

January 2002

**Standards
Winter Conference**

Committee

Meeting

The following items and proposed standards revisions were reviewed at the Standards Committee held in January 2002 and action was taken as indicated..

Issue: Approval of Standards Committee Meeting Minutes, August 2001

Action: Mr. Hamden moved to approve the minutes. Mr. Wilbur seconded. The motion passed.

Issue: Comments from the Chairman of the Commission on Accreditation for Corrections

Discussion: Geno Natalucci-Persichetti gave a brief overview of Commission activities. This conference the Commission will hold accreditation hearings for over 230 agencies, which is the largest number ever conducted. Mr. Natalucci-Persichetti stated that this speaks to the quality and commitment by agencies to the process. He further indicated that approximately 14 commission seats had the potential to turn over in August 2002 because of term expirations.

The Commission is continuing to review, with ACA's Executive Committee and the International Committee, the *United Nations Minimum Standards for the Treatment of Offenders*. The Commission expects to make recommendations to the Standards Committee in August 2002.

Vice Chair Scott acknowledged the continued growth of the accreditation process and thanked the Commission for its efforts.

Issue: *Performance Based Standards for Correctional Industries*

Discussion: Mr. Natalucci-Persichetti moved to approve and publish the manual. Mr. Fitzgibbons seconded the motion. The motion passed. Mr. Verdeyen advised the committee that a proposal to revise standard 4A-10 and the glossary had been submitted and reviewed it with the committee. Mr. Hershberger noted that standards 4A-10 and 6B-02 are very similar. Mr. Martin moved to adopt the revision; it was seconded by Mr. Fitzgibbons. The motion passed.

Action: Staff will coordinate the publication of the manual with an anticipated

date of early Summer 2002.

Issue: *Performance Standards for Therapeutic Communities, first draft*

Discussion: This draft manual was brought before the Committee for authorization to field test. Mr. Fitzgibbons moved to conduct field tests of the standards. Mr. Hershberger seconded. The motion passed.

Action: Staff will coordinate field tests and report the results to the Committee.

Proposed Standard Revisions

Proposal: 02-01 Revision to 2-CO-1D-07

All agency managers and supervisors receive ~~training in human relations, conflict resolution, motivation of employees, relations with minority and disadvantaged groups, and employee management relations~~ ***40 hours of training in addition to orientation training during their first year of employment and 40 hours of training each year thereafter in areas relevant to their position.***

COMMENT:

~~Correctional agencies should develop the capability to relate effectively to employees and negotiate with them as prescribed by statutes.~~ ***Ongoing training in topics relevant to an employee's position enhances skill and job performance.***

Action: Mr. Hamden moved for approval. Mr. Wilbur seconded. After considerable discussion regarding the intent of the proposal and whether or not it sufficiently covered what it is felt is necessary for administrative and managerial training, the motion and second were withdrawn. The proposer, Ms. Michael, will revise and resubmit to the Committee in August 2002.

Proposal: 02-02 Revision 3-JTS-2B-03

The training school operates with living units of no more than ~~25 juveniles each~~ ***rated capacity***. The training school does not exceed a bed capacity of ~~150 juveniles~~ ***larger than rated capacity***.

Action: Approved

Rationale: Significant research has been conducted into the issue of size of juvenile facilities and living units and the quality of life or ability to provide services and programs with no negative correlation found. The committee needs to move away from equating philosophical trends to those supported by research.

Note: The comparable standard found in *Standards for Juvenile Detention Facilities, third edition* will be considered by the Committee in August 2002.

Proposal: 02-03 Revision 3-JTS-2B-05

Special-purpose institutions do not exceed ~~a bed capacity of 50 juveniles.~~ ***rated capacity.***

Action: Approved

Proposal: 02-04 Deletion 3-4010

Written policy requires that the term of office of the warden/superintendent and other appointed personnel not covered by merit systems, civil service regulation, or union contract is continuous and can be terminated by the appointing authority only for good cause and, if requested, following a formal hearing on specific charges.

