace.

Q.11 The educational program shall be supported by sufficient equipment and educational materials.

Q.12 Educational and vocational program opportunities shall be provided for handicapped inmates, comparable to those provided to other inmates.

P. TEMPORARY RELEASE

P.1 The provisions of 34 MRSA §§ 10007, 1000, and 528 shall be followed for inmate temporary release.

P.2 All temporary release programs shall include provisions for the following:

- a. Written rules of inmate conduct;
- b. A system of supervision to minimize inmate abuse of program privileges;
- c. A complete record-keeping system;
- d. A system for evaluating program effectiveness;
- e. Efforts to obtain community cooperation and support;

P.3 To the extent possible, inmates participating in release programs shall be housed separately from other inmates.

P.4 Prior to starting a release program, an inmate shall have the rules and regulations of expected, acceptable conduct explained to him/her so that there is no misunderstanding of responsibilities. The inmate shall sign a receipt verifying his/her understanding of the rules.

P.5 Inmates participating in temporary release programs shall be provided with identification stating that they are authorized to be on release, the phone number to be called in case of an emergency, and the signature of the appropriate official.

Q. SANITATION AND LIVING CONDITIONS

Q.1 The facility shall comply with existing state and local sanitation and health codes.

Q.2 Under no circumstances shall inmates sleep on mattresses placed directly on the floor.

Q.3 Weekly sanitation inspections shall be conducted by the administrator or his/her designee, which shall include a careful check for vermin.

Q.4 There shall be a plan for the control of vermin and pests including fumigation of the facility by a licensed pest control professional when necessary.

Q.5 Adequate cleaning tools and supplies shall be provided to be used under the supervision of a jail employee. Supplies shall not be stored in inmate cells or rooms. Mops and other cleaning tools shall be thoroughly cleaned after each use and stored in a well-ventilated place. Inmate access to cleaning equipment, tools and supplies shall be controlled.

Q.6 All poisonous and caustic compounds used for cleaning or extermination shall be clearly labeled and stored under lock and key separate from all other articles.

Q.7 To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans.

Q.8 A daily routine of inmate work necessary to keep all parts of the facility clean shall be established.

Q.9 All work shall be assigned and supervised by facility personnel. Under no circumstances shall one inmate assign work to another inmate.

Q.10 Bars and other exposed surfaces shall be dusted daily and shall be washed at least weekly, or when soiled, dirty, or when otherwise necessary.

Q.11 Floors shall be swept and mopped daily and kept free of hazardous objects at all times. Walls shall be washed as often as necessary and shall be kept clear of objects that might be breeding places for vermin. Windows and screens shall be cleaned as necessary.

Q.12 Painted surfaces shall be painted with fire-resistant paint and with a color which reflects light and is easily cleaned. Painted surfaces shall not be scaled or deteriorated.

Q.13 Durable, rust-resistant, water-tight, rodent-proof, fire-retardant or resistant cleanable trash receptacles shall be provided throughout the facility and shall be emptied and cleaned daily.

Q.14 The facility water supply shall be pure and free from back siphonage.

Q.15 All facility furnishings shall be constructed of flame retardant, easily cleanable materials which do not emit toxic fumes if burned.

Q.16 Each inmate shall be responsible for keeping his or her cell or room clean at all times. Cells shall be kept free of all unnecessary articles which might attract vermin.

Q.17 Toilets, wash basins, sinks and other sanitary equipment in inmate areas shall be cleaned thoroughly with hot water each day; a notation shall be made in the appropriate log after each cleaning.

Q.18 Shower facilities shall be cleaned thoroughly with hot water, soap, and scouring powder every day.

Q.19 Toilet paper shall be available at all times in inmate toilet areas.

Q.20 Special clothing shall be provided for inmates assigned to food service, sanitation, maintenance, or special work details.

Q.21 The issue of all clothing and bedding shall be recorded and inmates shall be held accountable for the use of all clothing and bedding issued to them.

Q.22 Inmate living areas shall be maintained at temperatures no less than 65 degrees F. and no more than 80 degrees F.

Q.23 Inmates shall be encouraged to bathe at least three times each week. If complaints are made about an inmate's hygiene, he/she shall be ordered by the administrator to bathe. Inmates assigned to food service shall be required to bathe daily. There shall be sufficient

supplies of hot and cold water. No less than one shower facility shall be provided for each 15 beds in the facility.

Q.24 Provision shall be made for inmates to receive a haircut at least monthly and to shave daily if they so choose.

Q.25 Laundry services shall be sufficient to allow required clothing and bedding exchanges for inmates.

Q.26 The facility inventory of linen and bedding shall exceed the maximum inmate population to ensure that a reserve is always available.

Q.27 Inmate clothing shall be laundered or exchanged at least twice each week.

Q.28 Linen shall be changed and laundered or exchanged at least once weekly and whenever necessary.

Q.29 Blankets in use shall be laundered or exchanged at least monthly, or before reissue to another inmate.

Q.30 Inmate towels shall be laundered or exchanged at least twice a week.

R. FACILITIES

All standards in this section pertain to all facilities (new, renovated or existing) unless otherwise noted. Existing facilities are those opened prior to September 1, 1982. Renovated facilities are those to which more than \$5,000 is committed to alter the facility after September 1, 1982.

R.1 The standards set forth in the Life Safety Code, published by the National Fire Protection Association and adopted by the Maine Department of Public Safety, shall be followed in all facilities.

R.2 Juveniles shall be separated by sight and sound from adult inmates. Female inmates shall be provided separate living quarters from males.

R.3 Public access to the facility shall be controlled.

R.4 A light, soft-toned, washable and fire retardant paint shall be used to cover untiled walls and metal work in all inmate housing and activity areas.

R.5 All cells designed for single occupancy shall be occupied by only one inmate.

R.6 All cells in existing facilities shall have at least 7 feet between floors and ceilings; cells in new or renovated facilities

shall have at least 8 feet between floors and ceilings.

R.7 All inmate housing areas shall be maintained at temperatures no less than 65 and no more than 80 degrees F.

R.8 Light levels in cells shall be at least 20 footcandles at the level of 3 feet above the desk or bed and shall not exceed 5 footcandles during sleeping hours. Light levels in all other inmate-occupied areas shall be appropriate for the use and types of activities which occur.

R.9 Noise levels within inmate-occupied areas shall not be sustained above the level of 70 decibels during the day and 45 decibels during sleeping hours.

R.10 Existing single-occupancy cells shall have a minimum of 60 square feet of floor space. New single-occupancy cells shall have a minimum of 70 square feet of floor space.

R.11 Existing multiple-occupancy cells shall not house more than 16 inmates and shall provide a minimum of 50 square feet of floor space per inmate. New or renovated facilities may house up to 10 minimum-security inmates in an area if 50 square feet of partitioned sleeping area is provided for each inmate.

R.12 Each cell shall have at least 3 square feet of clear glazing or 4 square feet of open bars which provide a view to the exterior or to a day space which can be lighted totally by natural light during the daytime, and which has at least 10 square feet of clear glazing providing a view to the exterior.

