Florida Model Jail Standards (FMJS)

The Florida Model Jail Standards (FMJS) are minimum standards which jails across Florida must meet to ensure the constitutional rights of those incarcerated are upheld.

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Florida Model Jail Standards

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Florida Model Jail Standards

Chapter 1: Definitions

The following terms are used throughout the Florida Model Jail Standards and have specified meanings:

Activity Space: Refers to any space within a detention facility, other than a cell or day room, designated for inmate programs such as chapel, work, or study.

Administrative Confinement: The segregation of an inmate for reasons such as investigation, protection, or other causes not related to disciplinary action.

Auxiliary Correctional Officer: An individual employed or appointed with or without compensation, who assists a full-time or part-time correctional officer under their direct supervision. This person has the same authority as a certified correctional officer for providing supervision, protection, care, custody, and control of inmates within a county or municipal detention facility. Auxiliary officers are not permitted to be assigned to posts within the secure area of the facility unless under the direct sight and sound supervision of a certified correctional officer at all times.

Cell: Any room in a detention facility, except a dormitory, designed to incarcerate one or more inmates. Types include:

- Holding Cell: Used to hold inmates awaiting processes such as booking, interrogation, or court appearances.
- Isolation Cell: A single cell for housing an inmate removed from the general population.
- Multiple Occupancy Cell: A cell with sleeping space for two or more inmates, featuring a partition between the cell and day room space.
- Single Cell: A cell with sleeping space for a single inmate.

Certified Correctional Officer: An officer certified by the Criminal Justice Standards and Training Commission pursuant to Chapter 943, Florida Statutes.

Civilian Staff: Employees, independent contractors, volunteers, or others working in a jail who are not certified as juvenile detention officers, correctional officers, law enforcement officers, or auxiliary officers under Chapter 943, Florida Statutes. Civilian staff may not provide supervision, care, custody, or control of inmates in secure areas, except for inmate workers. They may provide psychological and medical care, commissary, repair and maintenance, property storage, education, religious services, and work in communications, food preparation, programs, booking, records, classification, laundry, sanitation, or control rooms.

Close Supervision: Regular, documented physical observation of an inmate by certified correctional officers or medical staff at intervals not exceeding 15 minutes.

Closely Monitored: Regular, documented physical observation of an inmate by certified correctional officers or medical staff at intervals not exceeding 30 minutes, or as specified by medical authority or the Officer in Charge.

Common Area: Any area of a detention facility used for multiple purposes, including catwalks, walkways, halls, foyers, corridors, waiting rooms, entrances, porches, or other areas providing movement, space, or access to and egress from the facility.

County Detention Facility: A county jail, stockade, work camp, prison camp, residential probation center, or any other place, except a municipal detention facility, used by a county or county officer for detaining persons charged with or convicted of a felony or misdemeanor, regardless of the operating entity.

Day Room: An area in a detention facility, other than a cell, used for general inmate purposes.

Detention Facility: A county jail, stockade, work camp, prison camp, residential probation center, or any other place used by a county for the lawful detention of inmates charged with or convicted of a felony, misdemeanor, county or municipal offense, or held pursuant to a court order.

Dining Area: Any area, other than a cell or day room, designated for feeding inmates or staff.

Direct Filed Juvenile: A juvenile aged 16 years or older at the time of the alleged offense, against whom an information has been filed by the state attorney for prosecution as an adult, pursuant to Chapter 985, Florida Statutes.

Direct Observation: Continuous observation posted 24 hours a day, with physical observations documented at intervals not exceeding 15 minutes for adults and 10 minutes for juveniles.

Direct Supervision Housing Unit: A housing unit designed for effective management by one officer, with the officer's post located within the unit to ensure direct contact with inmates 24 hours a day. Such units include sleeping areas, day rooms, necessary personal hygiene fixtures, and sufficient tables and seats to accommodate capacity.

Direct Supervision Jail: A management style involving continuous direct contact between officers and inmates, with officers posted inside housing units. Security, evaluation, and classification are ongoing, based on close staff-inmate interaction.

Disciplinary Confinement: The segregation of an inmate for disciplinary reasons.

Disinterested Party: An individual with no stake in the outcome of a dispute, who may be internal or external to the criminal justice agency.

Dormitory: A housing area designed to incarcerate more than two (2) inmates, containing both day room and sleeping space.

Employee: Any person employed, contracted, or appointed by a county or municipal government or officer, whose primary responsibility is supervision, protection, care, custody, and provision of support services or control of inmates.

FMJS Certified Jail Inspector: A person who has completed the FMJS Inspector Certification Course and is recognized by the FMJS Committee to conduct correctional operations inspections.

FMJS Certified Medical Inspector: A person who has completed the FMJS Medical Inspector Certification Course and is recognized by the FMJS Committee to conduct medical compliance inspections.

Health Authority: A designated authority responsible for health care services under a written agreement, contract, or job description. This may be a physician, health services administrator, or health agency. If not a physician, final clinical judgments rest with a designated physician responsible for health resource deployment and daily operations of the health services program.

Housing Area: The area where inmates are held after admission and intake.

Indicted Juvenile: A juvenile of any age indicted by a grand jury for an offense punishable by death or life imprisonment, pursuant to Chapter 985, Florida Statutes.

Inmate Worker (Trusty): An inmate whose classification status allows them to perform work or services in or around the facility or county.

Invasive Body Search: A search involving manual inspection of the breasts or manual inspection, using touch, insertion, or probing, of body cavities, including genitals, buttocks, or anus, conducted according to the facility's written rules, policies, or procedures.

Jail Standards: The Florida Model Jail Standards established by the working group.

Juvenile: A person under the age of 18.

Juvenile Detention Officer: An officer certified by the Florida Department of Juvenile Justice pursuant to Rule 63H-2.007, Florida Administrative Code, authorized to provide supervision, protection, care, custody, and control of inmates within a juvenile detention facility.

Juvenile Previously Found to Have Committed an Offense as an Adult: A juvenile who has been indicted or transferred for criminal prosecution, found to have committed the offense, and received adult sanctions, thereafter handled as an adult for subsequent violations of Florida law, pursuant to Chapter 985, Florida Statutes.

Juvenile Wanted in Another Jurisdiction as an Adult: A juvenile wanted in another jurisdiction for prosecution as an adult, pursuant to Chapter 985, Florida Statutes.

Lock-Down: The time when all inmates are physically restricted to their cell or housing area.

Multipurpose Space: Any space designated for use by inmates or staff for a combination of programs, activities, dining, exercise, and training.

Municipal Detention Facility: A city jail, stockade, prison camp, or other place, except a county detention facility, used by a municipality or municipal officer for detaining persons charged with or convicted of municipal law or ordinance violations, regardless of the operating entity.

Non-Secure Custody: Holding a juvenile in an unlocked multipurpose area (e.g., lobby, office, or interrogation room) not designated as a secure detention area, used only for processing purposes, with continuous visual supervision and no physical restraint to stationary objects.

Notable Violations: All violations that are not considered serious.

Officer-in-Charge: The Sheriff, Chief Correctional Officer, or any correctional administrator appointed by a City or County Board of Commissioners.

Permanent File: A record maintained as required by the Florida Department of State General Records Schedules GS1-SL, GS2, and GS4.

Prisoner or Inmate: A person lawfully detained in a detention facility.

Qualified and Trained Facility Staff Member: A correctional officer trained to oversee medication administration when licensed medical staff are not on duty, excluding clinicians not authorized to administer medications under their scope of practice.

Recreation Area: Any secure indoor or outdoor area designated for inmate exercise or recreation activities, excluding day rooms or multipurpose spaces.

Reduced Custody Housing Area: An area designed to hold a large number of inmates in a dormitory or barracks setting, which may or may not have a security exterior and limited access, potentially using flexible or woven flame-resistant materials supported by a structural frame.

Regular Contact with Juveniles: Sight and sound contact pursuant to Chapter 985, Florida Statutes.

Restrictive Housing: Housing inmates separately from the general population with restricted movement, including medical isolation or infirmary placement, pursuant to FS 944.241.

Sallyport: An entry area for vehicles or personnel where one door or gate must be closed before another is opened. A security vestibule is similar but refers to an inside area of the detention facility.

Secure Housing Area: An area designed to house inmates classified as posing a threat to custody, security, or welfare, equipped with security hardware, including individual cells and day rooms.

Security Vestibule: A defined space with two or more doors to contain and observe those entering or exiting the inside area of a detention facility or secure housing area, equipped with an interlock device to prevent simultaneous opening, with an emergency override by Master Control.

Serious Violation: A violation or condition posing a substantial and immediate danger to the life, health, or safety of inmates or employees, indicated in bold print in standards and inspection checklists.

Should: When used instead of “will,” “shall,” or “must,” denotes a desirable correctional practice that is not mandatory.

Sight and Normal Sound: A security post ensuring visual and audible contact with inmates, possibly via electronic surveillance, with a certified officer immediately available to respond to calls for help.

Special Handling Area: Any cell or housing area for inmates with special needs, such as mental illness or suicidal tendencies, requiring more frequent observation and meeting all regulatory requirements.

Supervision, Care, Custody, and Control: Duties of certified correctional or juvenile detention officers, including observing, monitoring, moving, safeguarding, restraining, overseeing, protecting, supervising, and directing inmates, excluding automated door operations under certified officer direction.

Tempered: A mixture of hot and cold running water, under pressure, thermostatically controlled to temperatures between one hundred (100) and (120) degrees Fahrenheit.

Temporary Custody of a Juvenile: Holding a juvenile for up to six (6) hours in a secure booking area for fingerprinting, photographing, or awaiting transport to the Department of Juvenile Justice, with no sight and sound contact with adult inmates or workers and adequate staff supervision, pursuant to FS 985.115.

Waived Juvenile: A juvenile aged 14 years or older whose case has been certified and transferred for trial as an adult, pursuant to Chapter 985, Florida Statutes.

Working Group: The Florida Model Jail Standards Working Group, as provided in FS 951.23(4)(a).

Chapter 2: Standards Working Group Guidelines

Operational Requirements for Detention Facilities

Every sheriff, county, city, or other entity operating a municipal or county detention facility is required to adopt the Florida Model Jail Standards as approved by the Working Group. These standards serve as the minimum requirements to ensure consistent and safe operation of detention facilities across the state.

Composition of the Florida Model Jail Standards Working Group

The Florida Model Jail Standards Working Group, tasked with developing and maintaining model standards for county and municipal detention facilities, consists of seven members. These include three currently elected sheriffs appointed by the Florida Sheriffs Association, a physician with at least two years of correctional health care experience appointed by the same association, a currently elected county commissioner appointed by the Florida Association of Counties, an experienced jail administrator from a county-operated jail appointed by the Florida Association of Counties, and a psychiatrist with at least two years of correctional psychiatry experience, also appointed by the Florida Association of Counties. Members serve two-year terms, and the group elects a chairperson by majority vote to preside over a two-year term.

Procedures of the Working Group

To conduct official business, at least four (4) Working Group members must be present. The group is responsible for developing and reviewing minimum standards for jail operations, construction, medical care, maintenance, food services, housing, space requirements, sanitation, cleanliness, disciplinary actions, and furnishings. Biannual reviews of all existing standards are conducted to ensure their relevance and effectiveness. Any proposed amendments or changes to standards require at least four affirmative votes for implementation and take effect on October 1 of the same year, unless otherwise specified. These standards have been adopted by the Florida Sheriffs' Association and the Association of Counties and filed with the Department of State pursuant to applicable Florida Model Jail Standards (FS Chapter 951). Amendment or repeal of any provision herein is within the discretion of the Standards Working Group.

Notifications and Public Communication

The Working Group ensures transparency by preparing and distributing notices of all proceedings, standard adoptions, amendments, or repeals to all county and municipal detention facilities across Florida. Additionally, notices of official Working Group business are made available to the public upon request, fostering openness and accountability in the standards development process.

Chapter 3: Inspections

Inspection Process and Responsibilities

The Officer-in-Charge is responsible for arranging or contracting FMJS Certified Inspectors to inspect all county and municipal detention facilities for compliance with the Florida Model Jail Standards. A comprehensive FMJS Facility Inspection, covering both correctional operations and medical compliance, must be conducted annually and completed no later than June 1st. Security and Sanitation inspections are conducted by FMJS Certified Jail Inspectors. These inspections assess compliance with Florida Model Jail Standards. Facilities cannot self-inspect. Medical Compliance Inspections, performed by FMJS Certified Medical Inspectors, focus on medical standards as per the Medical Checklist, with the same prohibition on self-inspection. If a medical vendor is shared, inspection by that vendor is considered self-inspection and is not permitted.

FMJS Regional Inspection Coordinators

A primary regional inspection coordinator and a secondary coordinator may be assigned to designated regions. These coordinators shall be experienced inspectors from their respective regions with a working knowledge of the facilities in their region. They shall maintain their FMJS certification and be an active FMJS Inspector. Among the duties and responsibilities are:

a. Assist agencies in scheduling and staffing of annual inspections
b. Schedule Unannounced FMJS Inspections;
c. Select the FMJS Inspectors to conduct the Unannounced FMJS Inspection;
d. Determine the number of inspectors for the unannounced FMJS Inspection based upon the size of the facility;
e. Conduct inquires of reports of misapplication or misinterpretation of standards or complaints related to inspector conduct or inappropriate actions for review by FMJS Commission, and
f. Track and ensure all final annual and unannounced inspection reports are submitted to FSA in the required time frames to include security and medical.

Technical Assistance for Compliance

Facilities seeking to achieve compliance with FMJS can contact the Chair of the FMJS for assistance. Additionally, county or municipal governing boards may enter into agreements with the Department of Corrections for consultative inspections, provided these do not interfere with inmate custody or facility security as determined by the Chief Correctional Officer. Such agreements outline physical and operational standards, inspection frequency, access terms, and any payment for services, with fees deposited into the Grants and Donations Trust to cover monitoring costs.

Reporting and Corrective Action

FMJS Inspectors report directly to the Officer-in-Charge or their designee and have access to all facility records, areas, and private interviews with employees or inmates. Within fourteen (14) days of completing an inspection, inspectors submit a comprehensive report to the Officer-in-Charge, Sheriff (if applicable), the assigned Regional Inspection Coordinator, and Florida Sheriffs Association. If violations are identified, the Officer-in-Charge must formulate a corrective action plan specifying actions, timelines, and resources, with all violations corrected within thirty (30) days. A reinspection occurs within ten (10) days after this period or upon notification of compliance. The Officer-in-Charge submits a report with corrective actions to the FMJS Chairperson within thirty (30) days and to the County Commission within fourteen (14) days. All inspection reports and related documents are public records under Chapter 119, Florida Statutes (FS).

Handling Serious and Notable Violations

Serious Violations: Serious violations, which pose substantial and immediate danger to inmates or employees, require immediate notification to the Officer-in-Charge, followed by a special written report within twenty-four (24) hours detailing the violation and required corrective action. These violations, marked in bold standards, must be corrected within twenty-four (24) hours, with a reinspection within forty-eight (48) hours to verify compliance. Written reports and responses are public records. Examples include failure to maintain emergency plans, tool, knife, or firearms control, allowing persons with communicable diseases in food service areas, or failing to provide modified diets as ordered by the Health Authority, among others.

Notable Violations**:** Notable violations, which are less severe, must be corrected within thirty (30) days, with reinspection within ten (10) days after the correction period or upon notification of compliance, potentially via offsite review of documentation or evidence.

Inspection Frequency and Access

Detention facilities must undergo at least two inspections annually, separated by at least one hundred twenty (120) days. The scheduled inspection, referenced above, covers all jail standards, with advance notice to the FMJS Working Group Chairman. The second inspection is unannounced, focusing on serious violations. Facilities cannot refuse inspections or prevent access.