Action: Approved

Rationale: The deletion was presented by and received the support of the full Commission on Accreditation for Corrections.

Note: The comparable standards dealing with “term of office” contained in other manuals will be considered by the Committee in August 2002.

Proposal: 02-05 Revision 3-4140

All inmate rooms/cells provide ***inmates with*** access to natural light ***by means of at least three square feet of transparent glazing in the room/cell, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates.***

Action: Withdrawn from consideration by the author.

Proposal: 02-05-A Revision 3-ALDF-2D-03

All inmate rooms/cells provide ***inmates with*** access to natural light ***by means of at least three square feet of transparent glazing in the room/cell, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates.***

Action: Withdrawn from consideration by the author.

Proposal: 02-06 Deletion 3-4141

Inmates in general population who are confined in their rooms/cells for 10 or more hours daily have access to natural light by means of an opening or a window of at least three square feet with a view to the outside.

Inmates in general population who are confined in their rooms/cells for less than 10 hours daily have access to natural light through an opening or window as described

above or through an opening or a window of at least three square feet between their room/cell and an adjacent space. (New construction only)

Action: Withdrawn from consideration by the author.

Proposal: 02-06-A Deletion 3-ALDF-2D-04

Inmates in the general population who are confined in their rooms/cells for 10 or more hours daily have access to natural light by means of an opening or window of at least three square feet with a view to the outside.

Inmates in the general population who are confined in their rooms/cells for less than 10 hours daily have access to natural light through an opening or window as described above or through an opening or window of at least three square feet between their room/cell and an adjacent space. (New construction only)

Action: Withdrawn from consideration by the author.

Proposal: 02-07 Revision 3-4142

Each dayroom provides ***inmates with access to natural light by means of at least 12 square feet of transparent glazing in the dayroom***, plus two additional square feet of ***transparent*** glazing per inmate whose room/cell ***is dependent on access to natural light through the dayroom***.

Action: Withdrawn from consideration by the author.

Proposal: 02-07-A Revision 3-ALDF-2D-05

Each dayroom provides a minimum of 12 square feet of transparent glazing with a view to the outside, plus two additional square feet of glazing per inmate whose room/cell does not contain an opening or window with a view to the outside.

Action: Withdrawn from consideration by the author.

Proposal: 02-08 Revision 3-4380-1

COMMENT: Services, programs, and activities include, but are not limited to, the following:

- academic and vocational education (***including developmental and rehabilitative programs***)
- ***work programs/work release programs (by providing reasonable accommodations or alternatives for inmates with disabilities so that the benefits of these programs, including sentence reduction credits, are available to inmates with disabilities)***
- recreation, exercise, and activities
- mail, telephone, visiting
- library
- religious programs
- reception and orientation
- ***transportation services (to provide for safety and security, and to avoid undue discomfort, in light of the inmate's disabilities)***
- classification
- food service
- sanitation and hygiene
- health care
- social services
- release

- discipline, grievance procedures, and due process proceedings
- safety and emergency procedures
- access to media, courts, counsel, and law library
- commissary/canteen
- volunteer programs
- psychological and psychiatric services

Program beneficiaries and participants include, but are not limited to: inmates, family members, clergy, attorneys, volunteers, and other authorized visitors.

The institution may be required to take remedial action, when necessary, to afford program beneficiaries and participants with disabilities an opportunity to participate in, and enjoy the benefit of services, programs, or activities. Remedial action may include, but is not limited to: 1) making reasonable modifications to policies, practices, or procedures, 2) providing auxiliary aids and services to the hearing and visually impaired, 3) constructing new or altering existing facilities, and 4) delivering of services, and so on at alternate accessible sites.

Action: Approved

Rationale: This revision is made to the comment only.

Note: The comparable standards contained in other manuals will be considered by the Committee in August 2002.

