

Standards Committee Meeting Minutes

136th Congress of Correction

Westin Hotel, Charlotte, NC

August 11, 2006

Members present:

Glenn Goord, Chair , New York

Lannette Linthicum, MD, Vice Chair, Texas

Patricia Caruso, Michigan

Leonard Dixon, Michigan

Jeffrey Beard, Pennsylvania

Michael Frawley, Missouri

Robert Garvey, Massachusetts

Michael Garrett, Washington D.C.

Albert Murray, Georgia

George Owens, Ohio

Timothy Ryan, Florida

David Thomas, MD, JD, Florida

John Bittick, Georgia

Vicky Myers, Missouri

Members absent:

Michael Hamden, JD, North Carolina

Dwight Harris, Texas

Cheryl Townsend, Nevada

Joe Williams, New Mexico

Staff:

Mark Flowers, Director, Standards and Accreditation

Eric Lane, Accreditation Specialist

Cecil Patmon, Accreditation Specialist

Nicole Spann, Accreditation Specialist

Christina Randolph, Office Manager

Welcoming Remarks

Chairperson Goord called the meeting to order at 8:00 a.m. The members of the Standards Committee and guests introduced themselves. Mr. Goord gave a brief overview of the agenda.

Open Hearing

Dr. Lester Wright, Deputy Commissioner/Chief Medical Officer, New York State Department of Correctional Services provided oral testimony on his experiences with Pilot Testing Performance Based Healthcare Standards.

Craig Trout, Counter Terrorism Intelligence Officer, Federal Bureau of Prisons provided oral testimony on two new standards proposed regarding the Joint Terrorism Task Force

Mary Galey, Chairwoman, Facility Design Committee, Projects Administrator, Federal Bureau of Prisons and ***Allen L. Patrick***, Chairman, Facility Design Committee, Patrick Consulting, provided oral testimony on their Acoustical Measurements and Analysis.

Standards Committee Meeting Convenes

Issue: Approval of Standards Committee Meeting minutes from the 136th Congress of Correction in Charlotte, North Carolina.

Action: Dr. Thomas moved to approve the minutes. Mr. Ryan seconded. The motion carried.

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

Discussion: Sheriff Robert Garvey gave a brief overview of Commission activities. The group was informed that the Commission would hold accreditation hearings for 181 agencies at this conference. He also stated 240 hearings were held at the 135th Congress of Corrections in Baltimore, Maryland.

Comments

Gwendolyn C. Chunn, President, American Correctional Association addressed the Committee and reinforced the importance of the Standards Committee to both ACA and the larger corrections community, and to thank the members for their valuable contribution

Mr. James A. Gondles, Jr., Executive Director, American Correctional Association gave an overview of the Commission on Safety and Abuse in America's prisons, and the National Prison Rape Elimination Commission.

Prison Rape Elimination Act Update

Jack Thomas, Deputy Executive Director, National Prison Rape Elimination Act Commission, presented an update on the Prison Rape Elimination Act of 2003.

Proposed Standard Revisions

Proposal: 06-15 Revision: 4 ACRS-1A-15

Separate into two standards #1-Offenders are permitted to decorate their living and sleeping quarters with personal possessions. #2- Rules are available to all offenders and staff. The rules are reviewed annually and revised, if necessary.

Comment: If the interpretation is that “rules” being referred to are rules governing prisoners being allowed to decorate, then one standard will suffice. Standard should be revised to read-Offenders are permitted to decorate their living and sleeping quarters with personal possessions. Rules addressing the decorating of living and sleeping quarters are available to all offenders and staff and are reviewed annually and revised, if necessary. If “rules” being addressed in the standard as written refer to rules in general, then the standard contains two separate and distinct thoughts and should be rewritten as two separate standards.

Action: Denied

Proposal: 06-16 Revision: 4-4276

New Mexico State and Federal Court Rules do not require that the state inmates provide a typewriter and they do accept hand written documents presented to the courts. The inmate is allowed to utilize a typing service if they so chose at their expense. Inmates in the past have taken parts of the typewriter to use as shanks.

Comment: New Mexico Corrections is proposing with concern of safety for all concerned, (inmates, staff and the community) that ACA allow that inmates are able to handwrite any documents to the court and or utilize a typing service

Action: Denied

Proposal: 06-17 Revision: 3-JTS-2B-03

Renovations, addition, new plant. The training school operates with living units for no more than 16 juveniles. The training school does not exceed a bed capacity of 150 juveniles.