Reinspection and Appeal Processes

For notable violations, facilities must correct noncompliance within thirty (30) days, with reinspection within ten (10) days after the correction period or upon notification. For serious violations, correction is required within twenty-four (24) hours, with reinspection within forty-eight (48) hours, though earlier reinspection is possible if compliance is achieved sooner. Facilities may appeal inspection findings within ten (10) days, with the FMJS Working Group reviewing

reports and possibly hearing from the inspector. The group's decision, made within fifteen (15) working days, is final.

Penalties for Noncompliance

Noncompliance with notable violations incurs penalties paid into the facility's Inmate Welfare Fund: $500 per day from days thirty-one (31) to sixty (60), $1,000 per day from days sixty-one (61) to ninety (90), and $2,000 per day thereafter. For serious violations, a $2,000 daily penalty applies until corrected. If a second reinspection for notable violations or a reinspection for serious violations shows continued noncompliance, the facility must cease operations within fourteen (14) days and contract with compliant facilities to house inmates, with the noncompliant facility covering costs. This period begins upon appeal expiration, failure to file a timely appeal, or denial of an appeal. Only non-compliant campuses of multi-campus facilities must cease operations. Refusal to allow inspection results in the withholding of the responsible person's salary, deposited into the Inmate Welfare Fund, regardless of their status as elected, appointed, or employed.

Inspection Methodology

Inspections adhere strictly to the standards, involving interviews with staff and inmates, as well as staff from various areas, to ensure a thorough evaluation of compliance. A percentage of inmates shall be interviewed based on the population of the facility.

Chapter 4: General Provisions

4.1 The supervision, care, custody, treatment, housing, and general handling of inmates will be in accordance with these standards. Sections pertaining to contact visiting, work, and study release, canteen or commissary privileges, and exercise are not applicable to inmates that are held less than thirty-six (36) hours. In addition, a holding cell need not meet all housing standards set forth in this chapter, provided that the cell complies with the following requirements (for Youth Detention Facilities, refer to Appendix C):

I. Bullets

A. The inmate is always within sight or normal sound of an officer certified in accordance with Chapter 943, FS. This may be accomplished through means of electronic surveillance, provided that a certified officer is available to respond to calls for help;
B. Inmates have reasonable access to toilet, sink, and drinking water facilities;
C. The cell meets the requirements of the State Fire Codes at all times;
D. The cell complies with sanitation standards as prescribed in Chapter 14 of this document
E. There is sufficient lighting to observe inmates and to meet all security requirements;
F. Inmates will not be held in a holding cell in excess of eight (8) hours.
    1. It is understood that there may be occasions when an inmate's behavior may prevent him or her being placed into general population. Therefore, inmates who

are unruly and/or intoxicated may be kept in a holding cell beyond the eight (8) hour limit.

2. Any exceptions to the eight (8) hour rule must be fully documented indicating the justification for and include 15-minute documented checks.

II. Proofs of Compliance

- Documentation indicating justification of inmate held in a holding cell beyond eight (8) hours
- Observation of inmates within sight or normal sound of officer
- Observation of reasonable access to toilet, sink and drinking water
- Observation of adequate lighting for observation/security
- 15-minute documented checks

4.2 To obtain and maintain FMJS Jail Inspector Certification, the following criteria must be met:

I. Bullets

A. To obtain an initial certification, the candidate must:
   1. Be actively employed with and/or retired from a correctional facility with:
      a) Eight (8) years' experience in the care, custody and control of inmates for certified employees; or
      b) Ten (10) years of experience in the jail operations for civilian employees;
   2. Have written endorsement(s) from the candidate's Sheriff. If the candidate is not employed by a Sheriff's Office, written endorsement from the Chief Executive Officer of the correctional facility with which the candidate is employed must be submitted.

B. FMJS Jail Inspector Certifications are valid until December 31 of the fourth-year certification anniversary date. To maintain certification, inspectors are required to:
   1. Complete one (1) jail inspection per year in the four (4) year period of their certification;
   2. Serve a one (1) year probation period, during which they must conduct an inspection;
   3. Successfully complete a classroom re-certification every four (4) years; and
   4. Pass a certification test with a score of eighty percent (80%).

II. Proofs of Compliance

- None

4.3 To obtain and maintain FMJS Medical Inspector Certification, the following criteria must be met:

I. Bullets

A. To obtain certification, the candidate must:
   1. Be actively employed with and/or retired from a correctional facility with a minimum of three (3) years experience;
   2. Have written endorsement(s) from the candidate's Sheriff. If the candidate is not employed by a Sheriff's Office, written endorsement from the Chief Executive

Officer of the correctional facility with which the candidate is employed, or the candidate's employing Chief Executive Officer if medical services are contracted must be submitted;

3. Have an active State of Florida license as a physician, nurse, advanced registered nurse practitioner, physician's assistant, EMT, or paramedic.

B. FMJS Medical Inspector Certifications are valid until December 31 of the fourth-year certification anniversary date. In order to maintain certification, inspectors are required to:
   1. Complete one (1) medical inspection per year in the four (4) year period of their certification;
   2. Serve a one (1) year probation period, during which they must conduct an inspection;
   3. Successfully complete a classroom re-certification every four (4) years; and
   4. Pass a certification test with a score of eighty percent (80%).

II. Proofs of Compliance

- None

4.4 Each facility shall keep records as outlined by the Florida Department of State General Records Schedule GS1 for State and Local Governments, General Records Schedule GS2 for Law Enforcement, Correctional Facilities, and District Medical Examiners, and General Records Schedule for GS4 for Public Hospitals, Health Care Facilities and Medical Providers pertaining to:

I. Bullets

A. Visitation – the name of the inmate, date, length of visit, names of visitors, relationship to inmate, visitor's address, whether contact visit or non-contact visit.

B. Exercise – the name of the inmate, date, time for exercise, whether it was outdoor or indoor, and if the inmate refused. In those facilities where access to exercise is unrestricted, documentation shall be by exception (i.e., when the inmate is denied exercise).

C. Medical observation – all pertinent medical information shall be recorded in the inmate's medical file.

D. Showers – name, date, whether accepted or refused. This paragraph shall only apply to inmates confined in administrative or disciplinary confinement who do not have unrestricted access to a shower.

II. Proofs of Compliance

- None

4.5 Policy and procedure directives for the employees and inmates concerning the operation of each detention facility will be developed and maintained by each facility. The Officer- in-Charge shall ensure that at least one (1) formal review of his/her agency's policies and procedures is conducted on an annual basis. Additionally, employees should certify that they have read and understand all such applicable policies and procedures on an annual basis. When conducting detention facilities inspections, the inspector(s) will examine the content of the directives for

compliance with facility rules and timely updating. The policy and procedure directives shall include the following:

I. Bullets

A. Emergency plans in the event of fire, riot, escape, natural disaster, epidemic disease, and hostage situations;
B. Tool, knife, and firearms control;
C. Contraband control;
D. Inmate property and "in-cell" belongings;
E. Daily log and count procedures;
F. Inmate grievances;
G. Visiting procedures and control;
H. Disciplinary procedures;
I. Admission, classification, and release procedures;
J. Health services;
K. Food services;
L. Inmate contact with attorneys, the court, public officials, and the press;
M. Procedures for direct observation and close supervision;
N. Local agency rules and regulations;
O. Supervision of staff;
P. Care, custody, and control of inmates;
Q. Provisions for administrative and disciplinary confinement;
R. Procedures establishing conditions under which inmates will be screened and tested for infectious disease.

II. Proofs of Compliance

- Written Directive
- Proof of review and/or approval process
- Proof of receipt of written directives

4.6 The Officer-in-Charge shall certify the maximum number of inmates, which may be housed in each detention facility based on a specified unit of floor space and analysis of other pertinent factors. "Specified unit of floor space" shall be that amount of cell space that is reasonably necessary for each inmate incarcerated in a detention facility, thereby establishing the maximum number of inmates that may be housed. Such space requirements will be established by:

I. Bullets

A. A combined analysis of cell size;
B. Design or renovated capacity;
C. Access to program, exercise, day room, and activity space;
D. Level of secure custody needed for each inmate;
E. The structural configuration of the facility; and
F. Such other contributing factors which may be peculiar to a detention facility.

The maximum number of inmates that may be housed in facilities constructed before October 1, 1996, shall be based on the factoring principles as set forth in Appendices A and B.

II. Proofs of Compliance

- None

4.7 Beds in medical and disciplinary confinement cells shall not be included in determining facility capacity. However, specific beds which are dedicated to the separate housing of inmates with chronic or terminal illness, severe injury or highly contagious or infectious illness shall be included in capacity determination upon the written certification of the Chief Correctional Officer and the Health Authority.

I. Bullets

II. Proofs of Compliance

- None

4.8 D.O.C. Informational Reports – Pursuant to FS 951.23(2), the Officer- in-Charge or designee shall submit population reports to the Department of Corrections on a monthly basis (for Youth Detention Facilities, refer to Appendix C).

I. Bullets

II. Proofs of Compliance

- None

4.9 Compliancy Enforcement – If corrective action has not been taken, a facility may be subject to action in accordance with the following provisions of FS 951.23 (6) (a), (b), and (c). Removal of prisoners to another county or municipality (for Youth Detention Facilities, refer to Appendix C):

I. Bullets

A. When a circuit court finds that county or municipal prisoners are detained in a county or municipal detention facility that does not meet these minimum standards and requirements, the court may then order the prisoners, or any part of them, removed to and confined in a county or municipal detention facility that does meet such standards and requirements, whether it is in the same county or municipality or in some other county of municipality. (FS 951.23)

B. The expense of maintaining prisoners removed to another county or municipality under the provisions of paragraph (a) shall be borne by the county or municipality from which they are removed. (FS 951.23)

C. Promptly upon the making of any order authorized by paragraph (a), copies thereof shall be sent to the Officer-in-Charge of the county or municipal detention facility from which the county or municipal prisoners affected by such order are required to be removed, to the board of county commissioners of the county or the city commissioners of the municipality in which such county or municipal detention facility is situated, and to the Officer-in-Charge of the county or municipal detention facility to which they are required to be removed. If the order requires the removal of county or municipal prisoners to a county or municipal detention facility in another county or municipality, a copy thereof shall also be promptly sent to the board of county commissioners of the county, or to the city commissioners of the municipality, in which it is situated. (FS 951.23).

II. Proofs of Compliance

- None

III. Additional References

- FS 951.23

4.12 The Officer-in-Charge shall establish a zero tolerance policy in order for the detection, prevention, elimination and responding to sexual abuse/harassment, sexual activity, and staff sexual misconduct of inmates, to address the safety and treatment needs of inmates who have been a victim of a sexual act, and to discipline and seek to prosecute those who perpetrate these acts upon inmates.

The standard shall include the following:

I. Bullets

A. Staff Training – required as part of the new employee orientation and annual refresher training. All staff shall be trained to:
   1) Recognize the physical, behavioral, and emotional signs of a victim of sexual abuse;
   2) Understand the identification and referral process when an alleged abuse occurs; and
   3) Have a basic understanding of sexual abuse prevention and response techniques.

B. Inmate Education – required as part of inmate orientation. All inmates will be provided with the following information:
   1) Methods inmates can use to protect themselves from becoming victims, while incarcerated;
   2) Treatment options available to victims of sexual abuse;
   3) Methods of reporting incidents of sexual abuse; and
   4) A written copy of information summarizing this topic; (e.g., pamphlet, inmate handbook, etc.)

II. Proofs of Compliance

- Written Directive
- New employee orientation training records
- Annual employee refresher training records
- Documentation of written copy of information provided to inmate during orientation

4.13 Non-Secure Custody – Holding the Juvenile:

I. Bullets

A. In an unlocked multipurpose area such as a lobby, office or interrogation room which is not designated, set aside, or used as a secure detention area or is not a part of such an area, or, if a secure area, is used only for processing purposes;
B. The juvenile is not physically secured to a cuffing rail or other stationary object during the period of custody in the facility;
C. The use of the area is limited to providing non-secure custody only long enough and for the purposes of identification, investigation, processing, release to parents, or arranging transfer to an appropriate juvenile facility or to court;
D. In no event shall the area be designed or intended to be used for residential purposes;
E. The juvenile must be under continuous visual supervision by a law enforcement officer or facility staff while he/she is in non-secure custody.

II. Proofs of Compliance

- Observation

Chapter 5: Employee Regulations

5.1 Each employee's conduct, at all times, shall maintain the safety, security, and orderly operations of the facility, as well as the welfare of inmates under their supervision.

I. Bullets

II. Proofs of Compliance

- None

5.2 Employees shall not engage in any behavior or activity that compromises the integrity, security, or lawful operation of the facility. No employee shall:

I. Bullets

A. Report to duty or assume supervision of or control over inmates while under the influence of an intoxicant, including alcohol;
B. Report for duty or assume supervision of or control over inmates while under the influence of a narcotic, barbiturate, hallucinogen or central nervous stimulant, unless such medication has been lawfully prescribed, taken under medical supervision, and does not impair the employee's ability to perform assigned duties;
C. Use profane or abusive language towards or around inmates;
D. Threaten, intimidate, harass, or retaliate against an inmate for any reason, including complaining about treatment of conditions of confinement, reporting abuse, filing a grievance, communicating with legal counsel or seeking redress;
E. Trade, barter, or accept gifts, favors, or anything of value from an inmate, his/her friends or family except as permitted in the facility policies and procedures;
F. Introduce into, or remove from, the property of any detention facility any article without prior authorization from the Officer-in-Charge or designee;
G. Offer or furnish any legal advice or recommend specific lawyers or bonds person to an inmate. If requested by an inmate, employees may provide a directory or listing of professionals; or
H. Possess keys to any secure area of a facility, unless such keys have been formally issued to them by an authorized employee.

II. Proofs of Compliance

- Inmate and employee interviews

5.3 Each facility shall establish and maintain written policy and procedures governing the use of force, which is consistent with local, state and federal laws.

I. Bullets

A. In any instance where force is used, the involved employee shall submit a written and signed report to the Officer-in-Charge or designee, who shall review the report, determine whether further investigation is warranted, and approve or disapprove the force used. All such written reports shall be retained in a file.
B. Any inmate involved in a Use-of-Force incident, including where chemical agents or electronic weapons are used, shall be medically evaluated by a physician or other

qualified medical personnel, as soon as practical following the incident. Acknowledgment of the medical examination shall be annotated on the "Use-of-Force" report. The results of the examination shall be documented in the inmate's medical file.

C. Authorized weapons shall only be used by employees trained and authorized in their use, according to policy and procedure. Force used must be necessary, proportionate, and the least likely to cause injuries to staff or inmates.

II. Proofs of Compliance

- Written Directive
- Documentation of written report regarding use of force, supervisor review, and documentation of medical examination

5.4 No Officer-in-Charge or other employee shall knowingly permit or authorize any subordinate, inmate, contractor, volunteer, or visitor to commit any act or engage in any conduct which would violate these standards.

I. Bullets

II. Proofs of Compliance

- Inmate and employee interviews

5.5 All correctional officers and juvenile detention officers shall be in the process of obtaining certification and be certified within six (6) months of employment. The Officer-in-Charge or designee will inspect all personnel records to confirm compliance with Criminal Justice Standards and Training and/or Department of Juvenile Justice Certification.

I. Bullets

II. Proofs of Compliance

- Employee interviews

5.6 Employees shall prepare and submit a complete written report to the Officer-in-Charge or designee for any unusual incidents that occur during their tour of duty. Reports shall be submitted before the end of shift, or as soon as practicable. Examples of reportable incidents include, but are not limited to:

I. Bullets

A. Assault/battery committed by an inmate against an employee or another inmate;
B. Discharge of firearms or use of chemical agents or electronic control devices by staff;
C. Attempts by inmates to bribe an employee;
D. Escapes or attempted escapes;
E. Inmate death, serious illness, serious injury requiring medical attention, or suicide attempt; and
F. Strikes, riots, or any other disturbances of facility operations.