R.13 There shall be at least one special purpose cell or room to provide for the temporary detention of persons under the influence of alcohol or narcotics, or for persons uncontrollably violent or self-destructive. Such a cell shall be readily observed by staff.

R.14 Each group of cells shall have a dayroom space.

R.15 Dayroom space serving three or more cells shall provide at least 35 square feet for each inmate. No dayroom space shall encompass less than 100 square feet.

R.16 Space shall be provided for all activities and functions required in these standards. Space shall be allocated for, but not limited to, the following functions:

- a. Inmate reception;
- b. Classification;
- c. Separation of inmates;
- d. Attorney interviews;
- e. Officer stations and work stations;
- f. Food service;
- g. Storage;
- h. Visiting (contact and noncontact);

- i. Booking;
- j. Identification;
- k. Security garage or security vehicle sallyport;
- l. Interrogation;
- m. Lineup;
- n. Laundry;
- o. Inmate commissary;
- p. Inmate programming;
- q. Inmate activities;
- r. Counseling;
- s. Staff lockers and dressing areas;
- t. Medical examination and treatment;
- u. Administrative and clerical activities;
- v. Public reception and waiting;
- w. Detoxification cell(s);
- x. Inmate observation cell(s);
- y. Short-term holding cell(s);
- z. Inmate exercise (indoor and outdoor).

Multipurpose use of space is permitted if scheduling produces compliance with standards. The facility design shall:

- (1) Promote the orderly flow of facility traffic;
- (2) Provide a secure perimeter;
- (3) Control access to inmate occupied areas;
- (4) Provide a range of security levels for inmate housing;
- (5) Provide maximum observation of inmate-occupied areas, balanced with considerations for inmate privacy.

R.17 A secure outdoor recreation area shall be provided, with dimensions of at least 50 feet by 30 feet.

R.18 Wherever location permits observation of inmates' living or activity areas by the public, provisions shall be made to preclude direct views.

R.19 All plumbing shall meet the code requirements of the Division of Sanitary Engineering, Maine Department of Human Services and all local plumbing codes.

R.20 Each facility shall be inspected annually by the local plumbing inspector. Written results of the inspection shall be kept for one year.

R.21 Daily inspections of all plumbing fixtures shall be conducted by facility staff and all identified problems shall be repaired immediately.

R.22 All fixtures, furnishings, and equipment shall be selected consistent with the security level of the area in which they are used.

R.23 All electrical work shall meet the requirements of the National Electrical Code, local utility company rules, the

requirements of the Fire Underwriters, and state and federal laws and regulations pertaining to confinement facilities.

R.24 An emergency electrical power facility shall be provided for quick recovery to maintain essential services, security, and safety. Emergency power shall supply electricity for entrance lighting, exit signs, guard and inmate corridors, fire alarm, and electrically operated locks and gates. Emergency power shall also provide electricity for the emergency ventilation unit if operable windows are not provided.

R.25 Cells in new or renovated facilities shall be designed for single occupancy; multiple occupancy cells are permissible only in minimum-security areas of a new or renovated facility.

R.26 Toilets shall be provided in all maximum-security cells. The Department recommends that toilets be provided in medium-security cells and in certain minimum-security cells. Whenever toilets are not provided in cells, there shall be no less than one toilet for every six inmates in the cell area, and staff shall be provided to allow inmates ready access to toilets at all hours.

R.27 Wash basins shall be provided in all cells in which toilets are provided. Wash basins with hot and cold water shall be provided in each dayroom or shower area.

R.28 Each cell shall have a bed or bunk, desk or table, chair or stool, and a shelf for each occupant.

R.29 All inmate cells shall have circulation of at least 10 cubic feet of fresh or purified air per minute per occupant.

PLANNING OF NEW OR RENOVATED FACILITIES

R.30 The county shall conduct preliminary research into current practices and available resources prior to committing funds to design or construction.

Information collected shall include, at a minimum:

- a. Current methods of reducing inmate populations;
- b. Comparative incarceration rates by location and offense;
- c. Examples of good planning processes;
- d. Examples of contemporary detention facilities locally and nationally;
- e. Copies of reference material and lists of agencies available to provide assistance.

R.31 A written statement shall be developed defining the problems which require facility renovation or new construction.

R.32 The population to be served shall be projected and described based on thorough research, data analysis, and policy review. Nonphysical alternatives shall be identified and maximum use shall be projected; facility needs shall be calculated to serve only those inmates who may not be handled in a less restrictive manner or in more appropriate settings.

R.33 New facilities, or major renovations, shall be designed only after a survey, analysis, and evaluation of the existing criminal justice and adult corrections system clearly demonstrate that such construction is the only practical alternative, and only after the development of written goals and objectives.

R.34 Concurrent with the allocation of construction funds, staffing plans for the facility shall be submitted to the Department for review and approval.

R.35 There shall be a written facility activation plan and budget developed concurrent with the funding of new facility construction. The plan shall provide for the development of new policies and procedures, user transition, training, operating procedures, and a period of facility testing. The plan and budget shall be submitted to the Department for review and approval.

R.36 Space needs for the agency and projected population shall be carefully assessed and described. Space shall be planned to meet all housing, program, support, and administrative needs. Needs shall reflect all applicable codes, regulations, and standards.

R.37 New facilities shall be located to facilitate access to community resources, criminal justice agencies, public transportation, and inmates' families and friends. Site selection shall evaluate alternative locations, and shall consider facility requirements.

R.38 New facilities shall be designed, located, and constructed to respond (in balance with safety and security) to the human activities and needs which it houses.

R.39 Key planning and design documents shall be submitted to the Department for review and comment at the following stages:

- a. At the completion of the schematic design phase;
- b. At the completion of each set of preliminary plans;
- c. At the completion of the construction documents phase.

The Department shall review all documents to determine if compliance with standards is achieved and shall certify compliance in writing prior to continuation of the design and construction process.

R.40 The County shall inform the Department in writing when construction is 75% completed so that an on-site inspection can be made to determine standards compliance. Final inspection of the completed facility shall be made, and the Department shall certify compliance before a new facility is placed in use, or a renovated area is occupied.

CROSS-REFERENCE OF MAINE STANDARDS FOR COUNTY JAILS

This list displays the relationships between individual standards for Maine county jails.