Comment: Existing facilities cannot comply with capacity restrictions once already being utilized. This revision should solely apply to renovation, additions, or new plants.

Action: Approved

Proposal: 06-18 Revision: 4-4513

In facilities with an average daily population of 500 or more inmates, there is a full-time chaplain or a part-time chaplain or a part-time chaplain and lay and clergy volunteers. In facilities with less than 500 inmates, adequate religious staffing is available.

Comment: Chaplain Services, Inc. provides chaplains for Virginia Department of Corrections and most are part-time. It is unable to provide full-time chaplains due to budget restraints. The part-time chaplains and volunteers have been providing religious services with no negative affects to the quality of life of the inmates.

Action: Denied

Proposal: 06-19 Revision: 4-4276

Written policy, procedure, and practice provide for the right of inmates to have access to an appropriate law library and to paper, typewriters or typing services (if available), and other supplies and services related to legal matters. The law library includes at a minimum relevant and up-to-date constitutional, statutory, and case law materials, applicable court rules, and practice treatises. When an inmate is unable to make meaningful use of the law library on his or her own, the additional assistance necessary for effective access is provided.

Comment: There have been many court decisions as to “access of court”. In these decisions, the court stated that offenders can submit hand written briefs and not having a typewriter does mean they do not have access to courts. Typewriters also can be used to make tattoo guns, therefore, there is a security issue with keeping typewriters on the facility grounds. If a facility does not offer typing services, but does offer pens, pencils, paper, etc., then that facility should not be penalized with “non compliance” when they do offer the other.

Action: Denied

Proposal: 06-20 Revision: 4-4495

Written policy, procedure, and practice require that, excluding weekends and holidays, incoming and outgoing letters are held for no more than 48 hours and packages (if allowed) are held no more than 72 hours.

Comment: Since September 11, 2001 every agency has had to take precautions as to the handling of mail. With the ever increasing inmate population and additional mail, it is becoming more difficult to safely and thoroughly sort though the mail. Many letters are coming through our facilities with contraband missed due to the

time limit currently given (24 hours). The safety and security of the offenders and staff should be the number one priority. Extending the time limit to 48 hours does not mean the facility is hold the mail for any reason than to make sure there is no contraband or substance that could cause harm to staff or offenders.

Action: Approved

Proposal: 06-21

Revision: 4-ALDF-7B-08

All new professional and support employees, including contractors, who have regular or daily inmate contact receive training during their first year of employment. The training is completed prior to being independently assigned to a particular job. At a minimum, this training covers the following areas:

- Security procedures and regulations
- Emergency and fire procedures
- Supervision of inmates
- Suicide intervention/prevention
- Use of force
- Inmate rights
- Inmate rules and regulations
- Key control
- Interpersonal relations
- Communication skills
- Standards of conduct/ethics
- Cultural awareness
- Sexual abuse/assault awareness
- Code of ethics

Additional topics may be added at the discretion of the agency or facility.

Comment: Since the duties of correctional officers frequently involve most institutional operations, their training should be comprehensive.

Action: No action taken, because standard had been reviewed and changed within the past 24 months. Eligible to be proposed again in August 2007,

Proposal: 06-22

Revision: 4-ALDF-1A-20

Temperature is mechanically raised or lowered to acceptable comfort levels.

Comment: None

Action: Approved

Proposal: 06-23 Revision: 4-ALDF-7B010-1

Written policy, procedure, and practice provide that all correctional officers receive at least 40 hours of annual training. This training shall include at a minimum the following areas:

- Standards of conduct/ethics
- Security/safety/fire/medical/emergency procedures
- Supervision offenders including training on sexual abuse and assault
- Use of force

Additional topics shall be included based upon a needs assessment of both staff and institution requirements.

Comment: None

Action: Approved

Proposal: 06-24 Revision: 3-JTS-2B-03

Renovations, addition, new plant. The training school operates with living units of no more than 16 juveniles. The training school does not exceed a bed capacity of 150 juveniles.

Comment: Existing facilities cannot comply with capacity restrictions once already being utilized. This revision should solely apply to renovation, additions, or new plants.

Action: No action. This was a duplicate.