II. Proofs of Compliance

- Employee interviews

Chapter 6: Admission, Classification, and Release

6.1 When receiving and admitting an inmate to a detention facility, the certified staff responsible for such admission shall inquire and reasonably determine that established rules, regulations, and legal procedures for such admission are met. Any legal or procedural questions concerning the admission of a person to a detention facility must be clearly resolved prior to completing the admission process.

I. Bullets

II. Proofs of Compliance

- Arrest documentation

6.2 During the admission and booking process the inmate shall be examined for contraband, medically screened, and permitted to bathe unless the inmate is belligerent and unruly to the point of being unmanageable. In case the inmate cannot be controlled on entry he/she will be allowed to bathe as soon as the inmate's manageability permits. Foreign objects shall be removed by the inmate or licensed medical personnel. A written report documenting such action shall be submitted to the Officer-in-Charge or designee.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Observation of showers

6.3 Inmates shall be searched by certified staff when being admitted to a detention facility.

I. Bullets

A. Inmates being admitted to the facility for traffic, regulatory or non-violent misdemeanor offenses will be strip searched only for cause. A strip search will be conducted by a person of the same gender as the arrested person and in such a manner that the search cannot be seen by persons not physically conducting or observing the search. Any person observing shall be of the same gender as the arrested person.

B. **A body cavity search shall only be completed for cause and shall be conducted by licensed medical personnel.**

C. **A written report documenting such action shall be submitted to the Officer-in-Charge or designee.**

II. Proofs of Compliance

- Written Directive
- Observation of certified staff searching inmates

III. Additional References

- FS 901.211

6.4 Male cross-gender searches are subject to the following requirements:

I. Bullets

A. Male correctional facility employees may not conduct a pat-down search or body cavity search on an incarcerated female unless the female presents an immediate risk

of harm to herself or others and a female correctional facility employee is not available to do the search. The provision of FS 901.211 shall apply to such searches.

B. If a male correctional facility employee conducts a pat-down search or body cavity search, the male correctional facility employee shall document the incident, including the circumstances necessitating the male correctional facility employee's actions, no later than three (3) days after the incident.
C. The correctional facility shall review and retain all documentation.

II. Proofs of Compliance

- Written Directive
- Documentation of body cavity search
- Staff Interviews

III. Additional References

- FS 901.211

6.5 Detention facilities shall not admit an unconscious person or a person who appears to be seriously ill or injured. Any such person shall be afforded necessary medical attention prior to admission.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Staff interviews

6.6 Persons brought to the jail under the Marchman Act will be housed in an area designated for that use. A person will be held no longer than necessary to meet the requirements of FS 397.677.

I. Bullets

II. Proofs of Compliance

- Interview staff regarding Marchman Act procedures

III. Additional References

- FS 397.677

6.7 A female employee shall be present to admit and process female inmates. A male employee shall be present to admit and process male inmates.

I. Bullets

II. Proofs of Compliance

- Staffing roster indicating male and female staff
- Observation of Booking Staff

6.8 During the classification process, each inmate shall be given or provided access to a copy of the rules and regulations pertaining to inmates.

I. Bullets

A. If the rules and regulations are issued to the inmate, he/she will sign documentation of the receipt.
B. If the inmates are provided with access to the rules and regulations, he/she will be instructed on their location and, if appropriate, how to access the rules and regulations. The inmate will sign a form indicating the notification was provided.

II. Proofs of Compliance

- Documentation of rules and regulations for inmates given during classification process
- Staff Interviews

6.9 An inmate record shall be started and maintained on each individual when admitted. This record shall include:

I. Bullets

A. Full name and known aliases;
B. Age, date of birth, and sex;
C. Date admitted;
D. Race;
E. Height;
F. Weight;
G. Offense with which the inmate is charged, or held for other agencies, or for which the inmate has been sentenced;
H. Signature of persons delivering and receiving inmate;
I. A written descriptive, or electronically captured, inventory of all monies, valuables or other personal property. All items allowed to be kept by the inmate and those taken and stored will be recorded. The inmate and the receiving officer will verify and sign the inventory. If the inmate refuses to sign, a notation will be placed on the property inventory and a second employee will witness and sign the inventory. After the initial receipt is completed, any changes authorized in the personal property inventory must also be documented, verified and signed by the inmate and the employee making the transaction.
J. Current or last known address;
K. Name and address of next of kin;
L. Marital status;
M. Religion.

II. Proofs of Compliance

- Written Directive for inmates who refuse to sign a property receipt
- Documentation of inmate records

6.10 All persons booked into a facility on criminal charges shall be photographed and fingerprinted. A DNA sample is collected from each qualifying inmate booked into the jail, in accordance with FS 943.325.

I. Bullets

II. Proofs of Compliance

- Observation of where this process occurs

6.11 During the admission process, inmates shall be permitted reasonable access to a telephone in order to contact their attorney, family members, or others.

I. Bullets

II. Proofs of Compliance

- Observation of telephones for inmate use during the admission process

6.12 In determining custody grade, special handling, housing, and programs for each inmate, a uniform classification process shall be applied to all inmates. Classification of inmates shall be subject to the following requirements:

I. Bullets

A. Each inmate shall be classified as soon as practical following admission to a detention facility in the type of quarters that best meet their needs and provides reasonable protection for all inmates;
B. The classification process shall include all information available or obtainable from the social, legal, and self-reported medical history of the inmate;
C. The classification process shall follow the inmate throughout incarceration as a method of assisting in his/her handling or treatment;
D. The inmate's adjustment should result in the gaining or loss of privilege, reduced custody housing, extended visiting time, involvement in better job assignments, etc.;
E. Each facility shall have designated classification personnel.

II. Proofs of Compliance

- Observation of classification process for new admissions
- Staff Interviews

6.14 As facilities permit, no inmate shall be subjected to more restrictive conditions of confinement and out-of-cell time than is justified by the inmate's classification.

I. Bullets

II. Proofs of Compliance

- Written Directive

6.15 Classification criteria as to housing, programs, and privileges shall be written and incorporated into the facility's rules and regulations.

I. Bullets

II. Proofs of Compliance

- Documentation of classification criteria in the facility's rules and regulations

6.16 Inmate records shall be maintained on each inmate. Such information shall not be accessible to other inmates. Such records shall be placed in one file or database at the time of the inmate's release and should contain such information as:

I. Bullets

A. Legal authority for commitment;
B. All information contained in the booking record;
C. Classification information and progress reports;
D. Sustained disciplinary reports including investigation and disposition;

E. All absences from the detention facility;
F. Photograph(s) when taken;
G. Record of any detainees or other civil or criminal process;
H. Personal property records;
I. The date and terms or conditions of release, the authority for release, and of the releasing employee;
J. Medical information, pursuant to law is maintained in a separate file.

II. Proofs of Compliance

- Documentation of inmate record addressing elements of the standard
- Observation of inmate records in confidential location

6.18 Inmates will be released only in accordance with the written instructions as contained in the rules and regulations of the institution which will include:

I. Bullets

A. The proper authority for the release;
B. The proper procedure for the release;
C. Positive identification must be made of all inmates prior to being released.

II. Proofs of Compliance

- Written Directive
- Observation/Staff Interviews

6.19 At the time of release, the inmate will sign for the return of his/her property, which has been held by the facility. This form will be countersigned by an employee.

I. Bullets

II. Proofs of Compliance

- Documentation of signed receipt by inmate and staff for the return of his/her property or observation of property release process

6.20 When a foreign citizen is received/admitted to a detention facility for any reason, the detention facility shall make notification using the guidelines as set forth by the U.S. Department of State.

I. Bullets

II. Proofs of Compliance

- Proof of consular notification
- Staff Interviews

6.21 The Sheriff or Chief Correctional Officer operating a county detention facility must enter into a written agreement with the United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g)of the Immigration and Nationality Act, 8 U.S.C. s. 1357.

I. Bullets

II. Proofs of Compliance

- Documentation of written agreement with ICE

Chapter 7: Housing

7.1 A female correctional officer shall be on duty at all times in any facility that houses female inmates.

I. Bullets

A. Male correctional employees shall announce their presence before entering any housing unit designated for female inmates.

B. Male correctional employees shall not enter any area of the facility where a female inmate may be in a state of undress or where she may be viewed while undressed, including, but not limited to, restrooms, shower areas, and medical treatment or examination areas.

C. If a female correctional employee is not available, or if a female correctional employee requires assistance, a male correctional employee may enter such area only in the event of a medical emergency or if a female inmate presents an immediate risk of harm to herself or others.

D. If a male correctional employee enters a prohibited area, as outlined in bullet (c), the male correctional employee shall submit a written incident report detailing the incident and justifying the necessity of their actions, no later than three (3) days after the incident. The facility shall review and retain all documentation.

II. Proofs of Compliance

- Written directive(s)
- Rosters/schedules indicating female correctional officers are on duty

7.2 Male and female inmates shall not be housed in the same cell under any circumstances. In all housing areas, facilities must ensure separation by sight and normal sound. For purposes of housing, sound separation is defined as restricting normal verbal communications.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Observation of male and female housing areas

7.3 Inmates should be housed in a manner that prioritizes the safety, security, and orderly operation of the facility. The following shall apply to housing inmates:

I. Bullets

A. Dangerous felons shall not be housed with misdemeanants. However, nondangerous felons may be housed with misdemeanants.

B. The classification of an inmate as a dangerous felon shall be made on a case-by-case basis by the Officer-in-Charge or designee as defined in the agency's directives.

C. Inmates shall be assigned housing based on a classification process as described in 6.12 with particular attention to the assignment of those persons who have a recorded or demonstrated history of, or exhibit aggressiveness toward other inmates.

II. Proofs of Compliance

- Written Directive
- Observation of housing areas separating dangerous felons from misdemeanants
- Interviews

7.4 Inmates identified by the Health Authority to require close monitoring or care due to medical, mental health, behavior concerns, suicidal ideation or behavior, or undergoing withdrawal from alcohol or drugs shall be defined as "Special Needs Inmates."

I. Bullets

A. Special housing shall be provided to Special Needs Inmates for medical reasons upon orders of the Health Authority.

B. Until such time as the Health Authority determines otherwise, in writing, any inmate identified by correctional or medical staff as a suicide risk shall not be housed in a "single cell" unless the inmate is observed by direct visual observation by an employee as described in chapter one of these standards, twenty-four (24) hours each day. Such observation for suicidal inmates shall include regular, documented physical checks by corrections officers and/or medical staff persons at intervals not to exceed 15 minutes.

C. Inmates who pose a threat to the safety of staff, or other inmates, or property shall be separated and closely monitored. When restrictions are placed on their movement or privileges, documentation outlining these restrictions shall be maintained and readily available to housing unit staff (for Youth Detention Facilities, refer to Appendix C).

II. Proofs of Compliance

- Documentation of physical checks at intervals not to exceed fifteen (15) minutes
- Observation of special housing provided for medical reasons
- Employee interviews

7.6 Inmates shall be provided with access to hygiene items necessary for personal cleanliness and health.

I. Bullets

A. Upon admission and thereafter if indigent, inmates shall be issued toothpaste, toothbrush, a comb, soap, and a clean towel.

B. Inmates detained for longer than twenty-four (24) hours shall be issued clothing and have reasonable access to personal hygiene items, such as soap, clean towels, a comb, toothbrush, toothpaste, and toilet paper.

C. In addition to items in 7.6.B., incarcerated women shall be provided with health care products, at no cost, including feminine hygiene products, tampons, moisturizing soap that is not lye-based, and any other health care product the correctional facility deems appropriate.

D. The correctional facility is required to make health care products reasonably available in common housing areas and in medical care facilities.

E. Electric shavers may be issued on a controlled basis. Razors shall be restricted or issued for use only under supervision when it is determined that issuance of such equipment would pose a threat to the safety of the inmate, staff, or other inmates.

II. Proofs of Compliance

- Observation of hygiene items provided upon admission, in all housing areas, and medical care facilities.
- Observation of the feminine hygiene products provided
- Employee interviews
- Inmate Interviews

III. Additional References

- FS 944.242

7.7 Hair grooming services will be made available.

I. **Bullets**

II. Proofs of Compliance

- Inmate Interviews

7.8 Inmates shall be required to bathe at least twice weekly.

I. Bullets

II. Proofs of Compliance

- Employee Interviews

7.9 Each inmate in general population will be allowed access to shower daily.

I. Bullets

II. Proofs of Compliance

- Inmate Interviews

7.10 Inmates shall not be discriminated against, based on:

I. Bullets

A. Race;
B. National origin;
C. Creed or religion;
D. Disability - as defined and protected under the Americans with Disabilities Act;
E. Economic status;
F. Political belief or affiliation;
G. Sex - with the exception that males and females shall be housed separately.

II. Proofs of Compliance

- Employee Interviews

7.12 The Officer-in-Charge or designee shall determine what personal items an inmate may retain in their cell or store with them; however, an inmate shall be permitted to keep a reasonable amount of personal property including, but not limited to:

I. Bullets

A. Legal material, personal hygiene items, writing paper and writing instruments, and authorized reading material, in reasonable quantities, as approved by the Officer-in-Charge or designee.
B. Personal items must be maintained in an orderly manner.
C. To reduce fire hazards, the amount of personal property allowed in the cells shall be limited.

II. Proofs of Compliance

- Observation of storage areas
- Employee Interviews

Chapter 8: Food

8.1 All aspects of food service operations and food catered from outside sources, including contract services, shall meet the minimum requirements of the Department of Health and Rehabilitative Services standards (Chapter 64E-11, Florida Administrative Code).

I. Bullets

II. Proofs of Compliance

- Recent Health Department food service inspection reports

8.2 No employee or inmate shall work in any area of food service operations if he/she is known to have, or is suspected of having, a communicable disease, open wounds or sores, or respiratory infections.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Medical clearance records for inmates and employees

8.3 Clean outer garments will be worn, and all inmates working in food service or delivery will maintain a high degree of personal cleanliness.

I. Bullets

II. Proofs of Compliance

- Observation
- Inmate Interviews

8.4 Food preparation will be conducted by, or supervised by, an employee trained in culinary services and holding a Professional Food Manager certification as required by Rule 64E-11.012, Florida Administrative Code.

I. Bullets

II. Proofs of Compliance

- Current ServSafe certification(s)

8.5 Inmates shall be given three (3) substantial, wholesome, and nutritious meals daily.

I. Bullets

A. Not more than fourteen (14) hours may elapse between the evening meal and the morning meal.

B. Hot meals shall be served at least once daily.

C. Seasonal fruits and vegetables are recommended in menu planning (this does not apply to extreme emergency situations, e.g. riots, fires, natural disasters, etc. or inmates assigned to outside work groups). For Youth Detention Facilities, refer to Appendix C.

II. Proofs of Compliance

- Written Directive
- Menus approved by Health Authority or dietitian
- Documentation demonstrating meal times

8.6 Menus – The Recommended Dietary Allowances of the National Research Council – National Academy of Sciences shall serve as the standard for the preparation of menus and the evaluation of menus served. Menus shall be planned for no less than twenty-eight (28) days in advance and certified by a nutritionist or dietitian licensed by the State of Florida.

I. Bullets

A. If a nutritionist/dietitian is not employed by the detention facility, nutritional advice will be obtained from a licensed nutritionist or dietitian from outside sources such as county health services, local schools, hospitals or a professional dietary service.