Proposal: 02-09 Revision 3-4439

Written policy, procedure, and practice provide for inmate access to public telephones. ***Inmates with hearing and/or speech disabilities, and inmates who wish to communicate with parties who have such disabilities, are afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment. Public telephones with volume control are also made available to inmates with hearing impairment.***

Action: Approved

Note: Comparable standards dealing with access to telephones contained in other manuals will be considered by the Committee in August 2002.

Proposal: 02-10 New standard affecting *Standards for Adult Correctional Institutions, third edition; Standards for Adult Local Detention Facilities, third edition; Standards for Adult Community Residential Facilities, fourth edition; Standards for Adult Correctional Boot Camp Programs, first edition; Standards for Juvenile Community Residential Facilities, third edition; Standards for Juvenile Detention Facilities, third edition; Standards for Juvenile Correctional Boot Camp Programs, first edition; Standards for Juvenile Training Schools, third edition; Standards for Small Juvenile Detention Facilities, first edition; and Small Jail Facilities, first edition.*

Written policy, procedure, and practice provide for the assignment of appropriately trained, ~~qualified~~ individuals to assist disabled offenders who cannot otherwise perform basic life functions.

Action: Approved as amended.

Proposal: 02-11 New standard affecting *Standards for Adult Correctional Institutions, third edition; Standards for Adult Local Detention Facilities, third edition; Standards for Adult Community Residential Facilities, fourth edition; Standards for Adult Correctional Boot Camp Programs, first edition; Standards for Juvenile Community Residential Facilities, third edition; Standards for Juvenile Detention Facilities, third edition; Standards for Juvenile Correctional Boot Camp Programs, first edition; Standards for Juvenile Training Schools, third edition; Standards for Small Juvenile Detention Facilities, first edition; and Small Jail Facilities, first edition.*

Written policy, procedure, and practice provide education, equipment and facilities, and the support necessary ~~to ensure that~~ for inmates with disabilities ~~are able to perform self-care and personal hygiene in a reasonably private environment.~~

Action: Approved as amended. Dr. Wright moved that the proposer is to develop a comment section to be presented to the Committee in August 2002 that would explain “a reasonably private environment.” The motion was seconded by Mr. Hershberger and passed.

Proposal: 02-12 New standard affecting *Standards for Adult Correctional Institutions, third edition; Standards for Adult Local Detention Facilities, third edition; Standards for Adult Community Residential Facilities, fourth edition; Standards for Adult Correctional Boot Camp Programs, first edition; Standards for Juvenile Community Residential Facilities, third edition; Standards for Juvenile Detention Facilities, third edition; Standards for Juvenile Correctional Boot Camp Programs, first edition; Standards for Juvenile Training Schools, third edition; Standards for Small Juvenile Detention Facilities, first edition; and Small Jail Facilities, first edition.*

Written policy, procedure and practice provide for staff and inmate access to an appropriately trained and qualified individual who is educated in the problems and challenges faced by people with physical and/or mental impairments, programs designed to educate and assist disabled people, and all legal requirements for the protection of persons with disabilities.

Action: Tabled

Rationale: Mr. Fitzgibbons moved to table the proposal as the Committee has a number of concerns with it including whether or not it is already covered by the Americans with Disabilities Act; and if not, it appears to address both staff and offenders and may need to be separated into two separate standards. Auditors will also need to be trained on what to look for and how to assess. Staff will review and provide information to the committee in August 2002.

Proposal: 02-13

Revision 3-4454

Written policy, procedure and practice provide that there is a qualified chaplain (or chaplains) with professional credentials that include a Bachelor's Degree; a Masters Degree of Divinity from an Association of Theological Schools (ATS) accredited seminary or 90 hours equivalent graduate degree with at least 20 hours in sacred writing, 20 hours in religious history or world religions; 20 hours in ministry religious leadership, 20 hours in philosophy theology and ten elective hours from an accredited school of theology religious studies. One unit of clinical pastoral education or equivalent specialized training (400 hours of supervised clinical training). After formal training a minimum of two years of full-time religious leadership in a faith community or the provision of religious services or spiritual counseling in a religious or secular context; ordination, license or commission to religious leadership and endorsement from their faith group's recognized certifying body to provide religious leadership in multi-faith, correctional environment; ongoing documented religious body endorsement. The chaplain also assures equitable status and protection for all religions consistent with written policies and procedures.