<u>STANDARD</u>	<u>SEE ALSO</u>
A.1	C.15, D.4, D.12, D.17-18, D.24 E.1, E.3, E.11, I.7, I.10, I.18 I.20, J.1-3, N.2, O.3
A.2	B.4-5, C.2, D.2, D.6, D.10, D.18-19 E.2, F.16, G.1, H.4, I.18-20 K.10, K.18, L.1, L.13, L.18, N.11
A.3	B.2, B.4-5, D.5
A.4	E.2, L.5, L.27, O.1, Q.1, Q.14, R.39
A.5	E.2, L.4, M.8, O.1-2
A.6	
A.7	E.8, F.2, H.6, H.7
A.8	F.16, G.6-8, I.3, I.12, K.5, K.7, K.19
B.1	B.6-12, D.2, D.20, G.4, O.8
B.2	L.6
B.3	D.5
B.4	E.2
B.5	D.2
B.6	J.11
B.7	I.1
B.8	D.4, D.13-17
B.9	D.19
B.10	B.1, L.1, L.8
B.11	L.1,d.
B.12	J.11, L.1, i., j.
C.1	C.7, C.12, C.14-15, D.12, D.15, E.4, E.10, F.3-6, F.13, F.17, F.20-21, G.1-2, I.2, I.13, K.17, L.4, L.14, L.19-21, L.27, M.5, M.8, N.1, O.2, P.4, Q.14, Q.21, R.20
C.2	C.8-11, C.13, F.1, F.6, F.13, F.17, F.20-21, G.2, I.13, L.20, L.29, P.4
C.3	C.7, F.3, F.20
C.4	C.7, D.15, D.18-19, E.10, K.17, L.17, L.19
C.5	J.1-11
C.6	F.3-5, F.13, I.3,c., I.8
C.7	C.1
C.8	C.11, C.13, L.29
C.9	C.13
C.10	L.28
C.11	L.29
C.12	F.3, F.5, L.19
C.13	C.8, L.28
C.14	M.6, M.8, M.22
C.15	D.17-18, E.1, F.6, I.2

D.1	R.1
D.2	D.20
D.3	Q.12-13, Q.15
D.4	A.1, D.13-17
D.5	B.3, E.2
D.6	R.24
D.7.....	D.16, N.15, R.3
D.8.....	E.5
D.9.....	K.19,a.
D.10.....	A.3
D.11.....	D.20
D.13.....	Q.6
D.14.....	D.6
D.15.....	C.4
D.16.....	D.7, D.13
D.17.....	A.1, L.8
D.18.....	A.1, B.7, E.1
D.19.....	Q.6, Q.7
D.20.....	E.9, R.1
D.21.....	Q.5, M.26
D.22.....	F.2, K.3
D.23.....	F.2
D.24.....	A.1, I.1, I.2
E.1.....	A.1, D.4, D.17, I.2
E.2.....	A.5, D.5
E.3.....	A.1, C.4, D.12
E.4.....	C.4,b., J.11
E.5.....	D.9
E.6.....	H.5, H.7
E.7.....	E.11, I.17, M.21, Q.9
E.8.....	F.2, H.6, H.7
E.9.....	H.2, H.3, H.5, J.11
E.10.....	C.4,b., J.11, R.13
E.11.....	E.7, I.17, M.21, Q.9
F.1.....	B.1, C.2, C.4,d., D.7
F.2.....	D.7, D.23, H.6
F.3.....	C.6
F.4.....	C.6,d., G.1,a., H.2-4
F.5.....	C.12, G.1,b., L.1,a.
F.6.....	L.8, L.13, L.24, L.25
F.7.....	I.20, J.9, K.8, K.12
F.8.....	N.11
F.9.....	L.1,k., L.24, M.16, Q.11, Q.16
F.10.....	G.1, G.8, H.4
F.11.....	J.7, Q.21
F.12.....	J.6, M.22
F.13.....	C.6,e., F.21
F.14.....	N.1
F.15.....	F.18
F.16.....	I.21
F.17.....	I.2
F.18.....	F.15, I.3, I.5, I.21, O.2
F.19.....	C.12,e., L.11, L.17
F.20.....	F.1, F.3

F.21.....	C.6,e., F.13
G.1.....	G.8, H.4, P.3
G.2.....	C.2, G.5
G.3.....	N.9, P.3
G.4.....	B.3, J.2, J.3
G.5.....	G.2, G.7
G.6.....	G.8, I.3, I.7
G.7.....	A.8, G.8
G.8.....	F.10
H.1.....	E.9, F.10, H.5
H.2.....	H.3, P.3
H.3.....	H.4, F.10
H.4.....	P.3
H.5.....	A.4, F.10
H.6.....	F.2
H.7.....	A.7
I.1.....	F.16, I.3, I.4
I.2.....	C.4,g., C.6,g.
I.3.....	C.10, I.13, O.7
I.4.....	F.17, I.2, I.5-I.13
I.5.....	I.9, I.10, I.11, I.21
I.6.....	I.14, I.15
I.7.....	A.1, I.12
I.8.....	B.7, C.6,g., I.14
I.9.....	A.8, B.7, F.16, I.18
I.10.....	A.1, B.7, F.16
I.11.....	B.7, C.6,g.
I.12.....	A.8
I.13.....	C.6,g., C.10
I.14.....	B.6, I.15, J., J.1, J.2
I.15.....	I.7
I.16.....	N.8, N.9
I.17.....	E.7, M.21, O.9
I.18.....	A.1, J.3, I.20
I.19.....	I.20, J.7, J.9-11
I.20.....	A.1, K.9, K.19
I.21.....	F.17, F.18, I.5
J.1.....	A.1, I.14, I.15
J.2.....	B.6, G.4, G.8
J.3.....	G.4, I.18
J.4.....	J.11, R.10, R.13
J.5.....	A.8,c., C.5,c., L.11
J.6.....	M.7, M.22
J.7.....	F.11, Q.21, Q.27-29
J.8.....	F.11, Q.23-24
J.9.....	K.1-7, N.3, N.7
J.10.....	C.5,b., K.8-19
J.11.....	B.12, E.10, J.4
K.1.....	J.10, K.2-9
K.2.....	K.3-5
K.3.....	B.7, D.22
K.4.....	J.10
K.5.....	D.22
K.6.....	J.9

K.7.....	A.8
K.8.....	J.10, K.9
K.9.....	K.19,c.
K.10.....	J.10, K.11-19
K.11.....	D.7, R.3, R.16
K.12.....	K.16, K.18
K.13.....	J.10
K.14.....	B.7, C.4,h.,i, C.5,b.,e.
K.15.....	E.6
K.16.....	K.10, K.17, N.13-15
K.17.....	C.4,h.
K.18.....	J.10, K.19
K.19.....	J.10, K.4-5, K.9, N.3-4
L.1.....	B.10-12, C.4,f., C.11-13
	L.3, L.10, L.25
L.2.....	F.5, L.5
L.3.....	F.6, L.7, L.13, R.22
L.4.....	A.5, C.1
L.5.....	L.2, L.17, L.19
L.6.....	D.7, D.11
L.7.....	L.1,i.
L.8.....	D.17
L.9.....	A.1, L.13
L.10.....	J.5
L.11.....	F.19
L.12.....	B.10
L.13.....	D.17, F.6, L.23
L.14.....	C.12, L.10
L.15.....	L.16
L.16.....	L.15, L.18
L.17.....	A.8,c., L.5, L.11
L.18.....	D.11, L.5
L.19.....	C.12,f., L.2
L.20.....	C.12,f.
L.21.....	C.12,f., L.22
L.22.....	J.11, L.21
L.23.....	L.13
L.24.....	L.1,e., M.30
L.25.....	L.1,l.
L.26.....	L.1,g., L.27
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L.29.....	C.9
M.1.....	M.2, M.8, M.15, M.22-23
M.2.....	M.4
M.3.....	M.21
M.4.....	M.1, M.10
M.5.....	M.26
M.6.....	C.14, J.6, M.2, M.10-11
M.7.....	I.1, I.17, J.6, M.21
M.8.....	M.9
M.9.....	M.8
M.10.....	L.10
M.11.....	N.13

M.12.....	N.13, O.1
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II. Maine Standards for Holding Facilities

NOTE: Standards apply to 12-hour and 48-hour facilities with the exception of standards marked with an asterisk (*), which are not required for 12-hour facilities.