B. Modified diets shall be prepared for inmates when ordered by a physician or designee.

C. Religious diets may be provided to inmates if required by their faith.

D. Records of meals served shall be kept as a permanent file.

E. Food may not be withheld, nor the standard menu varied, as a disciplinary sanction or as a reward for an individual inmate.

F. Special management meals meeting the minimum daily nutrition requirement as approved by a physician or other qualified medical staff member may be substituted for regular meals in the event an inmate throws or otherwise misuses food, beverage, food utensils, food trays, etc. This includes utilizing trays, cups, or utensils to throw human waste or other substances.

G. Inmates shall receive additional caloric intake in excess of regular meals if approved by a nutritionist or similarly qualified person, as being reasonably necessary because of work or labor being performed by the inmate. (See Appendix C Youth Detention Facilities)

II. Proofs of Compliance

- Written Directive
- Documentation of modified diet
- Documentation of special management meals
- Documentation of meals served/menus from previous year
- 28-day cycle menus certified by Florida-licensed dietitian/nutritionist (or outside consultant documentation)

8.7 The Officer-in-Charge or designee shall inspect the food service area at least once a week and shall make corrections on deficiencies found. The inspection of the food service area shall be recorded and maintained for not less than one (1) year.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Inspection Reports

8.8 All food supplies not in preparation are to be stored in a locked, clean, well-ventilated room, which is free from vermin.

I. Bullets

II. Proofs of Compliance

- Observation of food storage areas

8.9 A locked storage area separate from food supplies shall be provided for soaps, detergents, waxes, cleaning compounds, insect and rodent spray, and other poisons.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Observation of chemical storage area

8.10 The delivery of food to inmates in their quarters, day room or dining room shall be subject to the following requirements:

I. Bullets

A. Food delivery shall only occur under the supervision of an employee;
B. The serving of food shall be consistent with common sanitary measures;
C. Trays shall not be placed on the floor or slid under a cell door;
D. Inmates shall either be provided with single service cups or issued drinking cups, unless the living area is equipped with drinking bubblers or fountains;
E. Inmates shall be provided an opportunity to clean or exchange issued drinking cups once each day;
F. Communal cups shall be prohibited.

II. Proofs of Compliance

- Written Directive
- Observation of drinking cups, drinking bubblers, or fountains
- Observation of food delivery or staff/inmate interviews

8.11 All food service equipment will be of such material, design, workmanship, or installation to permit full compliance with the provisions of these standards. The equipment shall be kept clean and in good repair at all times.

I. Bullets

II. Proofs of Compliance

- Observation of equipment

8.12 Inmates should be served in a common dining area or adjacent day room, if available, unless their security, classification, and/or adjustment would preclude such dining.

I. Bullets

II. Proofs of Compliance

- Observation of dining area

8.13 The Food Service Supervisor shall maintain a procedure to keep an accurate accounting of all culinary equipment, specifically knives, sharps, etc.

I. Bullets

II. Proofs of Compliance

- Written Directive
- Documentation of cutlery accountability
- Observation of cutlery storage area

8.14 Items from food service, such as mace, nutmeg, raisins, and other items which may be used for manufacture of contraband beverages, will be the joint responsibility of the Food Service Supervisor and the Officer-in-Charge. They will be considered a controlled item, whose use will be governed by rule or regulation.

I. Bullets

II. Proofs of Compliance

- Observation of food storage area

Chapter 9: Medical

9.1 There shall be an agreement with a Health Authority licensed in the State of Florida for the provision of medical care and services for the inmate population.

I. Bullets

II. Proofs of Compliance

- Medical provider employment contract or memorandum of agreement; or
- Job description of Responsible Health Authority or established agreement with company providing medical services within the facility.

9.2 The medical section will have standard operating procedures that shall be reviewed and updated at least annually by the Health Authority. The operating procedures will cover, at a minimum, the following:

I. Bullets

A. Receiving medical screening;

B. Health appraisal;

C. Physical examination;

D. Necessary medical, dental, and mental health services;

E. Emergency medical, dental, and mental health services;

F. Notification of next of kin in cases of life-threatening illness, injury, or death; (NOTE: All such notifications shall be in accordance with the parent agency's own policies and procedures.)
G. Prenatal care;
H. Delousing procedures to be implemented as designated by the Health Authority;
I. Withdrawal management procedures under medical supervision;
J. A procedure by the Health Authority outlining how information collected on health appraisals, receiving screenings, and other screening forms is presented to a provider (physician, nurse practitioner, physician assistant) for maintenance of continuity of care and/or identification of health problems;
K. A policy and procedure for a Comprehensive Quality Improvement Program that defines an ongoing effort and dedicated resources to monitor and evaluate the quality and appropriateness of patient care objectively and systematically, to pursue opportunities to improve patient care, and to resolve identified problems;
L. Infectious disease testing and treatment.

II. Proofs of Compliance

- Written Directive
- Documentation of annual review

9.3 Each intake facility will have a receiving medical screening procedure performed during the admission process. The screening, at a minimum, includes a visual observation and the completion of a form including recording of the following:

I. Bullets

A. Current illnesses including health and psychological problems, communicable diseases and other infectious diseases;
B. Medications taken and special health requirements;
C. Behavioral observation, including state of consciousness and mental status;
D. Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice, etc.;
E. Condition of skin, eyes, ears, nose, and throat, including rashes and infestations, and needle marks, or other indications of drug abuse;
F. Inquiry into use of alcohol and other drugs including type of drugs used, mode of use, amount used, frequency used, time and/or date of last use;
G. Screening of other health problems as designated by a member of the medical staff.

II. Proofs of Compliance

- Observation of the intake area and screening process, including an observation of an intake screening
- Review screening tool/form to ensure all components are present
- Inmate and Staff Interviews

9.4 Medical records will be maintained on each inmate for at least seven (7) years following release, transfer, or death. Medical records are maintained in compliance with local and federal law and kept separate from the inmate custody record.

I. Bullets

II. Proofs of Compliance

- Observation of separation of medical records from custody records
- Documentation demonstrating a seven (7) year retention
- Observation of security measures to maintain confidentiality of the records

9.5 Each inmate receives a health appraisal, including a physical hands-on examination by the Health Authority or trained designee within fourteen (14) days of admission to the facility. If the inmate has received a health appraisal within the previous ninety (90) days, a physician or designee determines whether a new health appraisal is required. The extent of the health appraisal, including the physical examination, includes at minimum the following items:

I. Bullets

A. Review of medical screening forms by qualified health personnel as designated by a physician;
B. Collection of additional data to complete the medical, dental, and psychiatric histories, including a gynecological history for females;
C. Laboratory and diagnostic tests as determined necessary by the Health Authority to detect communicable disease, including sexually transmitted diseases and tuberculosis;
D. Recording of height, weight, pulse, blood pressure, and temperature;
E. Other tests and examinations, as deemed appropriate;
F. Medical examination with comments about mental and dental status;
G. Significant findings are presented to a provider (physician, nurse practitioner, physician assistant) in accordance with defined procedure (as referenced in 9.2); and
H. The facility policy and procedure requiring a health appraisal shall be contained in the standard operating procedure for the medical section.

II. Proofs of Compliance

- Observation of health appraisal records
- Observation of training records of staff completing the health appraisals

9.7 An emergency provider on-call list is available at each facility.

I. Bullets

II. Proofs of Compliance

- Observe posted list within each facility
- Staff interviews

9.8 The staff have the necessary training and equipment to render aid in the event of a medical emergency.

I. Bullets

A. Facility staff trained in the delivery of emergency first aid care and CPR are on duty at all times.
B. First aid supplies, as designated by the Health Authority, are available at all times.
C. The Health Authority or designee inspects the first aid supplies at least monthly.

II. Proofs of Compliance

- Roster of staff and matching CPR certifications
- Documentation of monthly checks of first aid kits/supplies
- Observation of first aid kits/supplies within the facility

9.9 There is a procedure for inmates to request medical assistance, which may or may not require a formal clinic visit.

I. Bullets

A. There is a confidential process for inmates to initiate a medical request.
B. All written medical requests are screened daily by medically trained personnel and appropriate referrals made for non-emergent illness and injury.
C. Treatment occurs within a timeframe determined by the Health Authority.

II. Proofs of Compliance

- Documentation of sick calls
- Observation of the sick call process
- Staff and Inmate Interviews
- Documentation of staff training for the screening sick of call requests

9.10 There shall be an agreement or understanding with a licensed dentist to provide emergency dental care.

I. Bullets

II. Proofs of Compliance

- Written agreement(s) or documentation of dental visit(s)
- Dentist's License
- Staff interviews

9.11 A maximum-security storage and perpetual inventory system of accountability is maintained for sharps, instruments, and any other items as defined by the Health Authority.

I. Bullets

II. Proofs of Compliance

- Documentation of sharps and instruments maintained on a perpetual inventory count
- Verification that count is correct

9.12 Medications shall be administered by qualified and trained facility staff according to the direction of a healthcare provider licensed in the state of Florida to prescribe medication.

I. Bullets

A. The training, determination of competency, and initial and annual validation required by FS 464.2035 must be conducted by a registered nurse licensed under this chapter or a physician licensed under Chapter 458 or Chapter 459.

B. Certified Nursing Assistants (CNA's) are authorized to administer oral, transdermal, ophthalmic, optic, rectal, inhaled, enteral, or topical prescription medications under the following circumstances:
   1. CNA must be delegated to such tasks by a Registered Nurse (RN);
   2. CNA must have satisfactorily completed an initial Florida Board of Nursing

approved 6-hour training course; and

3. CNA has been deemed competent to administer medication to a patient in a safe and sanitary manner.
4. The administration of controlled medications may not be delegated to a CAN, nor may the CNA draw up insulin. A CNA may administer prefilled insulins syringes from a pharmacy, or an insulin pen prefilled by the manufacturer.

II. Proofs of Compliance

- Medication orders and corresponding medication administration records
- Staff interviews
- Documentation of training for staff administering medication

9.14 Health information is shared for continuity of care upon release or transfer from the facility.

I. Bullets

A. Pertinent health information is sent when an inmate is transferred to another facility. All printed health information is sealed and marked "Confidential Health Information" to maintain confidentiality during transport.

B. Upon written request and witnessed authorization from the inmate, health record information is sent to specific physicians or medical facilities in the community.

II. Proofs of Compliance

- Observation of inmate transfer process
- Staff interviews
- Documentation of release authorizations for outside providers

9.15 Inmates who are at risk for withdrawal from drugs or alcohol are appropriately managed at the facility under medical supervision in accordance with local, state, and federal laws. Inmates experiencing severe or life-threatening intoxication or withdrawal symptoms are transferred immediately to a higher level of care as clinically indicated.

I. Bullets

II. Proofs of Compliance

- Observe medical supervision for inmates at risk of withdrawal
- Staff and inmate interviews

9.16 Unless otherwise authorized in writing by the Health Authority or designee, inmates determined by medical personnel to have suicidal tendencies are monitored under close supervision or direct observation.

I. Bullets

II. Proofs of Compliance

- Observation of housing for suicidal inmates
- Documentation of medical communication to facility staff regarding suicide risk
- Staff and Inmate Interviews

9.17 Safety precautions are provided for inmates with a history or risk of seizures.

I. Bullets

II. Proofs of Compliance

- Documentation of low bunk assignments
- Staff and Inmate Interviews

9.18 Each detention system shall have an agreement with one or more health care providers to provide emergency services at the facility or at a location designated by the health care provider.

I. Bullets

II. Proofs of Compliance

- Staff interviews
- Documentation of outside records of inmate(s) returning from hospital visit

9.19 State licensure or certification requirements and restrictions apply to health care personnel working in the facility the same as those working in the community. Copies of licensing or certification credentials shall be on file at a central location in the detention system.

I. Bullets

II. Proofs of Compliance

- Verification of staff licenses

9.20 Each facility, in consultation with the Health Authority, shall maintain written procedures establishing the conditions under which an inmate will be screened, tested, and treated for infectious disease. These procedures shall be consistent with guidelines established by the Centers for Disease Control and Prevention and the Florida Department of Health. Proofs of Compliance

I. Bullets

II. Proofs of Compliance

- Documentation of review of test results by a qualified medical provider when testing is performed
- Education and treatment provided is consistent with written policies
- Staff interviews

9.21 Clinical test results shall be kept confidential except for those who have a need to know such information.

I. Bullets

II. Proofs of Compliance

- Staff and Inmate Interviews

III. Additional References

- FS 456.057

9.22 Prenatal Care - pregnant inmates receive timely and appropriate prenatal care by a qualified practitioner including:

I. Bullets

A. **Medical examinations**
B. **Education on levels of activity and safety precautions**
C. **Nutritional guidance**
D. **Counseling and planning**

II. Proofs of Compliance

- Documentation of prenatal diet
- Documentation of low bunk assignments
- Documentation of appointments with OB provider
- Documentation of education provided
- Staff and Inmate Interviews

9.23 Every female who is arrested and not released or bonded within 72 hours after arrest, must, upon her request be administered a pregnancy test within 24 hours of her submission of the request.

I. Bullets

II. Proofs of Compliance

- Documentation of requests for testing with completed pregnancy tests
- Staff and Inmate Interviews

9.24 An inmate placed in isolation for clinical reasons must be examined by a clinical provider or designee within 48 hours of confinement. Clinical clearance is required for the inmate to be released from Clinical isolation.

I. Bullets

II. Proofs of Compliance

- Documentation of clinical clearance
- Documentation of evaluation within forty-eight (48) hours of confinement

9.25 Any facility which stocks medicinal drugs in quantities other than individual prescriptions is required to maintain an agreement with a consultant pharmacist or dispensing physician and comply with the licensing requirements of Chapter 465, FS.

I. Bullets

II. Proofs of Compliance

- Observation of stock prescription medication
- Facility pharmacy license within date
- Observation of pharmacy inspection or agreement with consultant

III. Additional References

- FS Chapter 465

9.26 Any facility which maintains only individual prescriptions dispensed by a licensed pharmacist is not required to be licensed under Chapter 465, FS. Prescription drugs shall not be ordered or stocked in bulk quantities at those facilities which maintain only individual prescriptions.

I. Bullets

II. Proofs of Compliance

- Observation of only patient-specific prescription medication

9.28 All individual prescriptions from pharmacies shall be properly labeled. Proper labeling consists of:

I. Bullets

A. Name and address of the pharmacy;
B. Date of dispensing;
C. Name of prescribing practitioner;
D. Name of patient;
E. Directions for use;
F. Warning statements, if necessary;
G. Name and strength of medication;
H. Prescription number; and
I. Expiration date

II. Proofs of Compliance

- Observation of individual prescription with all elements

9.29 The facility's standard operating procedures for the proper management of pharmaceuticals shall include:

I. Bullets

A. **Adherence to federal and state regulations governing pharmaceuticals;**
B. **All medication is kept in a locked area at all times except when being issued;**
C. **Refrigerated medications are secured.**

II. Proofs of Compliance

- Observation of medications kept secured
- Observation of handling and storage of medication

9.30 A maximum security system of accountability of controlled substances must be in place.

I. Bullets

A. The inventory must contain:
   1. Name of the drug;
   2. Date;
   3. Amount used or wasted; and
   4. Amount remaining and the issuer's signature or electronic signature.
B. When the record is full, the amount remaining should be carried as balance forward.
C. A record must be kept of each controlled drug.
D. Narcotics must be kept behind a double lock.

II. Proofs of Compliance

- Verification of controlled substance perpetual inventories

9.31 All prescribed medication is recorded on a Medication Administration Record (MAR) in either hard copy or electronic format developed by the facility, which contains the following information:

I. Bullets

A. Name and number of inmate;
B. Name and strength of medication;
C. Directions for use;
D. Date and time of issue;
E. Initials or electronic signature of official issuing medication;
F. Amount of medication issued;
G. Special restrictions or limitations on use; and
H. Allergies.