Proposal: 06-25 Revision: 4-4147

All inmate rooms/cells provide inmates with access to natural light by means of at least three square feet of transparent glazing, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates. (Renovation, Addition, New Construction)

Comment: This proposal, along with the next three, should be discussed together. In January 2003 this standard was revised to include specific requirements for access to natural light. At that time the proposal included existing institutions. It is not feasible to expect existing institutions to modify the windows to meet these

requirements. Therefore, the standard should be revised to only apply to renovations, additions, or new construction.

Action: Approved

Proposal: 06-26 Revision: 4-4147

All inmate rooms/cells provide inmates with access to natural light. (Existing only)

Comment: This proposal will address access to natural light for existing institutions.

Action: Approved

Proposal: 06-27 Revision: 4-ALDF-1A-15

All inmate rooms/cells provide inmates with access to natural light. (Existing only)

Comment: None

Action: Approved

Proposal: 06-28 Revision: 4-ALDF-1A-16

All inmate rooms/cells provide inmates with access to natural light by means of at least three square feet of transparent glazing, plus two additional square feet of transparent glazing per inmate in rooms/cells with three or more inmates. (Renovation, Addition, New Construction only)

Comment: This revision will maintain consistency between the ACI and ALDF standards books.

Action: Approved

Proposal: 06-29 New Standard

Written policy, procedure, and practice require that ongoing, but not less than quarterly, consultation take place with the local Joint Terrorism Task Force (JTTF) on all terrorism matters to include:

- A list of known terrorist inmates in local custody

- Intelligence regarding inmates with suspected terrorist ties
- Information regarding specific incidents, events, or threats affecting the institution or detention facility that have a possible terrorism connection

Comment: The purpose of this proposed standard is to affirm each local JTTF as being the designated fusion point for all terrorism matters and to underscore the importance of an active partnership between corrections and law enforcement in the war against terrorism. Written policy, procedure, and practice help ensure that very active, meaningful liaison is taking place to assist institution or detention facility security, as well as actively assisting in terrorism investigations. Intelligence indicates various terrorist groups have specifically targeted US prisons as a possible area for attempted radicalization and recruiting. Additionally, terrorist inmates may attempt to continue contact with their terrorist groups in the community. Effective coordination with each local JTTF will help corrections detect and deter such terrorist activities.

Action: Tabled

Proposal: 06-30 New Standard

Written policy, procedure and practice require vetting procedures for all contractors and volunteers providing religious services to inmates, to include:

- Comprehensive identifier information is collected and run against law enforcement indices
- Such vetting should include ongoing consultations with the local Joint Terrorism Task Force (JTTF) on matters which could potentially include a terrorism connection.

Comprehensive identifier may include current name, birth name, DOB, SSN, address, phone number, copy of driver's license, copy of passport (if any), and similar information. Such information is run against NCIC criminal histories, criminal indices, and "wants and warrants."

Comment: The primary purpose of this proposed standard is to help institutions detect, deter, and interdict efforts by terrorist or extremist groups to radicalize or recruit among inmate populations. Additionally, this proposed standard helps detect other contractors or volunteers with general criminal histories which could potentially pose a threat to institution security.

Intelligence indicates that various terrorist groups have specifically targeted US prisons as a possible area for attempted radicalization and recruiting. Additionally, terrorist inmates may attempt to continue contact with their terrorist groups in the community. Contractors and volunteers with ties to such groups may attempt to radicalize or recruit among inmate populations, or may attempt to act as illicit communications conduits. Effective vetting protocols for contractors and

volunteers, coupled with coordination with each local JTTF, will help detect and deter efforts by terrorist and extremist grow to enter correctional facilities.

Action: Tabled

Proposal: 06-31 Revision: 4-ALDF-2A-21
4-ALDF-2A-23

4-ALDF-2A-21 deals with newly admitted inmates and includes inventory of personal property in the last bullet

4-ALDF-2A-23 also deals with newly admitted inmates and inventory and secure storage of all personal property...including money and other valuables.

Comment: The two standards/expected practices listed above state the same basic information. It is recommended that one be deleted and the other modified. See attached proposal and duplication information sheet.

Action: Tabled

Proposal: 06-32 Revision: 4-ALDF-2A-29
4-ALDF4D-22

Two standards stating the same information have been included in the 4th ALDF Manual

4-ALDF-2A-29 listed in II. Security – recommend that this standard/expected practice be deleted.

4-ALDF-2D-22 listed in IV. Care – recommend that the appropriate reference to 3-ALDF standard 3E-08-1 be added.