A. ADMINISTRATION

HA.1 Each facility shall have an administrator who is responsible for all detention operations.

HA.2 The administrator shall develop and maintain a set of written policies and procedures describing detention functions. A list of required policies and procedures is presented in Appendix C. Policies and procedures shall be kept in loose-leaf binders and shall be numbered as shown in Appendix C. The Department shall determine compliance with Maine Standards for Holding Facilities.

HA.3 Written policies and procedures shall be available to staff involved with detention and shall be used for their orientation and training.

B. TRAINING

HB.1 Employees who work in direct contact with inmates shall receive pre-service and ongoing training from a qualified source.

HB.2 All holding facility personnel shall receive training in the execution of written emergency plans.

HB.3 All holding facility personnel shall receive basic Red Cross First-Aid training. At least one staff member per shift shall be trained and certified in Cardio-Pulmonary Resuscitation.

HB.4 All holding facility personnel shall be trained to recognize the symptoms of mental illness and retardation, substance abuse, physical deficiencies, and suicide-prone behavior.

C. RECORDS AND DATA MANAGEMENT

HC.1 The security and accuracy of information shall be ensured, including verification, access to data, and protection from unauthorized disclosure.

HC.2 Holding facility logs shall be maintained by each shift recording the following:

- a. Personnel on duty;
- b. Time and results of inmate population checks and counts;
- c. Time and results of security inspections;
- d. Names of inmates received and discharged, time of reception/release, reason for release;
- e. Time of meals served;
- f. Medication dispensed;
- g. Shift activities, including any action taken on handling routine or unusual incidents or occurrences;
- h. Entry and exit of any visitors, including physicians, attorneys, volunteers, and all others;
- i. Notation of problems, disturbances, distribution and use of emergency and restraint equipment.

HC.3 The Holding Facility/SDA Monthly Population Report (Appendix C) shall be completed for each facility. A copy of the monthly report shall be submitted to the Department of Corrections at the end of each month.

HC.4 Inmates shall be permitted reasonable access to their records in accordance with the Freedom of Information Act (5 U.S.C. § 552), Privacy Act guidelines and the Maine Freedom of Information Act.

MEDICAL RECORDS

HC.5* Inmate medical records shall be kept separate from other types of records.

HC.6 Inmate medical records shall contain the following:

- *a. Medical screening form;
- b. All requests for medical attention;
- c. The date, time, and place of all medical encounters and discharges from treatment;
- d. Other pertinent documents, including consent and refusal forms, and release of information forms.

D. SAFETY AND SECURITY

SAFETY

HD.1 Fire prevention regulations and practices shall be in accordance with the NFPA Life Safety Code, as adopted by the Maine Department of Public Safety, to ensure the safety of staff, inmates, and visitors.

HD.2 A written evacuation plan shall be developed and used in the event of a fire or other major emergency, including routes of evacuation and housing of inmates following evacuation. Appropriate sections of the plan shall be posted in areas where inmates and staff may familiarize themselves with it.

HD.3 In emergency situations, staff shall use only those weapons approved by the facility administrator.

HD.4 Weapons shall not be permitted within the security perimeter. Secure storage for weapons shall be provided outside of the security perimeter.

SECURITY

HD.5 A security perimeter shall prevent access to detention areas by unauthorized personnel.

HD.6 Audio communication shall be maintained between the control center and all inmate detention areas.

FIREARMS, SECURITY DEVICES, AND TOXIC MATERIALS

HD.7 Firearms, ammunition, chemical agents and other security equipment shall be securely stored away from detention areas and shall be readily accessible in the event of an emergency.

HD.8 Any staff member discharging firearms or chemical agents shall prepare a written report for the administrator by the conclusion of the shift. Any person on whom chemical agents or firearms are used shall be examined immediately by a physician.

HD.9 The use of restraint equipment shall be governed by written policy and procedure. The use of restraint equipment within the facility for any reason shall be followed by a written report to the administrator by the conclusion of the shift.

HD.10 The control and use of any flammable, caustic, or toxic material shall be governed by written policy and procedure.

KEYS

HD.11 All staff members shall be familiar with the locking system of the holding facility and shall be able to release prisoners immediately in the event of a fire or other emergency. A duplicate set of keys shall be readily available for emergency situations.

TOOLS AND UTENSILS

HD.12 A system shall govern the control and use of keys, tools, and culinary equipment. Such items shall be securely stored and distributed by a check-out/check-in system.

SEARCHES

HD.13* Searches of facilities, personnel, visitors and inmates to control contraband and maintain security shall be governed by written policies and procedures. The administrator shall maintain a list of items considered contraband.

HD.14 All inmates shall be searched thoroughly whenever entering or leaving the security perimeter. Any inmate entering the security perimeter may be subject to a strip search. Any strip search shall be conducted in private and in a manner that preserves the dignity of the inmate, by a staff member of the same sex in an area completely free from members of the opposite sex, and under sanitary conditions.

HD.15 When a crime is suspected to have been committed within the facility, searches and the preservation of evidence shall be governed by written policy and procedure and shall be authorized by the facility administrator.

E. SUPERVISION OF INMATES

HE.1 The use of physical force by staff members shall be limited to justifiable instances of self-protection, protection of others, protection of property, and prevention of escapes as outlined in Title 17-A MRSA. Any use of physical force shall be followed by a written report to the facility administrator.

HE.2 No staff member shall enter a holding cell unless assistance is available from another staff member, and unless the entry is monitored.

HE.3 Inmates shall be prohibited from supervising, controlling,

exerting or assuming any authority whatsoever over other inmates.

HE.4 Policies governing the supervision of female inmates by male staff and male inmates by female staff shall be in conformance with equal employment opportunity and the First Amendment privacy rights of inmates.

HE.5 Staff posts shall be located in, or immediately adjacent to, inmate detention areas to permit officers to hear and respond promptly to problems in those areas.

HE.6 All inmates shall be personally observed by a staff member at least every 15 minutes on an irregular schedule; the time of all such checks shall be logged, as well as the results. More frequent observation shall be provided for inmates who are violent, suicidal, mentally ill, intoxicated, and for inmates with other special problems and needs.

F. ADMISSION AND RELEASE

ADMISSION

HF.1 The admitting staff member shall positively identify the arresting or committing officer and verify the officer's authority to make the commitment and verify that he/she has the appropriate commitment papers to assure proper documentation.

HF.2 The admitting staff member shall conduct a complete and thorough search of the inmate including a search of any prosthetic device(s). An inmate entering a security perimeter may be subject to a strip search. Inmates not entering secure areas or those who are expected to be released soon should not be strip searched.

HF.3 Inmates shall be photographed and fingerprinted upon admission. Juveniles shall be fingerprinted and photographed only when they are charged with offenses which would be crimes if they were adults.

HF.4* The Medical Screening Form (Appendix B) shall be completed for each inmate upon admission.