II. Proofs of Compliance

- Observation of Medication Administration Records (MAR)

9.32 When an inmate refuses medication, the refusal is documented on the Medication Administration Record (MAR).

I. Bullets

II. Proofs of Compliance

- Medication Administration Record (MAR) with documented refusals

9.33 Unused medication is recorded when removed from circulation and stored in a separate container in a secure location with a list containing:

I. Bullets

A. Prescription number;
B. Name of the pharmacy issuing the prescription;
C. Quantity of the unused medicine in the prescription container.

II. Proofs of Compliance

- Written Directive
- Verification of perpetual inventory to include required itemized information
- Staff Interviews

9.34 Unused medication is destroyed or returned for destruction in compliance with the Florida Board of Pharmacy and Florida Environmental Rules.

I. Bullets

A. Unused non-controlled medication is destroyed by Florida Board of Pharmacy and Florida Department of Environmental Protection approved methods.

B. Unused controlled medication must be disposed of in the proper manner as per the Florida Board of Pharmacy Rule 64B16-28.303, Methods of Destruction.

II. Proofs of Compliance

- Written Directive
-
- Destruction logs
- Staff Interviews

9.35 To maintain continuity of care when an inmate is transferred to another facility:

I. Bullets

A. A summary of the inmate's health record, including a list of current medications and sending facility contact information, will accompany the inmate to the receiving facility.

B. The sending facility will ensure the inmate is provided with a minimum three (3) day supply of prescribed medications.

1. Transported medications will be properly labeled and packaged in accordance with all applicable laws and policy;

A. If medication is not sent to the receiving facility, the receiving facility may contact the sending facility to obtain orders for medications to be filed at the local pharmacy in order to maintain continuity of care.

II. Proofs of Compliance

- Transfer paperwork
- Staff Interviews

9.36 Inmates who are taking prescription medication and are released from custody are offered a minimum of three (3) days dosage of their prescribed medication, unless otherwise directed by the physician. The acceptance and/or refusal of the medication must be documented in the health record.

I. Bullets

II. Proofs of Compliance

- Medication logs/voucher
- Physicians orders/copy of prescriptions
- Staff interviews

9.37 Refrigerators - Storage of medications which require refrigeration shall comply with the following:

I. Bullets

A. Drugs and nonprescription medications requiring refrigeration shall be stored in a refrigerator.

B. When stored in a general-use refrigerator, medications shall be stored in separate, covered, waterproof, labeled receptacles.

C. Refrigerators in which medications are stored shall be equipped with a thermometer, and the temperature of the refrigerator shall be maintained between thirty-six (36) degrees Fahrenheit and forty-six (46) degrees Fahrenheit.

1. Medication refrigerators are cleaned and inspected monthly by medical staff
2. A refrigerator checklist, or other form developed by the facility, is used to document the daily interior temperature of the refrigerator(s) and the monthly cleaning and inspection of refrigerators (excluding days when the medical staff is not on site).

II. Proofs of Compliance

- Maintenance, temperature, and inspection logs demonstrating compliance
- Observation of refrigerators

- Verification of refrigerator checklists

9.38 All medical and laboratory supplies on the premises containing expiration dates do not exceed the expiration date.

I. Bullets

A. The Health Authority or designee shall be responsible for monthly inspection of expiration dates of such supplies.

II. Proofs of Compliance

- Verification of medical supplies' expiration dates
- Documentation of monthly inspection of medical supplies
- Staff Interviews

9.39 The facility shall maintain a CLIA (Clinical Laboratory Improvements Amendments) waiver for all onsite laboratory testing.

I. Bullets

II. Proofs of Compliance

- CLIA waiver within date and current provider listed

Chapter 10: Clothing and Bedding

10.1 Inmates shall be furnished a bed, fire retardant mattress, two (2) sheets, pillow, pillowcase, and a towel or equivalent set of linens as determined by the agency. The provisions of this subsection shall not apply to cells or areas used for short-term holding of inmates less than 8 hours.

I. Bullets

II. Proofs of Compliance

- Observation

10.2 Sheets, towels, and pillowcases will be laundered at least once each week. All bedding shall be washed before reissue.

I. Bullets

II. Proofs of Compliance

- Inmate Interviews

10.3 Blankets shall be issued in sufficient number to the inmates and shall be laundered at least quarterly and before reissue.

I. Bullets

II. Proofs of Compliance

- Inmate Interviews
- Observation

10.4 Mattresses shall meet the applicable Florida State Fire Marshal's Fire Safety Standards, pursuant to Rule 69A-54.006, Florida Administrative Code.

I. Bullets

II. Proofs of Compliance

- Fire retardant mattress certification

10.5 Inmates held beyond first appearance shall be issued a clean uniform. Inmates shall be given the opportunity to have their clothing laundered or exchanged for a clean uniform at least twice each week. All issued clothing shall be washed prior to reissue (for Youth Detention Facilities, refer to Appendix C).

I. Bullets

II. Proofs of Compliance

- Inmate Interviews
- Observation

10.6 The Officer-in-Charge or designee may permit inmates to wear their personal shoes. When an inmate needs shoes and is without funds, footwear shall be provided. Shower slides are acceptable for inside use. Inmates who work shall be issued clothing and shoes suitable for the type of work and current weather.

I. Bullets

II. Proofs of Compliance

- Observation
- Documentation of issuance of clothing/shoes suitable for type of work/weather

10.7 An inmate will not be deprived of clothing, bedding or towels except when necessary to prevent the inmate from inflicting injury to self, to others, or to property, and a record shall be maintained identifying the reason and length of time for such deprivation.

I. Bullets

II. Proofs of Compliance

- Observation
- Documentation of deprivation of clothing/bedding with reason

10.8 If laundry facilities are not available on site, uniforms and linens shall be sent to a commercial laundry.

I. Bullets

II. Proofs of Compliance

- Contract or receipt for commercial laundry services
- Staff Interviews

10.9 Mattresses shall be maintained in good repair and sanitary condition.

I. Bullets

II. Proofs of Compliance

- Observation of mattress conditions

Chapter 11: Programs

11.1 The Officer-in-Charge or designee shall actively pursue and facilitate the utilization of programs and services available through local community resources. Each facility shall designate at least one employee to serve as a liaison between the facility and relevant community organizations, ensuring effective coordination and access to programs and services.

I. Bullets

II. Proofs of Compliance

- Employee Interviews

11.2 The Officer-in-Charge or designee shall ensure that all representatives of external agencies and volunteers are informed of, and understand, the facility's rules and regulations. Understanding and commitment to adhere to rules and regulations shall be agreed to in writing.

I. Bullets

II. Proofs of Compliance

- Documentation of signed acknowledgement

11.3 Incoming inmate mail may be monitored and inspected to intercept cash, checks, money orders, or physical contraband. Outgoing mail shall not be interfered with except to open and inspect. Incoming and outgoing correspondence may be monitored to determine if it contains any of the following:

I. Bullets

A. Attempts or plans to escape, security violations, or conspiracy to introduce contraband;
B. Threats of physical harm against persons, criminal activity, blackmail, or extortion;
C. Plans for activities in violation of facility rules; and/or
D. Code messages or information that, if communicated, would create clear and present danger of violence and harm to a human being.

II. Proofs of Compliance

- Employee Interviews

11.4 If correspondence is denied, the inmate shall be provided with a written explanation stating the reasons for the denial.

I. Bullets

II. Proofs of Compliance

- Proofs of written denial

11.5 Privileged mail shall adhere to the following procedures:

I. Bullets

A. Incoming privileged mail may be opened to determine that it is privileged mail and contains no contraband. This must be done in the presence of the inmate. Only the signature and letterhead may be read;

B. Outgoing privileged mail shall not be opened, but it may be held not to exceed seventy-two (72) hours for verification that it is properly addressed to a person or agency referred to above;
C. The Officer in Charge may authorize the inspection of privileged mail before it is sealed;
D. Under no circumstances is the staff allowed to read privileged communication, only inspect the contents for contraband. The inspection is to be conducted in the presence of the inmate, after which the inmate should seal the envelope.

II. Proofs of Compliance

- Employee interviews

11.6 Indigent inmates will be provided with writing materials and postage to correspond with attorneys and the court. In addition, indigent inmates will be provided with writing materials and postage to correspond with their immediate family at reasonable intervals.

I. Bullets

II. Proofs of Compliance

- Employee interviews
- Documentation of issuance of writing materials/postage

11.7 Inmates shall have access to receive mail, which shall be delivered to and from inmates without unnecessary delay.

I. Bullets

II. Proofs of Compliance

- Employee interviews

11.8 There shall be no approved lists of correspondents or limits on the volume of mail an inmate may receive or send.

I. Bullets

II. Proofs of Compliance

- Employee interviews

11.9 Visitation shall be handled as follows:

I. Bullets

A. Rules and regulations regarding visitation, including the times and conduct, shall be posted for the knowledge of the inmates and prospective visitors.
B. A copy of these rules shall be made available to each inmate held beyond first appearance.
C. The Officer-in-Charge or designee may deny a specific visit or visitor, if necessary to maintain the safety, security, good order, or discipline of the facility.
D. All denials shall be documented, indicating why the visit was denied.
E. Visitation periods shall be permitted so that each inmate in general population is afforded the opportunity for at leas two (2) hours of visitation each week.

F. All adult visitors shall be required to register by providing and recording their name, address, and relationship to the inmate. The Officer-in-Charge or designee may require additional information, if necessary, in order to conduct that particular visit.
G. Visitors may be subject to search, if necessary, to ensure the security of the institution.
H. The authorization of contact visitation shall be at the discretion of the Officer-in-Charge or designee.

II. Proofs of Compliance

- Observation of rules and regulations made available to inmates and visitors
- Documentation of visitation records
- Observation of visitor registration records
- Documentation of denials with reason
- Interviews

11.10 Sentenced inmates may be assigned to work to the benefit of the facility, county, or municipality. Inmate work shall be handled as follows:

I. Bullets

A. Non-sentenced inmates shall not be required to work beyond maintaining the cleanliness and order of their own area and the common areas of the facility.
B. Pretrial inmates, held beyond first appearance, should be offered the opportunity to voluntarily participate in available work programs.
C. No inmate shall be required to work more than ten (10) hours per day, nor be subject to punishment for any refusal to work beyond such limit. This ten (10) hour limit shall include the total time from the inmate's departure to the return from the work location (FS 951.08). However, this ruling would not preclude a sentenced inmate from volunteering to work more than ten (10) hours daily.
D. All inmate work assignments outside the secure perimeter of the facility shall be supervised according to the inmate's custody level. Inmate workers shall be periodically checked by staff to ensure inmate accountability and security.
E. If work or study releases are housed in a detention facility, they should be separated, whenever practical, from the general population.
F. Inmates may be required to work for other county agencies or municipal agencies to the benefit of that county or municipality. If so, their supervisor shall acknowledge, in writing, the provisions of these regulations, particularly Chapter 3 and the policy and procedure directives of the facility. It is the intent of this paragraph to encourage the use of inmates in vocational and productive work programs which will benefit the inmate(s) and the county or municipality.
G. Inmates may voluntarily work for charitable or nonprofit organizations provided that:
    1. Supervision is provided by an employee of the facility or other authorized county or municipal employee;
    2. The work has received prior written approval from the Officer-in-Charge or designee; and
    3. No monetary compensation may be given to the inmate or the facility for the work.
H. **All inmates shall be medically cleared by the Health Authority prior to assignment in a structured work program in accordance with the Americans with Disabilities Act.**

II. Proofs of Compliance

- Employee Interviews
- Inmate Interviews
- Observation of work release housing areas
- Documentation of medical clearance

11.11 Inmates shall be afforded the opportunity to exercise:

I. Bullets

A. A minimum of 3 hours of exercise per week, in a recreation area, weather permitting, unless the inmate is deemed to be violent or uncontrollable;
B. In recreation areas which provide sufficient space and staffing to permit both individual activities and group activities; and
C. In their housing areas or cells if they so desire to remain there.

II. Proofs of Compliance

- Documentation indicating exercise schedules

11.12 Each detention system should appoint a chaplain responsible for organizing religious services and activities at each facility. Inmates shall be afforded a reasonable opportunity to practice their religious beliefs.

I. Bullets

II. Proofs of Compliance

- Employee interviews
- Inmate interviews

11.13 Each inmate shall be provided with reasonable access to a telephones during reasonable hours.

I. Bullets

II. Proofs of Compliance

- Observation of telephones
- Inmate interviews

11.14 Pro se inmates are provided with reasonable access to legal materials necessary to assist them in preparing and filing any type of action recognized by Florida courts.

I. Bullets

II. Proofs of Compliance

- Inmate interviews
- Observation of law library

11.15 All inmates, regardless of gender, shall have equal access to programs, privileges, exercise, visitation, and work release opportunities, unless deemed to be a threat to the safety of staff, other inmates, or to security of the facility.

I. Bullets

II. Proofs of Compliance

- Employee interviews
- Inmate interviews

Chapter 12: Privileges

12.1 A commissary may be operated in the detention facility. If a commissary is established, the following shall apply:

I. Bullets

A. An Inmate Welfare Fund shall also be established.

B. The Officer- in-Charge or designee will establish a procedure for providing commissary or access to commissary items for the benefit of the inmate(s).

C. It is recommended that inmates routinely carry no cash and that a check-off system from their account be implemented. If cash is permitted, a limit shall be set and all money in possession in excess of that limit shall be confiscated and disposed of in accordance with Standard 16.2.

D. A shopping list shall be developed for all inmates with the prices and special conditions governing each sale shown clearly on such a list. Valuable items purchased by inmates shall be added to their personal property list after purchase and marked for identification.

E. Commissary prices shall be set at fair market value, which is not to exceed the average value for three (3) to five (5) comparable products sold in the community where the facility is located.

F. Expenses involved in the commissary operations, including compensation for commissary employees, and gratuities for inmates who may assist such employees may be paid from the profit.

G. **Profits from the commissary shall be used for overall inmate welfare, and an Inmate Welfare Fund committee shall recommend what expenditures are to be made. Activities of the committee shall be reviewed by the Officer-in-Charge or designee, who shall have final authority on expenditures.** It is recommended that the Jail Chaplain be a member of the committee.

H. **The Officer-in-Charge or designee shall be responsible for an audit of the fiscal management of the commissary by a disinterested party on an annual basis, which shall include certification of compliance with the pricing requirements of 12.1.E. above.**

I. Appropriate transaction records and stock inventory shall be kept current.

II. **Proofs of Compliance**

- Written Directive
- Commissary menu prices clearly shown
- Inmate Welfare Fund purchase with approvals
- Fiscal audit documentation

12.2 Other Privileges:

I. Bullets

A. Control of how and when radio and television sets are to be used, if present, shall be left to the discretion of the Officer-in-Charge or designee.
B. A reading or library service shall be available to the inmates who are held beyond first appearance.