Comment: Two standards/expected practices have been duplicated in separate sections of the manual. To avoid confusion and duplication, it is recommended that one standard be deleted (4-ALDF-2A-29).

Action: Tabled

Proposal: 06-33 Revision: 4-ALDF-2A-37
4-ALDF-2A-38

4-ALDF-states: “inmates not suitable for housing in multiple occupancy cells are housed in single occupancy cells.” 4-ALDF-2A-34 states: “Single occupancy are available when indicated for the following:...”then lists six specific set of

circumstances when inmates not suitable for housing in multiple occupancy cells are housed in single occupancy cells. These two standards/expected practices are saying the same thing.

Comment: None

Action: Tabled

Proposal: 06-34 Revision: 4-ALDF-2A-34
4-ALDF-4D-22

4-ALDF-2A-37 makes a statement prohibiting “juveniles under the age of 18.”
4-ALDF-2A-38 makes a statement “If youthful offenders are housed...”The comments section explains that “ACA policy prohibits confinement of youthful offenders in an adult facility; however, where the laws of the jurisdiction require...” Recommend that an additional statement be added to 4-ALDF-2A-37 providing for statutory requirement to house juveniles in an adult detention facility. See attached proposed standard revision.

Comment: See attached proposal information sheet.
There is for clarification in the glossary reference juveniles and youthful offenders.
Glossary: “Juvenile – a person under the age of 21 or ...”
4-ALDF-2A-37 “juvenile under 18.”
4-ALDF-2A-38 Comment: “youthful offender prohibited.”
The term juvenile and youthful offender appear to be interchangeable.

Action: Tabled

Proposal: 06-35 Revision: 4-ALDF-2A-55

4-ALDF-2A-55 has reference to 3-ALDF-3D-11 that previously stated: “...Staff operating special management units maintains a permanent log.” The 4th edition standard/expected practice goes on to list several requirements not previously listed in the 3rd edition standard. In its current format, this listing will be difficult to “check off” to ensure compliance with all portions – for the agencies and auditors alike.

It is recommended that “requirement listing” in 4ALDF-2A-55 be placed in a bullet format for easier tracking.

Comment: Throughout this manual, numerous standard/expected practices provided listings of information in bullet format. It is recommended that 3-ALDF-2A-55 be formatted the same. See the attached proposal showing the existing and proposed formats.

4-ALDF-5B-18 (Ref. 3-ALDF-4G-07) The last bullet in this standard/expected practice combines two bullets from the previous version (3-ALDF-4G-07). The previous standard makes the requirement less confusing with separated bullets

Recommended that the last portion of 4-ALDF-5B-18 “instruction for forwarding or return of mail” be revised as a separate bullet.

Comment: It is recommended that the last phrase of the last bullet of 4-ALDF-5B-18 be revised as a separate bullet to avoid confusion. Currently, two separate thoughts have been combined into one bullet.

Action: Tabled

Proposal: 06-39 Revision: 4-ALDF-7D-06
4-ALDF-7D-07

4-ALDF-7D-06 The last sentence in this expected practice states: “Employees participate in the formulation of policies, procedures and programs.”

4-ALDF-7D-07 The only sentence in this expected practice states: “Employees participate in the formulation of policies, procedures and programs.”

This information is duplicated in these standard/expected practices. Recommend the duplicated sentence in 7D-06 be removed..

Comment: It is recommended that the last sentence of 4-ALDF-7D-06 be removed to avoid confusion and duplication of 4-ALDF-7D-07. The process indicators appear to be accurate as stated.

Action: Tabled

Proposal: 06-40 Revision: 4-ALDF-2A-01
4-ALDF-2A-02

4-ALDF-2A-01 deals with secure control center.

4-ALDF-2A-02 deals with the secure control center being staffed continuously.

It is recommended that the language of 4-ALDF-2A-02 be added to 4-ALDF-2A-01 and that 4-ALDF-2A-02 be deleted.

Comment: The two standards/expected practices listed above state the same basic information. It is recommended that one be deleted and the other modified. See the attached proposal and duplication information sheet.

Action: Tabled

08 Actions Approved

04 Actions Denied

12 Actions Tabled

02 Actions had No Action Taken

Closing Comments

Chairperson Goord thanked the committee for their hard work and diligence. The meeting was adjourned at 11:50 a.m.

Recorded by:

Nicole Spann

Standards and Accreditation Specialist