HF.5 Each inmate shall be allowed to communicate with his/her family and attorney by completing at least two unmonitored phone calls during the admission process.

HF.6 Pretrial detainees for whom bail has not been set shall be allowed to consult with a bail commissioner.

HF.7 An inmate shall be provided bedding and personal hygiene items when necessary.

INMATE PROPERTY CONTROL

HF.8* All money, valuables, and other personal property shall be taken from inmates at the time of admission and shall be securely stored. An itemized inventory, signed by the inmate and the admitting staff member shall be completed in duplicate.

HF.9* Upon release, items of personal property, money and valuables returned shall be compared against the inventory of property taken; the inmate and releasing staff member shall be required to sign a receipt for all property returned.

G. INMATE MANAGEMENT AND SEPARATION

HG.1 Female inmates shall be housed separate from male inmates. Juvenile inmates shall be separated by sight and sound from all other inmates.

HG.2 Juveniles shall only be housed in compliance with the provisions of the Maine Juvenile Code.

HG.3 Female inmates shall be held only in holding facilities approved by the Department of Corrections. Juveniles shall be held only in facilities approved by the Department of Corrections.

HG.4 Searches of inmates shall be conducted by staff members of the same sex as the inmate.

HG.5 Staff members shall not view shower and toilet areas occupied by inmates of the opposite sex.

HG.6 Inmates shall not be separated based on race, color, creed, or national origin.

H. INMATE DISCIPLINE

HH.1* If the administrator has rules and regulations governing inmate conduct, and disciplines inmates who violate rules, then he/she shall:

- a. Write and post all rules, regulations, and corresponding sanctions for violation;
- b. Implement a disciplinary process which provides inmates with due process; and
- c. Train facility personnel in the enforcement of rules.

I. SPECIAL MANAGEMENT INMATES

HI.1* An inmate may be placed in segregation at his own request (protective segregation), or as an administrative measure (as during an investigation). Regardless of the reasons, segregation has an inherently punitive quality that requires special safeguards. The length of segregation shall depend on the cause for segregation and the behavior of the inmate while segregated.

HI.2* Any cell used for segregation shall be as large as any other cell of similar capacity in the facility. The cell shall be clean, well lighted, with adequate heat and ventilation. Inmates placed in segregation shall have access to the same health care as other inmates in the facility. Segregated inmates shall receive the same meals as those provided to the rest of the holding facility population.

HI.3* Segregated inmates shall be able to maintain the same level of personal hygiene as other inmates.

J. INMATE COMMUNICATION

HJ.1 Written policies and procedures shall provide inmates with the opportunity to visit with legal and religious advisors and the news media, subject only to limitations necessary to maintain order and security. Members of the clergy shall be allowed to visit inmates at any reasonable hour. Written policy and procedure shall allow inmates to have confidential access to attorneys and their authorized representatives at any reasonable hour.

HJ.2 Every inmate shall have unrestricted and confidential access to the courts. Inmates shall have the right to present any issue before a court of law or governmental agency.

K. MEDICAL SERVICES

HK.1 The facility shall have written policies and procedures for the following:

- a. Emergency medical and dental services;
- b. Decision on emergency nature of illness or injury;
- c. First aid;
- d. Screening, referral, and care of mentally ill, retarded, disabled, handicapped, and suicide-prone inmates;
- e. Arrangements for providing detoxification procedures.

HK.2 All medical personnel who have contact with inmates shall be licensed to work in the State of Maine.

HK.3 All inmates and staff members injured in an accident or where a weapon or chemical agent is used shall receive immediate medical attention.

HK.4 First-aid kits shall be located in or near the detention area.

HK.5 Emergency medical and dental care shall be available at all times. Written plans shall include arrangements for the following:

- a. Emergency evacuation of affected inmates from the facility;
- b. Use of an emergency medical vehicle;
- c. Use of one or more designated hospital emergency rooms or other appropriate health facility;
- d. Emergency on-call medical and dental services when the emergency health facility is not located nearby.

HK.6 Inmate requests for medical attention shall be collected daily and responded to promptly. Nonmedical personnel shall never diagnose or treat an illness. Only qualified medical personnel shall determine appropriate responses to inmate medical needs.

HK.7 All medication shall be labeled with the prescription number, type of medication, prescribed dosage, time to be administered, date of prescription, the inmate's name, and the name of the prescribing physician. A copy of each prescription shall be placed in the inmate's medical file.

HK.8 Medication shall be administered in the prescribed dosage at the prescribed time by the physician or approved personnel. The person administering medication shall require the inmate's signature as evidence of receipt of medication. If an inmate refuses to sign, the refusal shall be recorded.

HK.9 Inmates suspected of having contagious or infectious diseases shall be isolated immediately from other inmates and shall be examined by a physician within 12 hours. In such cases, where removal to a hospital is not ordered, the physician's instructions regarding the care of the patient and sanitization of eating utensils, clothing, and bedding shall be expressly followed.

HK.10 Arrangements shall be made for providing detoxification programs under medical supervision for alcohol, opiate, barbituate, and other drug-dependent inmates (either in the facility or through transfer to other facilities).

HK.11 The death of an inmate shall be reported immediately to the attending physician. If a physician was not in attendance, the Chief Medical Examiner shall be notified immediately.

HK.12 The death of an inmate by accident, illness, or suicide shall be reported to the Department of Corrections by telephone within 24 hours. A written report shall include the inmate's name, age, address, reason and authority for incarceration, cause of death, time of death, time last seen by a staff member, and the time death was reported to the Chief Medical Examiner or physician in attendance. This report shall be mailed to the Department within 72 hours of the death.

L. FOOD SERVICE

HL.1 Minimum daily caloric requirements for sedentary inmates shall be 2,500 and for active inmates shall be 2,800. The current edition of the publication "Recommended Dietary Allowances" of the National Academy of Sciences shall guide the preparation of menus to ensure balanced meals. Records of all meals shall be kept, including portion sizes.

HL.2 Under no circumstances shall nutrition be sacrificed because of financial constraints or other considerations.

HL.3 The facility food service and related sanitation practices shall comply with the rules promulgated by the Maine Department of Human Services.

HL.4 Three meals, two of which are hot, shall be served daily. There shall not be a span of more than 14 hours between the evening meal and breakfast. There shall not be more than 6 hours between daytime meals. All inmates in custody during the time of meal service shall be offered a meal.

HL.5 Food shall be served promptly after it is prepared. Procedures shall ensure that hot food is served hot and cold food is served cold.

HL.6 Coffee, tea, or milk as well as the appropriate condiments shall be served with each meal.

M. RELIGION

HM.1 Every inmate shall be allowed to practice the religion of his/her choice, subject only to limitations necessary to maintain order and security.

N. SANITATION AND LIVING CONDITIONS

HN.1 The facility shall comply with existing state and local

sanitation and health codes.

HN.2 Under no circumstances shall inmates sleep on mattresses placed directly on the floor.

HN.3 A sanitation inspection of each cell shall be conducted by a facility official after each use, including a careful check for vermin.

HN.4 There shall be a plan for the control of vermin and pests including fumigation of the facility by a licensed pest control professional when necessary.