II. Proofs of Compliance

- Observation of inmate living areas
- Inmate Interviews

Chapter 13: Security and Control

13.1 The Officer-in-Charge or designee shall have comprehensive written plans for emergencies to include fire, riot, hostage situations, escape, medical emergency, and natural disaster. These plans shall be developed after consultation with fire departments, emergency medical personnel, and law enforcement agencies. The plans shall provide for:

I. Bullets

A. Alarm systems and notification;
B. Transmission of alarm to the fire department, emergency medical services, and other applicable law enforcement officials.
C. Response to alarms;
D. Isolation of fire or disturbance areas and control of the mobilization area;
E. Specific equipment such as fire extinguishers and fire hoses to be located at specific appropriate places within the institution, and inspection and preventive maintenance schedule for such equipment;
F. Release and evacuation activity;
G. Prevention of escape during evacuation;
H. Firefighting plans, the rendering of prompt medical aid, or the assistance of law enforcement agencies in subduing riots or disturbances;
I. The chain of command to be followed in all such emergencies, including the specific responsibilities of staff and inmates;
J. Inspection schedules of hazardous areas and review of fire plans;
K. Documentation in the event of any such emergencies;
L. Fire exit drills and emergency evacuation drills shall be held with sufficient frequency to familiarize correctional personnel with proper procedures. Such drills shall be conducted for each shift of personnel, each calendar quarter. The actual movement of inmates to holding areas outside the building is not required. The drills shall be recorded, and records shall be maintained in the facility;
M. Fire Safety Inspections – Each facility shall obtain a fire safety inspection performed by personnel certified by the State Fire Marshal's office as fire safety inspectors. Pursuant to FS 951.23(5), such inspections shall be performed at least once annually, and a report of the findings of said inspections shall be requested by the facility.
N. Each facility shall meet applicable fire safety and prevention standards, established by the State Fire Marshal, for correctional facilities pursuant the rules of the State Fire Marshal, Chapter 69A-54, Florida Administrative Code.

II. Proofs of Compliance

- Written Directive
- Staff Interviews
- Quarterly fire drills (two consecutive quarters)
- Annual fire safety inspection by Fire Marshal's office
- Observation of fire extinguishers and fire hoses
- Inspection and preventative maintenance schedule for all fire extinguishers and equipment

13.2 A key control system will be designed to indicate the location of all keys and locks in the detention facility. The system will include:

I. Bullets

A. A complete inventory of all keys;
B. A written report of malfunctioning locks, broken or lost keys or other safety hazards that are key related;
C. Absolute control of security keys by correctional officers and/or civilian staff, but never by inmates;
D. A full set of emergency keys maintained in a secure and easily accessible location away from the detention facility for use in the event of fire or other emergency;
E. A key control system which provides a shadow board or other means of ensuring that staff can immediately identify missing keys.

II. Proofs of Compliance

- Observation of key control system
- Documentation of broken locks/key-related hazards
- Staff Interviews

13.3 Inmate accountability shall be subject to the following provisions:

I. Bullets

A. **Inmate counts shall be taken at the beginning of each shift daily and recorded in the detention facility log.**
B. **At least one of the counts shall be a full lock-down count when all inmates are required to be immobilized and visually inspected.**
C. **All inmates will be visually checked every hour during the nighttime (i.e. "lights out") period as identified by the agency for no less than a five-hour window, unless involved in an outside program that precludes a personal check.**

II. Proofs of Compliance

- Documentation of inmate counts, including full lockdown count
- Documentation of hourly visual checks during agency-defined five-hour window

13.4 There shall be a tool control plan including the standard use of inventory shadow boards, etchings, or color coding of facility tools to ensure that such tools are not used to breach the security of the facility.

I. Bullets

II. Proofs of Compliance

- Observation of tool control

13.5 Tools brought into the facility for maintenance or repair shall be accounted for at all times.

I. Bullets

II. Proofs of Compliance

- Observation of contractors' tool accountability
- Staff Interviews

13.6 Each facility will have a personnel identification system which will ensure that employees, visitors, and inmates are positively identified and that security measures are not bypassed.

I. Bullets

II. Proofs of Compliance

- Observation of personnel identification system
- Observation of inmate identification system
- Staff Interviews

13.7 No person will enter the secure area of the detention facility with firearms or ammunition, except:

I. Bullets

A. **During emergencies only when authorized by the Officer-in-Charge or designee;**
B. For the purpose of this standard, less-lethal conducted energy weapons are electronic weapons and shall not be considered firearms.

II. Proofs of Compliance

- Written Directive

13.8 Weapons shall be subject to the following provisions:

I. Bullets

A. **Chemical agent oleoresin capsicum or other such suitable agents and electronic weapons are authorized to be carried and used inside detention facilities by certified correctional officers trained in their use, only if authorized by the policy and procedure directives for the detention facility.**
B. A weapons locker will be established near the secure entrance of the facility for personnel not assigned to the facility to secure any items listed in this article.
C. Under no circumstances will weapons or ammunition be placed in a desk drawer or other container which has common access.
D. The Officer-in-Charge or designee may make an exception for sworn Law Enforcement personnel not assigned to the facility to carry the above-listed items inside the secure area of the detention facility.

II. Proofs of Compliance

- Written Directive
- Observation of weapons locker/storage

13.9 Chemicals shall be subject to the following provisions:

I. Bullets

A. Chemicals or other materials which could be flammable, toxic, or hazardous shall be inventoried, and shall be kept in a secure area and used under the direct supervision of an employee.

B. When possible, all chemicals should be stored in their original container with the manufacturer's label intact. When chemicals are removed from the original container to a secondary container, it will be labeled to identify the contents.

C. The facility safety officer or designee must maintain a master index of all flammable, toxic, or hazardous chemicals used by the facility. Safety Data Sheets (SDS) on each chemical shall be included.

D. Spills and disposals must be addressed in accordance with the guidelines indicated on the SDS sheet.

E. At least annually, the control of flammable, toxic, and hazardous chemicals should be addressed with corrective action.

F. SDS for all hazardous chemicals used in the facility shall be readily available to all employees.

II. Proofs of Compliance

- Observation of secured, labeled, inventoried chemicals and corresponding Safety Data Sheets

13.10 Shackles or other personal restraints may be used within secured areas of the facility under the following stipulations:

I. Bullets

A. Inmates in transit; or

B. Inmates whose behavior presents an immediate danger to themselves, other inmates, or staff may be temporarily restrained by such devices; and

C. Restraints shall never be used as punishment.

II. Proofs of Compliance

- Written Directive
- Staff and Inmate Interviews

13.11 Restraint of Pregnant Inmates:

I. Bullets

A. Restraints may not be used on an inmate who is known to be pregnant during labor, delivery, and postpartum recovery, unless the corrections official makes an individualized determination that the inmate presents an extraordinary circumstance, except that:

1. The physician may request that restraints not be used for documentable medical purposes. The corrections officer, or other officer accompanying the pregnant inmate, may consult with the medical staff; however, if the officer determines

there is an extraordinary public safety risk, the officer is authorized to apply restraints as limited by 13.11.B.2.

2. Under no circumstances shall leg, ankle, or waist restraints be used on any pregnant inmate who is in labor or delivery.

B. If restraints are used on a pregnant inmate pursuant to paragraph (a):

1. The type of restraint applied and the application of the restraint must be done in the least restrictive manner necessary; and

2. The corrections official shall make written findings within 10 days after the use of restraints as to the extraordinary circumstance that dictated the use of the restraints.

C. During the third trimester of pregnancy, or when requested by the physician treating a pregnant inmate, unless there are significant documentable security reasons noted by the department/correctional facility to the contrary that would threaten the safety of the inmate, the unborn child, or the public in general:

1. Leg, ankle, waist restraints may not be used;
2. If wrist restraints are used, they must be applied in the front so the pregnant inmate is able to protect herself in the event of a forward fall; and

D. In addition to the specific requirements of paragraphs 13.11.A.-C., any restraint of an inmate who is known to be pregnant must be done in the least restrictive manner necessary in order to mitigate the possibility of adverse clinical consequences.

E. Each correctional institution shall inform female inmates of the rules developed pursuant to paragraph A. upon admission to the correctional institution, including the policies and practices in the inmate handbook, and post the policies and practices in locations in the correctional institution where such notices are commonly posted and will be seen by female inmates, including common housing areas and medical care facilities.

F. Each county or municipal detention facility and each detention facility operated by a private entity shall adopt written policies and procedures relating to the use of restraints and the performance of invasive body searches on pregnant inmates.

II. Proofs of Compliance

- Written Directive
- Documentation of the use of restraints on a pregnant inmate
- Observation of posted restraint policy notifications in housing areas and medical care areas
- Staff and Inmate Interviews

13.12 Restrictive Housing of Pregnant Inmates:

I. Bullets

A. A pregnant inmate may not be involuntarily placed in restrictive housing, except as provided in paragraph B. or paragraph D.

B. A pregnant inmate may be involuntarily placed in restrictive housing if the corrections official makes an individualized determination that restrictive housing is necessary to protect the health and safety of the pregnant inmate, others, or to preserve the security and order of the correctional facility, and there are no less

restrictive means available. After placing a pregnant inmate in restrictive housing, the corrections official must write a report that includes:

1. **The individualized reason restrictive housing is necessary;**
2. **The reason less restrictive means are not available;**
3. **If a qualified healthcare professional at the facility objected to the placement; and**
4. **A copy of the report must be provided to the pregnant inmate within twelve (12) hours after placing the inmate in restrictive housing.**

C. A pregnant inmate placed in restrictive housing must be:
   1. Seen by a qualified healthcare professional at least once every twenty-four (24) hours;
   2. Observed by a correctional official at least once every hour;
   3. Housed in the least restrictive setting consistent with the health and safety of the pregnant inmate; and
   4. Given a medical treatment plan developed and approved by a qualified health care professional at the correctional facility.

D. If a pregnant inmate needs medical care, a primary care nurse practitioner or obstetrician must provide an order for the inmate to be placed in a designated medical housing unit or admitted to the infirmary.
   1. If a pregnant inmate has passed her due date, she must be placed in a designated medical housing unit or admitted to the infirmary until labor begins.
   2. A pregnant inmate who has been placed in a designated medical housing unit or admitted to the infirmary must be provided with the same access to outdoor recreation, visitation, mail, telephone calls, and other privileges available to the general population unless:
      i. **The corrections official, after consulting with a qualified health care professional at the correctional facility, determines such access poses a danger to the safety and security of the correctional facility; or**
      ii. **A qualified health care professional at the correctional facility determines that such access poses a danger or adverse clinical consequences for the pregnant inmate or others and documents such determination in the pregnant inmate's medical file.**

II. Proofs of Compliance

- Documentation outlining reasons no less restrictive housing was available with proof the inmate received a copy within twelve (12) hours
- Documentation of daily medical checks
- Documentation of hourly security checks
- Documentation of access to same privileges as general population

13.13 Each floor of a detention housing facility will have a correctional officer or certified juvenile detention officer present. Split level housing areas which share a common day room shall not require a second certified officer, provided observation is easily maintained from either level. **The presence of two (2) officers certified in accordance with Chapter 943, Florida Statutes, or**

Department of Juvenile Justice requirements, is required when moving high risk inmates in or out of a "housing area."

I. Bullets

II. Proofs of Compliance

- Written Directive
- Observation of housing areas

13.14 A secondary means of egress, or fire exit, from each housing area and floor of a detention facility is required if inmates are housed or would otherwise be present on that floor.

I. Bullets

II. Proofs of Compliance

- Observation of housing areas fire exits

13.15 Correctional officer posts shall be located to permit officers to hear and respond promptly to calls for help.

I. Bullets

II. Proofs of Compliance

- Observation of officer post locations

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

I. Bullets

II. Proofs of Compliance

- Staff Interviews

13.17 There shall be sufficient staff on duty so that at all times inmates within the detention facility will be within sight or hearing distance of a correctional officer or juvenile detention officer. This may be accomplished by means of electronic surveillance. Civilian staff that are not certified as correctional officers by the Criminal Justice Standards and Training Commission or as juvenile detention officers by the Department of Juvenile Justice shall not be included as staff for purposes of this subsection.

I. Bullets

II. Proofs of Compliance

- Observation of staffing levels

13.18 Regular inspections of each facility shall be subject to the following provisions:

I. Bullets

A. A general inspection of the facility will be made by the Officer-in-Charge or designee at least once each week, which shall include security and sanitation;

B. All cells, cell blocks, and other quarters within the detention facility shall be checked daily by correctional officers;

C. Inspections and deficiencies shall be documented and corrected.

II. Proofs of Compliance

- Written Directive
- Weekly security and sanitation inspection reports with deficiencies and documentation of corrective actions

Chapter 14: Sanitation

14.1 The following shall be kept clean at all times:

I. Bullets

A. Light fixtures;
B. Plumbing fixtures, mop sinks, other janitorial facilities;
C. Sinks, toilets, urinals, showers, water fountains, floor drains;
D. Utility closets, pipe chases, and corridors; and
E. Industrial areas.

II. Proofs of Compliance

- Observation

14.2 Floors, walls, ceilings, windows, doors, bars, and all other permanent fixtures of the structure shall be kept clean.

I. Bullets

A. Floors shall be swept and mopped daily;
B. Walls shall be kept clean and free of objects which provide hiding places for vermin;
C. All windows, sills, and screens shall be kept clean; and
D. Books, magazines, newspapers, and other objects will not be placed on or between bars.

III. Proofs of Compliance

- Observation

14.5 Laundry facilities shall be kept clean.

I. Bullets

II. Proofs of Compliance

- Observation

14.8 Garbage and Rubbish – All garbage, trash, and rubbish shall be collected and removed from inmate residential areas at least daily, more often is recommended.

I. Bullets

A. Garbage and trash receptacles shall be emptied and cleaned daily.
B. Garbage shall be collected and stored in leak proof and lock tight containers.
C. All containers, storage areas, dumpsters, compactors, etc. on the surrounding premises shall be kept clean and free of vermin.
D. Garbage shall be removed from the site as often as necessary to maintain sanitary conditions.

E. If garbage or trash is disposed of on the premises, then the disposal shall not create sanitary nuisance conditions and shall comply with the provisions of Chapter 62, Florida Department of Environment Protection, Florida Administrative Code.

II. Proofs of Compliance

- Observation
- Inmate Interviews

14.10 Inmate housing area housekeeping shall be subject to the following provisions:

I. Bullets

A. Inmate residential areas shall be kept clean and sanitary at all times;
B. Clutter shall be eliminated in all areas of the detention facility;
C. Mops, brooms, and other cleaning equipment shall be stored in well-ventilated areas; and
D. Inmates shall be assigned housekeeping and janitorial duties as directed by the Officer-in-Charge or designee.

II. Proofs of Compliance

- Observation
- Interviews

14.11 The Officer-in-Charge or designee shall inspect all areas daily or cause them to be inspected. Appropriate disciplinary action should be taken against inmates who fail to have their area, the common areas, and their persons clean and orderly.

I. Bullets

II. Proofs of Compliance

- Documentation of daily inspections

14.12 Insect and Rodent Control – Detention facilities shall be kept free of all insects and rodents.

I. Bullets

A. A program to control vermin (e.g., pest control) in all areas of the detention facility will be maintained on a scheduled basis.
B. All outside openings shall be effectively sealed or screened to prevent the entry of insects or rodents.
C. All pesticides used to control insects or rodents shall be applied in accordance with instructions and cautions on the registered product label.
D. Persons applying restricted use pesticides shall be certified by the State of Florida. Facilities that do not have certified pest control operators shall utilize commercial licensed pest control companies.

II. Proofs of Compliance

- Observation
- Pest control invoices

14.13 Outdoor Areas – If a facility has an outdoor exercise area, it shall be kept free of litter and trash. If toilet and lavatory facilities are provided, they shall be kept clean.

I. Bullets

II. Proofs of Compliance

- Observation

Chapter 15: Order and Discipline

15.1 Rules and regulations governing the conduct of inmates and visitors shall be posted and available to each inmate and all visitors. These rules shall:

I. Bullets

A. Include the disciplinary action that can be taken to ensure proper conduct, including loss of gain time;
B. Indicate the procedures for any disciplinary action for violations by inmates;
C. Indicate the course of action to be taken when visitors violate rules;
D. Be available in translations for disabled and/or non-English speaking inmates;

II. Proofs of Compliance

- Observation

15.2 The rules shall provide a list of prohibited acts which shall include, at a minimum, the following:

I. Bullets

A. Violation of any rule within Florida Statute 951.23(10); and
B. Giving money or anything of value to or accepting money or anything of value from another inmate, a member of their family, or friend; and
C. Depriving an officer of means of protection or communication in accordance with FS 843.025.