Action: Disapproved

Rationale: The requirements will be difficult for all levels of institutions to meet as well as being very difficult to audit.

Proposal: 02-14

Deletion 1-ABC-4G-03

Written policy, procedure, and practice include graduated release through a systematic decrease in supervision and corresponding increase in offender responsibility as part of the classification program.

Action: Approved

Rationale: Length of boot camp programs is usually short making eligibility for graduated release unlikely.

Proposal: 02-15 Revision 1-ABC-5C-01

Written policy, procedure, and practice provide for recreational programs ***that promote fitness through daily physical training.***

Action: Disapproved

Rationale: Approval of the revision would put total emphasis on fitness training.

Proposal: 02-16 Revision 1-ABC-5C-02

Written policy, procedure, and practice provide that the recreation program is supervised by a qualified person.

Action: Disapproved

Rationale: The existing standard provides sufficient flexibility and may be easily audited. Approval would also signal a move away from recreation to only fitness.

Proposal: 02-17 Deletion 1-ABC-5C-03

Written policy, procedure, and practice provide for the selection, training, and use of offenders as recreation program assistants.

Action: Approved

Rationale: By the time most inmate assistants are trained in this function they are released from the boot camp program.

Proposal: 02-18 Deletion 1-ABC-5C-05

Written policy, procedure, and practice provide for interaction with the community through recreational activities.

Action: Approved

Rationale: Interaction with the community in a recreational aspect may prove difficult for short-term programs of this nature as well as not being in keeping with the philosophy of boot camp programs. Community interaction is provided through other types of programs as required by program standards.

Proposal: 02-19 Revision 01-43 adopted by the Standards Committee in August 2001.

Where a canine unit exists, policy, procedure and practice for training of handlers/dog teams and upkeep and care of animals which provide for the following:

- criteria for selection, training and care of animals
- criteria for selection, training requirements of handlers
- an approved sanitation plan which covers inspection, housing, transportation and daily grooming for dogs

Each handler/dog team shall be trained, certified, and re-certified annually by a

nationally recognized accrediting body or a complete comparable **internal** training and proficiency testing **program**. ~~by an independent, outside source.~~

Action: Approved

Rationale: There are no existing organizations that certify the competency of bloodhounds.

Proposal: 02-20 New standard affecting *Standards for Adult Correctional Institutions, third edition; Standards for Adult Local Detention Facilities, third edition; Standards for Adult Community Residential Facilities, fourth edition; Standards for Adult Correctional Boot Camp Programs, first edition; Standards for Juvenile Community Residential Facilities, third edition; Standards for Juvenile Detention Facilities, third edition; Standards for Juvenile Correctional Boot Camp Programs, first edition; Standards for Juvenile Training Schools, third edition; Standards for Small Juvenile Detention Facilities, first edition; and Small Jail Facilities, first edition.*

Written policy, procedure and practice ensure that inmates/juvenile offenders have access to a range of reasonably priced telecommunications services. Correctional agencies should ensure that:

- ***Contracts involving telecommunications services for inmates/juveniles offenders comply with all applicable state and federal regulations;***
- ***Contracts are based on rates and surcharges that are commensurate with those charged to the general public for like services. Any deviation from ordinary consumer rates should reflect actual costs associated with the provision of services in a correctional setting;***
- ***Contracts for inmate/juvenile offender telecommunications services provide the broadest range of calling options determine to be consistent with the requirements of sound correctional management.***

Action: Tabled

Rationale: The Committee had numerous concerns regarding the proposal including whether or not surcharges are already regulated by individual states; the ability to appropriately

interpret and audit the standard in the field; and applicability to the different types of telephone systems that are used by different departments. Vice Chair Scott appointed an ad hoc committee to work with Mr. Hamden on resolving some of these questions. Committee members are Mr. Hamden, chair, Mr. Moore, Mr. Martin, and Mr. Scott.