HN.5 To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans.

HN.6* A daily routine of work necessary to keep all parts of the facility clean shall be established.

HN.7 Bars and other exposed surfaces shall be dusted daily and shall be washed at least weekly, or when soiled, dirty or when otherwise necessary.

HN.8 Floors shall be swept and mopped daily and kept free of hazardous objects at all times. Walls shall be washed as often as necessary and shall be kept clear of objects that might be breeding places for vermin. Windows and screens shall be cleaned as necessary.

HN.9 Painted surfaces shall be painted with fire resistant paint and with a color which reflects light and is easily cleaned. Painted surfaces shall not be scaled or deteriorated.

HN.10 Durable, rust-resistant, water-tight, rodent-proof, fire-retardant or resistant, cleanable trash receptacles shall be provided throughout the facility, and shall be emptied and cleaned daily.

HN.11 The facility water supply shall be pure and free from back siphonage.

HN.12 All facility furnishings shall be constructed of flame retardant, easily cleanable materials which do not emit toxic fumes if burned.

HN.13 Toilets, wash basins, sinks and other sanitary equipment in inmate areas shall be cleaned thoroughly with hot water as needed.

HN.14 Shower facilities shall be cleaned thoroughly with hot water, soap, and scouring powder as needed.

HN.15 Toilet paper shall be available at all times in inmate toilet areas.

HN.16 Inmate holding areas shall be no less than 65 degrees F. and no more than 80 degrees F.

HN.17 Sufficient supplies of hot and cold water shall be available.

HN.18 Laundry services shall be sufficient to allow required linen and bedding exchanges for inmates.

HN.19* The facility's inventory of linen and bedding shall exceed the maximum inmate population to ensure that a reserve is always available.

HN.20 Linen shall be changed and laundered before issuance to another inmate.

HN.21 Blankets in use shall be laundered or exchanged before reissue to another inmate.

HN.22 Inmate towels shall be laundered before issuance to another inmate.

O. FACILITIES

Standards in this section pertain to all holding facilities (new, renovated, or existing) unless otherwise noted. Existing facilities are those opened prior to September 1, 1982. Renovated facilities are those to which more than \$5,000 is committed to alter the building after September 1, 1982.

HO.1 The standards set forth in the NFPA Life Safety Code, published by the National Fire Protection Association and adopted by the Maine Department of Public Safety, shall be followed in all holding facilities.

HO.2 Juvenile inmates shall be separated by sight and sound from adult inmates. Female inmates shall be provided separate holding quarters from males.

HO.3 Public access to the facility shall be controlled.

HO.4 A light, soft-toned, washable and fire retardant paint shall be used to cover untiled walls and metal work in all inmate housing and activity areas.

HO.5 All cells shall be occupied by no more than one inmate.

HO.6 All cells in existing facilities shall have at least 7 feet between floors and ceilings; cells in new or renovated facilities shall have at least 8 feet between floors and ceilings.

HO.7* Light levels in cells shall be at least 20 footcandles at the level of 3 feet above the desk or bed and shall not exceed 5

footcandles during sleeping hours.

HO.8 All cells shall be designed and used for single occupancy and shall have a minimum of 50 square feet of floor space.

HO.9 There shall be at least one special purpose cell or room observable from the staff station to provide for the temporary detention of persons who are under the influence of alcohol or narcotics, or for uncontrollably violent or self-destructive persons.

HO.10 Wherever location offers the opportunity for observation of inmate's holding or activity areas by the public, provisions shall be made to prevent direct views.

HO.11 All plumbing shall meet the code requirements of the Division of Sanitary Engineering, Maine Department of Human Services, and all local plumbing codes.

HO.12 Each facility shall be inspected annually by the local plumbing inspector. Written results of the inspection shall be kept for one year.

HO.13 Daily inspections of all plumbing fixtures shall be conducted by facility staff and all identified problems shall be repaired immediately.

HO.14 All fixtures, furnishings, and equipment selected shall be consistent with the security level of the area in which they are used.

HO.15 All electrical work shall meet the requirements of the National Electrical Code, local utility company rules, the requirements of the Fire Underwriters, and state and federal laws and regulations pertaining to confinement facilities. An emergency electrical power facility shall be provided for quick recovery to maintain essential services, security, and safety. Emergency power shall supply electricity for entrance lighting, exit signs, guard and inmate corridors, fire alarms, and electrically operated locks and gates. Emergency power shall also provide electricity for the emergency ventilation unit if operable windows are not provided.

HO.16 There shall be no less than one toilet available for every six inmates, and staff shall be provided to allow inmates ready access to toilets at all hours.

HO.17 Wash basins shall be provided in all cells in which toilets are provided. Wash basins with hot water shall be provided in the cell area.

HO.18 Each cell shall have a bed or bunk.

HO.19* All inmate cells shall have circulation of at least 10 cubic feet of fresh or purified air-per-minute.

PLANNING OF NEW OR RENOVATED FACILITIES

HO.20 The county or municipality shall conduct preliminary research into current practices and available resources prior to committing funds for design or construction of major renovations or new construction.

HO.21 A written statement shall be developed by the administrator defining the problems which require holding facility renovation or new construction.

HO.22 Space needs for the agency and the projected population shall be carefully assessed and described. Space shall be planned to meet all detention needs. Needs shall reflect all applicable codes, regulations, and standards.

HO.23 New holding facilities shall be located to facilitate access to community resources, criminal justice agencies, and public transportation.

HO.24 New holding facilities shall be designed, located, and constructed to respond to and house human activities and needs in balance with safety and security.

HO.25 Key planning and design documents shall be submitted to the Department for review and comment at the following stages:

- a. At the completion of the schematic design phase;
- b. At the completion of each set of preliminary plans;
- c. At the completion of the construction documents phase.

The Department shall review all documents to determine if compliance with standards is achieved and shall certify compliance in writing prior to continuation of the design and construction process.

III. Maine Standards for Short-Term Detention Areas (SDA)

III. Maine Standards for Short-Term Detention Areas (SDA)

SDA.1 Each facility administrator shall develop and maintain a set of written policies and procedures describing aspects of detention; a list of required policies and procedures is in Appendix D. The Department shall determine policy and procedure compliance with Maine Standards for Short-Term Detention Areas.

SDA.2 Written policies and procedures shall be available to staff involved with detention and shall be used for their orientation and training.

SDA.3 All staff members involved with detention shall receive training in the execution of written emergency plans.

SDA.4 Holding area logs shall be maintained by each shift recording the following:

- a. Personnel on duty;
- b. Time and results of inmate population checks and counts;
- c. Names of inmates received and discharged, time of reception/release, reason for release;
- d. Shift activities, including any action taken on handling routine or unusual incidents or occurrences;
- e. Notation of problems, disturbances and distribution and use of emergency and security equipment.

SDA.5 The Holding Facility/SDA Monthly Population Report (Appendix C) shall be completed by each facility. A copy of the monthly report shall be submitted to the Department of Corrections at the end of each month.

SDA.6 Fire prevention regulations and practices shall be in accordance with the NFPA Life Safety Code, as adopted by the Maine Department of Public Safety, to ensure the safety of staff, inmates, and visitors.