II. Proofs of Compliance

- Observation
- Inmate discipline policy

15.3 In addition to disciplinary action, inmates can also be required to pay for damaged, destroyed, or misappropriated property or goods. The rules and procedures for such administrative reimbursement sanctions should be in accordance with Rule 33-601.308, Florida Administrative Code.

I. Bullets

II. Proofs of Compliance

- None

15.4 A disciplinary committee and/or a disciplinary hearing officer shall be established/ appointed by the Officer-in-Charge or designee.

I. Bullets

A. If a committee is established, it shall consist of at least three (3) members, with one (1) member to be designated as the chairperson;
B. Any member of the disciplinary committee or any person appointed as a disciplinary hearing officer shall be disqualified if he or she has participated as an investigating officer or witness in the case against the inmate;
C. All disciplinary committee members and all disciplinary hearing officers shall operate within the principles set forth by the facility which, at a minimum, shall require that consideration be given to the causes of the adverse behavior, the setting and circumstances in which it occurred, the inmate's accountability, and the correctional goals (for Youth Detention Facilities, refer to Appendix C).

II. Proofs of Compliance

- Staff Interviews

15.5 When an infraction of the rules is alleged to have occurred, a disciplinary report shall be processed as required by the Officer-in-Charge or designee. The employee who witnessed the alleged violation shall prepare a written statement, and a disciplinary report shall be written to include:

I. Bullets

A. Date of infraction;
B. Place and time of infraction;
C. Date of report;
D. The specific charge, to include identification of the rule or statute violated;
E. Details of the infraction;
F. The actions taken by the employee; and
G. The names of all witnesses. Where disclosure of witnesses would endanger the welfare of the inmate or staff, the names of witnesses and the names of confidential informants shall be maintained in a confidential file.

II. Proofs of Compliance

- Documentation of disciplinary report including elements of the standard

15.6 The Officer-in-Charge or designee shall cause an investigation to be made into the allegations of acts of prohibited conduct or violation of criminal statutes.

I. Bullets

A. The report of investigation shall be forwarded to the disciplinary hearing officer or committee described in subsection (15.4) above along with the original disciplinary report;
B. The disciplinary report should include space for the required investigation; therefore, a separate form is not needed.

II. Proofs of Compliance

- Documentation of disciplinary report with investigation completed

15.7 Inmates accused of infractions will be notified in writing of the charges against them and given at least 24-hour written notice prior to the hearing of such charges to prepare their defense.

I. Bullets

A. They will acknowledge the receipt of the charges, or there shall be a note in the record that the charges were delivered;
B. The inmate may waive in writing the right to 24-hour advance notice of hearing.

II. Proofs of Compliance

- Documentation of notification of charges in writing with 24-hour advance notice

15.8 A hearing shall be held as soon as possible after the alleged occurrence of the rule infraction or violation, as circumstances permit, after allowing notification of the charges to the inmate and the required 24-hour period for assimilation of the charges against them, but within seven (7) working days after the incident is discovered.

I. Bullets

A. For this rule, "working days" shall mean Monday through Friday, excluding holidays.
B. The disciplinary hearing officer or committee, through its chairperson, shall determine that the inmate properly understands the charges against him/her and the possible adverse actions that can result from the disciplinary hearing.
C. There may be times, due to extenuating circumstances, when the hearing cannot be held within the seven (7) days after the incident is discovered. If this occurs, the circumstances regarding the continuance must be fully documented and approved by the Officer-in-Charge.
D. In no circumstance may the hearing be postponed beyond ten (10) working days after the incident is discovered.

II. Proofs of Compliance

- Documentation of disciplinary hearing being conducted within seven (7) working days

15.9 When holding a disciplinary hearing, the hearing officer, chairperson or a majority of the members shall have the authority:

I. Bullets

A. To require the production of documents or to call witnesses;
B. To review inmate requests for assistance, for witnesses requested by the inmate, or for any evidence which they wish to call or present provided, however, that witnesses shall not be called or certain information disclosed if doing so would create a risk of retaliation, undermine authority or otherwise present a threat to the security of the institution. No witnesses shall be called if it is clear that such testimony would be irrelevant, immaterial or repetitive. Notations shall be made in the report with reasons for declining to call requested witnesses or for restricting any information.
C. To offer a staff member to assist the inmate during the hearing when the inmate is apparently illiterate, has a language barrier, or the complexity of the issues makes it unlikely that the inmate would be able to properly represent him or herself. The disciplinary hearing officer or committee, through the chairperson, should require the proper decorum throughout the disciplinary hearing.

II. Proofs of Compliance

- Interviews

15.10 An inmate shall have the following rights at a disciplinary hearing:

I. Bullets

A. An inmate charged with rule violations shall be present at the hearing unless they waive in writing their right to attend the hearing, refuse to attend the hearing, or their behavior during the hearing justified removal. The absence of an inmate from a hearing and the reason therefore shall be documented;

B. The inmate shall receive a copy of the written decision;

C. The time spent by an inmate in disciplinary segregation shall be proportionate to the offense committed, but in no event shall be greater than thirty (30) days per incident;

D. An inmate shall have the right to appeal the decision of the hearing officer or committee to the Officer-in-Charge or designee;

E. All steps in the disciplinary process shall be maintained as a written record. However, if the inmate is found not guilty, the disciplinary report shall be so noted and may be removed from the inmate's file; and

F. The decision shall be based solely upon the evidence presented at the hearing and shall contain a statement of the reasons for the decision and the evidence relied upon.

II. Proofs of Compliance

- Written Directive
- Documentation of inmate absence at hearing with reason
- Documentation of disciplinary segregation time
- Documentation of appeals

15.11 After closed deliberations, the inmate shall be informed of the disciplinary hearing officer's or the committee's recommended decision.

I. Bullets

A. The recommendations will be forwarded to the Officer-in-Charge or designee for agreement or reduction and implementation.

B. The Officer-in-Charge or designee shall not increase the disciplinary penalties suggested by the disciplinary hearing officer or committee.

II. Proofs of Compliance

- Staff Interviews

15.12 Discipline shall not be arbitrary nor capricious, nor in the nature of retaliation or revenge. Corporal punishment of any kind is prohibited.

I. Bullets

II. Proofs of Compliance

- Written Directive

15.13 Inmates may be placed in administrative confinement for the purpose of ensuring immediate control and supervision when it is determined they constitute a threat to themselves, to others, or to the safety and security of the detention facility. An incident report or disciplinary report shall follow each such action.

I. Bullets

A. The time of release for inmates in disciplinary or administrative confinement shall be recorded and filed in the inmate's file;

B. Each inmate in administrative confinement shall receive housing, food, clothing, medical care, exercise, visitation, showers, and other services and privileges comparable to those available to the general population except as justified by their classification status or special needs inmates; and

C. Such inmates should be checked by medical staff at intervals not exceeding seventy-two (72) hours.

II. Proofs of Compliance

- Documentation of placement into confinement with time of release
- Documentation of medical staff checks
- Interviews

15.14 The Officer-in-Charge or designee shall see and talk to each inmate in disciplinary or administrative confinement at least twice per day. At each of these times, the inmate's general condition and attitude shall be documented.

I. Bullets

II. Proofs of Compliance

- Documentation of twice daily checks on inmates

Chapter 16: Contraband

16.1 The Officer-in-Charge or designee will establish a list of articles or items which inmates may have in their possession. All other items in the possession of an inmate shall be considered contraband.

I. Bullets

A. No person shall introduce, cause to be introduced, or give to any inmate any article of contraband;

II. Proofs of Compliance

- Documentation of approved written list of authorized inmate possessions.

16.2 Confiscated monies shall revert immediately to the Inmate Welfare Fund, or be deposited into the inmate's canteen account, unless it is needed as evidence in a trial or disciplinary hearing.

I. Bullets

A. If a detention facility does not have an Inmate Welfare Fund, confiscated monies shall be receipted and placed in the inmate's personal property or inmate bank account.

II. Proofs of Compliance

- Written Directive
- Staff Interviews

Chapter 17: Direct Supervision Jails

17.1 Inmates shall not be housed in direct supervision units unless approved by the facility classification process in accordance with FS 951.23 (4).

I. Bullets

II. Proofs of Compliance

- Documentation of classification

17.2 Any agency utilizing a direct supervision mode of inmate management shall ensure that before accepting inmates, jail staff shall receive training in the philosophy of direct supervision.

I. Bullets

II. Proofs of Compliance

- Documentation of training

17.3 Certified correctional officers or certified juvenile detention officers, who have received specific training regarding working in direct supervision jails, shall be in the facility at all times to perform each of the following duties:

I. Bullets

A. Provide direct supervision of inmates in the housing unit; and
B. Provide emergency backup to the supervising officer as a priority of the employee's assigned duties.

II. Proofs of Compliance

- Observation of housing areas

17.4 Policies and procedures shall be developed by the Officer-in-Charge or designee for the operation of the facility. These policies and procedures shall reflect the rules for direct supervision jails as outlined in the Florida Model Jail Standards. All staff shall be knowledgeable of, and have access to, the policy manual and shall receive training in the implementation of said policies and procedures prior to being assigned as a housing unit officer.

I. Bullets

II. Proofs of Compliance

- Written Directive

17.5 Each officer assigned to a housing unit shall always have a secondary means of communication to summon assistance.

I. Bullets

II. Proofs of Compliance

- Observation of secondary means of communication

17.6 Furnishings and equipment, including bunks and tables, located within the direct supervision housing unit do not need to be of a specific security type.

I. Bullets

II. Proofs of Compliance

- None

17.7 When housed in a direct supervision housing unit, inmates should be subject to informal discipline as follows:

I. Bullets

A. Inmates shall not be required to remain in their individual sleeping areas for more than two (2) hours.
B. Inmates on informal discipline shall receive the same food, clothing, and visitation as any other inmate in the housing unit.

II. Proofs of Compliance

- Written Directive
- Staff and Inmate Interviews

Chapter 18: Physical Plant

18.1 The following housing standards apply to all facilities: (See Appendix C Youth Detention Facilities)

I. Bullets

A. Single cells shall contain a minimum of sixty-three (63) square feet of floor space;
B. Multiple occupancy cells shall contain a minimum of forty (40) square feet of floor space per inmate in the sleeping area;
C. Dormitory housing units shall contain a minimum of seventy-five (75) square feet of floor space per inmate, including both sleeping and day room areas. However, inmates who are allowed out of their unit for a minimum of eight (8) hours per day (e.g., work programs, treatment programs, educational programs, etc.) may be housed in areas designated with a minimum of seventy (70) square feet of floor space per inmate (sleeping and day room areas included);
D. Day rooms shall contain a minimum of thirty-five (35) square feet per inmate for all cell areas, except in disciplinary and administrative confinement;
E. Any facilities constructed prior to October 1, 1996, may also use the applicable factoring procedures as set forth in Appendix A or B.

II. Proofs of Compliance

- Observation of cells, housing areas, and recreation areas

18.2 Each single cell will contain at least:

I. Bullets

A. A sink with cold and either hot or tempered running water;
B. Flushable toilet;
C. Bunk;
D. Acoustics that ensure noise levels do not interfere with normal human activities;
E. Temperatures shall be maintained within a normal comfort range.

II. Proofs of Compliance

- Observation of cell fixtures and conditions

18.3 All other housing areas shall provide a minimum of:

I. Bullets

A. Toilets and sinks in the ratio of a minimum of one (1) to twelve (12) inmates. Urinals may be substituted for up to one-half of the toilets in male housing units;
B. Shower facilities in the ratio of a minimum of one (1) to sixteen (16) inmates;
C. Ready access during non-sleeping hours to tables and chairs or areas designed for reading or writing;
D. Temperatures shall be maintained within a normal comfort range;

II. Proofs of Compliance

- Observation of housing area fixtures and space allocations

18.4 Adequate heating facilities shall be provided to maintain a minimum temperature of sixty (60) degrees Fahrenheit in inmate sleeping areas.

I. Bullets

II. Proofs of Compliance

- Observation of heating systems and temperature readings

18.5 Beds, Cots, and Bunks

I. Bullets

A. Every permanently installed bed, cot, or bunk shall have a space of at least twelve (12) inches from the floor. Temporary use portable sleeping surfaces shall ensure the mattress does not have direct contact with the floor.
B. There shall be a clear ceiling height of at least thirty-six (36) inches above any mattress and a clear space of at least twenty- seven (27) inches between the top of the lower mattress and the bottom of the upper bunk.
C. Single beds, cots, or bunks shall be spaced at least thirty-six (36) inches laterally and end-to-end.
D. Sleeping arrangements shall ensure that a minimum distance of six (6) feet is provided between inmates' heads, if a solid barrier is not used.

II. Proofs of Compliance

- Observation of bed, cot, and bunk configurations

18.6 Sufficient space shall be provided in all living and sleeping quarters to satisfy sanitary needs.

I. Bullets

II. Proofs of Compliance

- Observation of living and sleeping quarters

18.7 All areas of the detention facility, other than closets or cabinets, shall be well lit. Cell areas, dormitories, toilets, and day rooms shall have light fixtures capable of providing at least twenty (20) foot candles of illumination.

I. Bullets

II. Proofs of Compliance

- Observation of lighting fixtures and illumination levels

18.8 Floors, walls, ceilings, windows, doors, and all other permanent fixtures shall be constructed of durable, easily cleanable materials. Walls, ceilings, and area partitions shall be of light color.

I. Bullets

II. Proofs of Compliance

- Observation of construction materials and finishes

18.9 Plumbing

I. Bullets

A. Water supplies shall be adequate to serve the demands of the detention facility and should be obtained from an approved existing public water supply where possible. When an on-site water supply is developed, the system shall be constructed, operated, and maintained in accordance with Chapters 62-550, Florida Administrative Code (or Chapter 64E-8, Florida Administrative Code, as applicable), to ensure the water is of safe bacteriological and chemical quality. Routine water samples shall be submitted as required to confirm that water quality does not deteriorate.

B. Drinking water shall be accessible to all inmates.

C. Showers shall provide tempered running water under pressure and shall be available for inmates to shower at least twice weekly (daily access is preferred). The temperature of the hot water supply to showers shall not exceed 120°F (49°C) to prevent scalding.

D. Sinks shall provide cold water and either hot or tempered running water.

E. All plumbing systems, including water distribution, drainage, fixtures, and related components, shall be designed, installed, and maintained in accordance with the Florida Building Code, Plumbing, adopted pursuant to Chapter 553, Florida Statutes.

F. Plumbing fixtures (toilets, urinals, water fountains/bubblers, sinks, and similar fixtures) shall be constructed of smooth, nonabsorbent, easily cleanable materials. Penal or security-type fixtures may be used provided they meet the material and cleanability requirements of this standard and the Florida Building Code, Plumbing. Conventional toilets, if installed, shall be equipped with open-front seats.

G. Mop sinks or curbed areas with floor drains, equipped with hot and cold running water, shall be available in convenient locations throughout the facility for proper disposal of cleaning water and to facilitate cleaning.

H. All floor drains shall be equipped with tamper-resistant drain covers at all times.

II. Proofs of Compliance

- Observation of plumbing fixtures and water systems
- Documentation of annual water testing results for each facility that houses inmates

18.10 All housing facilities shall be kept free of offensive odors with adequate ventilation.

I. Bullets

A. If natural ventilation is utilized, the open window area for ventilation purposes shall be equal to one-tenth of the floor space in the inmate residential area.