Proposal: 02-21 Revision to 3-4434, 3-ALDF-5D-06, 1-ABC-5D-06

Written policy, procedure, and practice specify that inmates are permitted to send sealed letters to a specified class of persons and organizations, including but not limited to the following: courts; counsel; officials of the confining authority; state and local chief executive officers; administrators of grievance systems; and members of the paroling authority. ***Officers Staff, in the presence of the inmate, may be allowed to inspect outgoing privileged mail for contraband before it is sealed.*** Mail to inmates from this specified class of persons and organizations may be opened only to inspect for contraband and only in the presence of the inmate, unless waived in writing.

Action: Approved as amended.

Rationale: The revision is approved in light of recent events of toxic substances being sent through the mails.

Proposal: 02-21-A Revision to 3-JTS-5H-04, 1-JBC-5H-04, 3-JDF-5G-04, 1-SJDF-5G-04

Written policy, procedure, and practice specify that juveniles are permitted to send

sealed letters to a specified class of persons and organizations, including but not limited to: courts, counsel, officials of the confining authority, administrators of grievance system, and members of the releasing authority. ***Staff, in the presence of the juvenile, may be allowed to inspect out-going privileged mail for contraband before it is sealed.***

Action: Approved

Proposal: 02-21-B Revision to 1-SJ-178

Written policy and procedure specify that inmates are permitted to send sealed letters to specified groups of persons and organizations, including, but not limited to: courts, counsel, officials of the confining authority, government officials, administrators of grievance systems, and members of the parole authority. Mail to inmates from this specified class of persons and organizations may be opened only to inspect for contraband and only in the presence of the inmate. ***Officers Staff, in the presence of the inmate, may be allowed to inspect outgoing privileged mail for contraband before it is sealed.***

Action: Approved

Discussion Items

Issue: Prison Rape and Sexual Misconduct in Correctional Facilities

Discussion: Vice Chair Scott applauded the Department of Justice for bringing the issue to the Association and urged the Standards Committee to enter into a cooperative effort. Any committee members interested in participating should contact Mr. Scott or Mr. Verdeyen. Mr. Washington indicated that he supported looking at current Bureau of Prisons policy as a starting point.

Action: Vice Chair Scott appointed an ad hoc committee to study sexual assaults in prisons and make recommendations to the Standards Committee. Committee members are Wayne Scott, chair, Gregory Hershberger, Bill Martin, Venetia Michael, and Michael Moore.

Issue: Affecting the manual of *Standards for Adult Correctional Institutions*: Part Five, Section A and B, Work and Correctional Industries, and, Academic and Vocational Education, an interpretation of Work, Industry, Academic/Vocational Education Standards as applied to Reception and Diagnostic Centers where the average length of stay is less than 90 days is requested.

Discussion: The discussion centered on the short-term nature of most of these facilities and that inmates are participating in assessment programs during the majority of their stay.

Proposal: Standards 3- 4394, 4395, 4396, 4397, 4398, 4399, 4400, 4401, 4402, 4403, 4404, 4405, 4406, 4407, 4408, 4409, 4410, 4410-1, 4411, 4412, 4412-1, 4413, 4414, 4415, 4416, 4417, 4418, 4418-1, 4419, 4420, 4421, 4422, 4422-1 are applicable as follows:

1. For reception and diagnostic centers with an average offender length of stay of 90 days or longer.
2. To reception and diagnostic centers with a cadre of offenders who are expected to serve more than 90 days of confinement within the facility or for those sentenced offenders awaiting transfer to another facility whose stay exceeds 90 days.

Action: Mr. Fitzgibbons moved to accept the recommendations of staff as to applicability. The motion was amended by Dr. Wright to include that the presence of the programs is not required, but if they are present, they must meet the standards. The motion passed.

Note: The comparable standards for juvenile reception and diagnostic centers will be addressed by the Committee in August 2002.