SDA.7 There shall be equipment necessary to maintain essential lights, power, and communications in an emergency, which automatically activates in the event of a power failure. The equipment shall be tested at least quarterly for effectiveness.

SDA.8 There shall be a security perimeter which prevents access to the holding area by unauthorized personnel.

SDA.9 There shall be audio communication between the control center

and all inmate detention areas.

SDA.10 All staff members shall be familiar with the locking system of the holding area and shall be able to release prisoners immediately in the event of a fire or other emergency. A duplicate set of keys shall be readily available for emergency situations.

SDA.11 Detention staff posts shall be located in, or immediately adjacent to, inmate holding areas to permit staff to hear and respond promptly to problems in the areas.

SDA.12 All inmates shall be personally observed by a staff member at least every 15 minutes on an irregular schedule; the time of all such checks as well as the results shall be logged. Closer observation shall be provided for inmates who are violent, suicidal, mentally ill, intoxicated, and for inmates with other special problems and needs.

SDA.13 Female inmates shall be housed separate from male inmates. Juvenile inmates shall be separated by sight and sound from all other inmates.

SDA.14 Juveniles shall only be held consistent with the provisions of the Maine Juvenile Code.

SDA.15 The administrator shall develop written policies and procedures for the following:

- a. Emergency medical and dental services;
- b. Decision on emergency nature of illness or injury;
- c. First aid;
- d. Screening, referral, and care of mentally ill, retarded, disabled, and handicapped inmates;
- e. Arrangements for providing detoxification services.

SDA.16 First-aid kits shall be located in or near the detention area.

SDA.17 Emergency medical care shall be available at all times.

SDA.18 Cells shall be cleaned after each use. There shall be a sanitation inspection of each cell by a facility official after each use, including a careful check for vermin.

SDA.19 Toilets, wash basins, sinks and other sanitary equipment shall be cleaned thoroughly with hot water as needed.

SDA.20 Detention area temperatures shall be no less than 65 degrees F. and no more than 80 degrees F.

SDA.21 All cells/rooms shall be designed and used for single

occupancy and shall have a minimum of 50 square feet of floor space.

SDA.22 There shall be no less than one toilet for every six inmates, and staff shall be provided to allow inmates ready access to toilets and wash basins at all hours.

SDA.23 Each cell shall have a bed and/or a chair/bench.

SDA.24 The county or municipality shall conduct preliminary research into current practices and available resources prior to committing funds for design or construction of renovations or new facilities. Key planning and design documents shall be submitted to the Department for review and comment during the planning and design process. The Department shall review all documents to determine whether compliance with standards is achieved and shall certify compliance in writing.

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Appendix B: Forms

Inmate Daily Count Form

County: _____

DATE: _____ FORM STARTED BY: _____
Name of Officer

COUNT AT MIDNIGHT:					STATUS OF POPULATION:						
Category	ADULTS		JUVENILES			ADULTS			JUVENILES		
	Male	Female	Male	Female	PT	S	O	PT	S	O	
No. of Inmates											

*

ADMISSIONS AND RELEASES FROM 12:00 a.m. to 11:59 p.m.

ADMISSIONS									RELEASES								
Name	ADULT		JUV.		STATUS			Name	ADULT		JUV.		STATUS				
	M	F	M	F	PT	S	O		M	F	M	F	PT	S	O		
1.								1.									
2.								2.									
3.								3.									
4.								4.									
5.								5.									
6.								6.									
7.								7.									
8.								8.									
9.								9.									
10.								10.									
11.								11.									
12.								12.									
13.								13.									
14.								14.									
15.								15.									
TOTAL ADMITTED...								TOTAL RELEASED..									

*

CODES: M = Male PT = Pretrial
 F = Female S = Sentenced
 O = Other

* Figures from these rows are to be posted in the Monthly Population Report

Population Report Form

County: _____

Month: _____ 19__

To be Submitted to the Maine Department of Corrections

DATE	Count at Midnight						Status of Population At Midnight Count						New ADM. from 12 a.m. to 11:59 p.m.						Release from 12 a.m. to 11:59 p.m.						
	Adult		Juv.		Total		Adult			Juv.			Adult		Juv.		Total		Adult		Juv.		Total		
	M	F	M	F	M	F	Pre-trial	Sent	Other	Pre-trial	Sent	Other	M	F	M	F	M	F	M	F	M	F	M	F	
1.																									
2.																									
3.																									
4.																									
5.																									
6.																									
7.																									
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24.																									
25.																									
26.																									
27.																									
28.																									
29.																									
30.																									
31.																									
Totals																									
Averages																									

Monthly averages are calculated by dividing totals by the number of days in the month.

Inmate Medical Screening Form

DATE _____
NAME _____ SEX _____ D.O.B. _____ TIME _____
INMATE NO. _____ OFFICER OR PHYSICIAN _____

Booking Officers Visual Opinion

- | | | |
|---|-----|----|
| 1. Is the inmate conscious? | YES | NO |
| 2. Does the new inmate have obvious pain or bleeding or other symptoms suggesting need for Emergency Service? | YES | NO |
| 3. Are there visible signs of trauma or illness requiring immediate Emergency or Doctor's care? | YES | NO |
| 4. Is there obvious fever, swollen lymph nodes, jaundice or other evidence of infection which might spread through the jail? | YES | NO |
| 5. Is the skin in good condition and free of vermin? | YES | NO |
| 6. Does the inmate appear to be under the influence of alcohol? | YES | NO |
| 7. Does the inmate appear to be under the influence of barbiturates, heroin or any other drugs? | YES | NO |
| 8. Are there any visible signs of Alcohol/Drug withdrawal symptoms? | YES | NO |
| 9. Does the inmate's behavior suggest the risk of suicide? | YES | NO |
| 10. Does the inmate's behavior suggest the risk of assault to staff or other inmates? | YES | NO |
| 11. Is the inmate carrying medication or does the inmate report being on medication which should be continuously administered or available? | YES | NO |

Officer-Inmate Questionnaire

- | | | |
|---|-----|----|
| 12. Are you presently taking medication for diabetes, heart disease, seizures, arthritis, asthma, ulcers, high blood pressure, or psychiatric disorder? Circle Condition. | YES | NO |
| 13. Do you have a special diet prescribed by a physician?
Type _____ | YES | NO |
| 14. Do you have history of venereal disease or abnormal discharge? | YES | NO |
| 15. Have you <i>recently</i> been hospitalized or recently seen a medical or psychiatric doctor for any illness? | YES | NO |
| 16. Are you allergic to any medication? | YES | NO |
| 17. Have you fainted recently or had a recent head injury? | YES | NO |
| 18. Do you have epilepsy? | YES | NO |
| 19. Do you have a history of tuberculosis? | YES | NO |
| 20. Do you have diabetes? | YES | NO |
| 21. Do you have hepatitis? | YES | NO |
| 22. If female, are you pregnant? | YES | NO |
| 23. Are you currently on birth control pills? | YES | NO |
| 24. Have you recently delivered? | YES | NO |
| 25. Do you have a painful dental condition? | YES | NO |
| 26. Do you have any other medical problem we should know about? | YES | NO |

REMARKS:

- 1 _____
2 _____
3 _____
4 _____

(A copy of this form is included in the inmate's medical record)

Inmate Health History Form

Name & Number _____

Date: _____

Medical Confidential

Health History

HAVE YOU EVER?	YES	NO	DO YOU?	YES	NO		
Lived with anyone who had TB			Wear glasses or contact lenses				
Coughed up blood			Have vision in both eyes				
Bled excessively after injury			Wear a brace or back support				
Attempted suicide							
HAVE YOU EVER HAD OR HAVE YOU NOW?	YES	NO	DON'T KNOW	HAVE YOU EVER HAD OR HAVE YOU NOW?	YES	NO	DON'T KNOW
Asthma				Night Sweats			
Tuberculosis				Tumors, Cysts, or Growths			
Cancer or Tumor				Cramps in your Legs			
Diabetes				Rupture or Hernia			
Emphysema				Recent gain or loss of Weight			
Ear, Nose, or Throat Trouble				Frequent Indigestion			
Hearing Loss				Stomach Trouble or Ulcer			
Chronic or Frequent Colds				Hepatitis or Jaundice			
Hay Fever				Gall Bladder Trouble			
Severe Tooth or Gum Trouble				Hemorrhoids or Rectal Trouble			
Shortness of Breath				Head Injuries			
High Blood Pressure				Epilepsy or Seizures			
Pain or Pressure in Heart				Frequent or Severe Headaches			
Pounding Heart				Loss of Memory or Amnesia			
Arthritis or Bursitis				Periods of Unconsciousness			
Fractures (Broken Bones)				Paralysis, Numbness, Weakness			
Bone, Joint, or Other Deformity				Dizziness, Fainting Spells			
Painful or Trick Shoulder				Nervous Problem of Any Type			
Foot Trouble				Alcoholism			
Recurrent Back Trouble				Syphilis, Gonorrhea			
Swollen or Painful Joints				Drug Allergies			
Kidney Trouble				Lumps, Pain, Discharge on Breast			
Frequent or Painful Urination				Change in Menstrual Pattern			
Blood in Urine				Pregnancy/Abortion/Miscarriage			
Recurrent Infections				Treated for Female Disorder			
Rheumatic Fever				Thyroid Trouble			
YOUR PRESENT DOCTOR'S NAME (Address, Phone)				Have you ever been a patient or received treatment in a hospital? (surgery/injuries); state where, when, why & address			
Have you ever been treated for a mental condition? (If yes, state reason and give details)				Have you ever taken narcotics? (If yes, state what kind, when you last took it, and if you are in a treatment program)			
Highest level of education (years)				Additional Remarks: (use reverse side)			
Have you ever been incarcerated in this jail before? (if so, when?)							

Release of Information Consent Form

_____ COUNTY JAIL

Release of Information Form

I, _____, authorize the _____
Inmate's Name DOB

Jail to release the following information to _____
Name of Agency/Individual

_____ Agency or Individuals Address

Information to be released: _____

I further understand that the purpose for releasing this information is
for _____

_____ Witness Date Inmates' Signature Date

ADMISSION AND RELEASE FORM

County

NAME

Last First Middle

MSA ID CODE INMATE NUMBER OTHER ID NUMBERS

0 0 1

DATE AND TIME OF ADMISSION SOCIAL SEC. # SEX DATE OF BIRTH

Month / Date / Year Time (military) Male Female Mon. / Date / Yr.

COMMITTING AUTHORITY ADMITTING OFFICER

Name of Agency/Organization Name of Officer Name of Admitting Officer

OFFENSE/CHARGE(S)- List most serious first CRIME CLASS STATUS AT ADMISSION

- 1. 2. 3. Pre-arraignment Post-arr./pre dispos. Pre-sentence Sentenced Hold for: Other:

HOME ADDRESS

Street/Box City/Town State ZIP Phone Number

ALIASES PLACE OF BIRTH EDUCATION

City/Town State Last Grade Completed

RACE Spanish MARITAL STATUS Married EMPLOYED? Yes No

Caucasian Black Single Divorced Employer

Oriental Indian Separated Widowed Length of Employm.

WEIGHT HEIGHT BUILD COMPLEXION HAIR COLOR EYE COLOR IDENTIFYING MARKS

NOTIFY IN CASE OF AN EMERGENCY Address

Name Phone

COURT DISPOSITION (Final; blank if unknown)

Offense Date Disposed Describe Disposition

- 1. 2. 3.

Describe additional offenses on separate sheet.

DATE AND TIME OF RELEASE RELEASING OFFICER CLASSIFICATION

Date Time (mil.) Name Category Date

REASON(S) FOR RELEASE

PROBLEMS AND/OR SPECIAL NEEDS DURING CONFINEMENT

Reclass. Reclass. Reclass.

Appendix C

C-1

REQUIRED POLICIES AND PROCEDURES FOR HOLDING FACILITIES

(With Cross-Reference to Standards)

I. INTRODUCTION

- A. Purpose of This Manual
- B. How to Use This Manual

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 - A-103 Inmate Records...HC.4
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- B-200 EMERGENCY RELEASE AND EVACUATION PROCEDURES...HD.2, HD.11
 - B-201 Decision to Release and Evacuate
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 - B-301 Fire Prevention and Protection...HD.10, HO.1, HO.4,
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 - C-103 Documentation of Admission...HC.2
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 - c. Storage of:...HF.8

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- C-106 Prisoner Telephone Calls...HF.5
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- C-108 Medical Screening...HF.4*
- C-109 Issue of Linen and Personal Hygiene Items...HF.7*
- C-200 RELEASE PROCEDURES...HF.9
- C-201 Positive Identification of Prisoner being Released
- C-202 Release of Prisoner's Property...HF.9
- C-203 Documentation of Release...HC.2

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- D-101 Female Prisoners...HG.1, HG.3
- D-102 Juvenile Prisoners...HG.2, HO.2
- D-103 Special Management Prisoners...HI.1-HI.3
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 - b. Mentally Ill Prisoners...HK.1,d
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- E-101 Weapons Control...HD.3-4, HD.7-8, HD.12
 - a. Securing all Weapons Prior to Entering the Holding Area...HD.4
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Appendix D

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REQUIRED POLICIES AND PROCEDURES FOR SHORT-TERM DETENTION AREAS (SDA)

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Holding Facility/SDA Monthly Population Report

NAME OF FACILITY: _____ MONTH: _____ 19__

TO BE COMPLETED BY ALL HOLDING AND SHORT-TERM DETENTION FACILITIES

DATE	COUNT AT MIDNIGHT				# RELEASED 12am-11:59pm				STATUS AT RELEASE			LENGTH OF DETENTION		
	AD. M	AD. F	JUV. M	JUV. F	AD. M	AD. F	JUV. M	JUV. F	PT	S	O	Less than 4 hours	4 - 12 hours	13 - 48 hours
1														
2														
3														
4														
5														
6														
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29														
30														
31														
MO. TOTAL														

CODES: AD = Adult M = Male PT = Pretrial
 JUV = Juvenile F = Female S = Sentenced
 O = Other