B. When mechanical ventilation or cooling systems are employed, the system shall be kept clean and properly maintained. Intake air ducts shall be designed and installed so that ducts or filters can be readily removed.

C. In inmate residence areas and segregation cells with solid doors, mechanical ventilation systems shall provide a minimum of ten (10) cubic feet of fresh or filtered air per minute for each inmate occupying the areas.

D. All toilet rooms shall be provided with direct openings to the outside or provided with mechanical ventilation to the outside.

II. Proofs of Compliance

- Observation of ventilation systems

18.11 Laundry and Dry Cleaning

I. Bullets

A. Where laundry facilities are provided, they shall be adequate to ensure an ample quantity of clean clothing, bed linens, and towels.

B. Laundry facilities shall be of sound construction.

C. Laundry rooms shall be well lit and properly ventilated.

D. Clothes dryers and dry cleaning machines shall be vented to the exterior.

E. Exposure to dry cleaning solvents shall not exceed threshold limit values set by the American Conference of Governmental Hygienists.

II. Proofs of Compliance

- Observation of laundry equipment and facilities

18.12 Industrial areas

I. Bullets

A. Noise levels shall not exceed an average of ninety (9) dBA on a time weighted average for an eight-hour day as measured on the A scale of a sound level meter set at slow response, unless proper ear protection is provided.

B. Thirty (30) foot candles of illumination shall be provided at task level.

C. Adequate ventilation shall be provided to prevent exposure to dust and toxic gases or fumes.

II. Proofs of Compliance

- Observation of industrial areas and equipment

18.13 Repair and Maintenance

I. Bullets

A. The following items will be properly maintained and repaired: Light fixtures, floors, walls, ceiling, windows, window sills, window screens, doors, and all other permanent fixtures of the structure, plumbing fixtures, sinks, toilets, water fountains, and floor drains, and laundry facilities.

B. Preventative Maintenance – A preventative maintenance program will be established to include but not be limited to periodic painting, repairs, and other such maintenance as required.

C. Outdoor Areas – If a facility has an outdoor exercise area, it shall be well drained. If toilet and lavatory facilities are provided, they shall be maintained

D. American with Disabilities Act (ADA) – Compliance with the Florida Model Jail Standards will require that a correctional facility comply with Title II of the American

Disabilities Act. Examples of best practices are set forth in the Department of Justice ADA best practices toolkits for state and local governments.

II. Proofs of Compliance

- Observation of facility conditions and repairs

Chapter 19: Minimum Construction Standards

19.1 Any county or municipal government contemplating extensive renovation or new construction shall, prior to the conceptual development, establish the purposes and objectives of the facility. Such decisions should be the result of a consultation with the Public Safety Coordinating Council. The facility should obtain technical assistance in determining what type of renovation or construction of a new facility will best meet the needs of local government entities.

I. Bullets

II. Proofs of Compliance

- Documentation of consultation records, if applicable

19.2 Renovated areas must fully comply with current standards.

I. Bullets

II. Proofs of Compliance

- Observation of renovated areas
- Employee interviews

19.3 Design Standards - The following design standards are mandatory for all renovations, remodeling, or new construction:

I. Bullets

A. All aspects of design and construction shall conform to fire and safety standards and the Americans with Disabilities Act (ADA) requirements.

B. All correctional facility designs shall provide for the maximum visibility of inmates by correctional officers and shall provide for the protection and safety of the correctional officers.

C. Entry of inmates into a detention facility by vehicle shall be through a secure vehicular sallyport. This provision does not apply to facilities utilized exclusively as temporary holding facilities or to house reduced custody inmates.

D. Modular construction, other than pre-cast, shall comply with all safety and building codes.

E. All exterior confinement walls shall be either six (6) inches of poured, reinforced concrete, 4 inches of pre-cast concrete, or other material deemed secure, or eight (8) inches of reinforced and filled concrete block. If concrete block is used, it must be reinforced horizontally with masonry reinforcing sixteen (16) inches on center and vertically with #4 steel reinforcing rods sixteen (16) inches on center and all voids filled with 3,000 PSI of concrete from top to bottom.

F. All interior walls surrounding a secure area shall meet the requirements for exterior walls. Wet areas shall conform to all safety and building codes.

G. All walls within a reduced custody housing area shall be standard masonry construction or other durable material to include, abuse resistant gypsum on stud that may include expanded metal security mesh as backing, canvas, cloth, or any material similarly flexible or woven which is supported by a structural frame of metal or similar durable material, is flame resistant, and provides for a secure exterior wall.
H. Ceilings in a secure housing area shall be either poured, pre-cast concrete, or approved security metal system. Poured in place concrete will be a minimum of four (4) inches thick and reinforced. Pre-cast concrete panels will be 5,000 PSI reinforced concrete and shall be the manufacturer's standard thickness. Three quarters of an inch of cement plaster on ribbed metal lathe will be acceptable when the structural frame and secure walls of the building restrict escape routes. Cement plaster or abuse resist gypsum board on metal stud ceilings are required to cover pipe work, conduit, and duct work in areas where accessible to inmates.
I. Inmate living area minimum space standards, as outlined in Chapter 18, shall be complied with.
J. Holding cells will be designed to include sufficient space for seating of inmates. Holding cells shall be located within sight or normal sound of an officer at all times. Inmates in a holding cell shall have reasonable access to toilet, sink, and drinking water facilities upon request. Holding cells shall be constructed of maximum-security materials and assemblies.
K. Impervious floors shall be used in all areas. Suitable floor drains shall be installed to control vandalism.
L. Provisions shall be made for emergency power to be constantly available for the purpose of maintaining essential services, security, and safety systems throughout the facility.
M. Security vestibules are required whenever an entrance or exit penetrates the secure housing area or exterior confinement walls. Security vestibule doors shall be equipped with an interlock device to prohibit both doors being opened at the same time. Security vestibule door locks shall be either electrically or mechanically operated from a control box located remotely from the vestibule.
N. Detention facilities shall provide a secure outside recreation area and multipurpose housing shall provide space for programs, visitation (including social and attorney visits), and inside recreation. There shall also be adequate areas for medical examination and for storage of inmate property.
O. Provision shall be made for secure sensitive storage and for safe storage of items such as chemicals and flammable material.

II. Proofs of Compliance

- Observation of facility design and construction features

19.4 All furnishings and equipment in secure housing areas shall be of the security type.

I. Bullets

A. Tool resistant steel of the latest industry standards shall be used in all security devices which control access to the exterior of the facility.

B. Window sash of all types located in inmates' secure housing quarters shall be of the security type. Detention windows, fixed or operable, shall not have a clear opening width exceeding 5 inches.
C. Glass and glazing materials shall have the proper security values for the area in which they are used.
D. View panels in secure areas shall be of the security type with security type glazing.
E. Doors leading into secure housing areas shall be either a minimum of twelve (12) gauge sound deadened hollow metal with security glazed viewing panel or bar grille doors of not less than seven eighths inch (7/8") steel bars, round or hexagonal spaced five inches (5") on centers. These doors shall be a minimum of three (3) feet wide.
F. Cell doors shall be a minimum of two fee by eight inches (2'8") wide. Doors for single, multiple occupancy or dormitory type cells shall be of a material and design consistent with the security requirements of the area. Maximum security cell doors shall be either twelve (12) gauge sound-deadened hollow metal with security glazed panel or bar grille type.
G. Doors to rooms in a reduced custody area, or to individual cells in direct supervision areas, shall be sound-deadened hollow metal or solid core wood with viewing panels.

II. Proofs of Compliance

- Observation of furnishings and equipment

19.5 Mechanical systems shall include the following:

I. Bullets

A. Heating, ventilating, and/or air conditioning shall be designed to maintain temperatures at a normal comfort range in the occupied areas of the facility. Ducts penetrating inmates' access areas, which exceed five inches (5") in length and width, shall have security grilles securely anchored wherever ducts penetrate secure walls, ceilings, or floors.
B. Mechanical ventilation of all confinement areas not having adequate natural ventilation is mandatory.
C. If natural ventilation is used, the window shall have a free area equal to one-tenth of the floor space. Cross ventilation is required.
D. In secure housing areas, light fixtures shall be secure and tamper-proof with no exposed electrical conduit accessible to inmates. All switches and outlets with inmate access shall have a remote override.
E. All sinks and showers shall have cold and either hot or tempered water.
F. Single occupancy cells shall have a toilet and sink. Showers should be located in the day room area.
G. Multiple occupancy units, dormitory units, and direct supervision type housing units shall allow ready access to toilets, sinks, and showers.
H. Bunks and tables in maximum security housing areas shall be substantially anchored to meet security requirements.
I. Flooding protection. Floor drains in inmate housing areas and holding cells shall be located to reduce the incidence of malicious tampering and flooding. Where practical, a drain shall be located in security corridors and not inside cells or day rooms.

II. Proofs of Compliance

- Observation of mechanical systems and fixtures

19.7 These standards are established to ensure security, custody, control, programs, and welfare of inmates.

I. Bullets

II. Proofs of Compliance

- None

19.8 Use of reduced custody housing area - Any county detention facility or municipal detention facility may provide for the custody on a temporary basis in a reduced custody housing area of sentenced or un-sentenced misdemeanants, non-dangerous felons, or such other inmates who are determined by the Sheriff or other Chief Correctional Officer to not present a risk of escape or a threat to the staff, other inmates, or themselves.

I. Bullets

A. Canvas, cloth, or facilities of similar materials. Pursuant to Section 951.23, Florida Statutes, inmates may be housed in a reduced custody housing area which traditionally would have been an exterior security wall, but in lieu thereof, may be constructed of canvas, cloth, or any materials similarly flexible or woven, which is flame resistant and is supported by a structural frame of metal or similar durable material.

B. Notwithstanding provisions of the otherwise applicable building code, a reduced custody housing area may be occupied by inmates or may be used for sleeping purposes.

C. The Sheriff or Chief Correctional Officer shall provide that a reduced custody housing area shall be governed by fire and life safety standards which do not interfere with the normal use of the facility and which affect a reasonable degree of compliance with rules of the State Fire Marshal for correctional facilities, Rule 69A-3.012 and Chapter 69A-54, Florida Administrative Code.

II. Proofs of Compliance

- Observation of reduced custody housing areas

Chapter 20: Admission, Classification, and Release of Juveniles

20.1 When receiving and admitting a juvenile to an adult detention facility, the employees responsible for such admission shall determine that established rules, regulations, and legal procedures for such admission are met. Any legal or procedural questions concerning the admission of a juvenile to a detention facility shall be resolved prior to his/her admission.

I. Bullets

II. Proofs of Compliance

- None

20.2 Juveniles who have not been transferred to the adult system by direct file (FS 985.557), waiver (FS 985.556), or grand jury indictment (FS 985.56), or who have not been found to have committed a criminal offense as an adult shall be held in temporary custody if release in accordance with FS 985.115 is not possible. Such juveniles are held:

I. Bullets

A. Out of normal sight and sound contact from adult inmates, including inmate workers;
B. In an area of the facility for fingerprinting, photographing, or awaiting transportation to an appropriate juvenile facility, ensuring no contact with adult inmates;
C. For not more than six (6) hours, unless extended by a court order;
D. Only if the facility has adequate staff to supervise the juvenile at all times.

II. Proofs of Compliance

- Documentation of intake and release
- Observation of juvenile holding areas
- Employee interviews

20.3 When a juvenile is brought for placement in an adult jail, the intake officer shall assure that the juvenile is accompanied by certain documents, which pursuant to FS 985.201, 985.21, and 985.255, approve the placement of a juvenile in an adult jail. Such proper legal documentation shall remain in the juvenile's file at all times. Unless wanted in another jurisdiction as an adult, a juvenile shall not be placed in an adult jail unless one of the following documents is present:

A. Indicted juvenile. The arrest and booking report will be accompanied by the grand jury indictment.
B. Waived juvenile. The arrest and booking report will be accompanied by a copy of the court order certifying that the juvenile has been waived for prosecution as an adult.
C. Direct filed juvenile. The arrest and booking report will be accompanied by a certificate of filing of direct information by the state attorney.
D. Any juvenile who has been found to have committed a criminal offense as an adult, and upon whom the court has imposed adult sanctions, shall be treated as an adult upon admission pursuant to any subsequent arrest. The receiving facility shall contact the Court Clerk's Office, State Attorney's Office, or other appropriate agency to verify the offender's status. (FS 985.201 and 985.557)
E. Court ordered conviction of a traffic offense involving death or personal injury (FS 985.56 and 316.635)

I. Bullets

II. Proofs of Compliance

- Juvenile docket with court order

20.4 If a juvenile is taken into custody for a criminal traffic offense or a driver's license violation, and the juvenile does not demand to be taken before a magistrate, the receiving facility shall immediately notify, or cause to be notified, the minor's parents, guardian, or responsible adult relative of the action taken. After making every reasonable effort to give notice, the arresting officer or booking officer, pursuant to FS 316.635(3), may:

I. Bullets

A. Issue a notice to appear, pursuant to FS 901.28, and release the minor to a parent guardian, responsible adult relative or other responsible adult;
B. Issue a notice to appear, pursuant to FS 901.28, and deliver the minor to an appropriate substance abuse treatment or rehabilitation facility, or refer the minor to an appropriate medical facility as provided in FS 901.29. If the minor cannot be delivered to an appropriate substance abuse treatment or rehabilitation facility or in accordance with FS 985.56; or
C. If the violation constitutes a felony and the minor cannot be released pursuant to FS 903.03, the minor may be released in accordance with FS 985.115.

II. Proofs of Compliance

- Employee interviews

Chapter 21: Housing of Juveniles

21.1 When a juvenile has been transferred for prosecution as an adult by direct file, waiver or grand jury indictment or is wanted by another jurisdiction for prosecution as an adult, the juvenile shall be housed:

I. Bullets

A. Separately from adult inmates to prohibit the juvenile from having regular contact with incarcerated adults, including inmate workers
B. In a separate housing section designated only for juveniles
C. With adequate staffing to supervise and monitor the juvenile's activities at all times
D. With physical observation and documented checks by receiving facility correctional officers at intervals not to exceed ten (10) minutes.

II. Proofs of Compliance

- Daily personnel roster/roll call
- Documented ten (10) minute checks
- Observation of juvenile housing areas
- Employee interviews

21.2 When a juvenile is housed with adult inmates (pursuant to FS 985.56, 985.556, 985.557), all of the below criteria must be met:

I. Bullets

A. The courts have certified the juvenile for prosecution as an adult; and
B. The juvenile has been tried as an adult; and
C. The juvenile was found guilty as an adult; and
D. The juvenile was sentenced as an adult; and
E. The juvenile's classification is the same as the adults with whom the juvenile is housed.

II. Proofs of Compliance

- Sentencing and housing documentation for any juveniles housed with adult inmates

Florida Model Jail Standards

Chapter 22: Youth Detention Facilities

Preface - The spirit of this chapter refers specifically to county-operated youth detention facilities. The preceding FMJS Chapters 1 through 20 also apply to county-operated youth detention facilities. However, FMJS Chapter 21 standards are designed to be specific to county-operated youth detention facilities, thereby signaling an acknowledgment that children in the juvenile justice system are fundamentally different than adults, requiring certain departures from typical adult facility protocols. Failure to meet any standard in Chapter 20 would be considered a serious violation that may result in removal of certification and compliance authorization to operate the county-operated youth detention facility by the FMJS Committee. Youth detention facilities must comply with federal requirements and inspections as well.

Pursuant to Florida Statutes as it pertains to and empowers the Florida Model Jail Standards, the following law was enacted in 2011:

985.688 - Administering county and municipal delinquency programs and facilities.

(11)(a) Notwithstanding the provisions of this section, a county is in compliance with this section if:

1. The county provides the full cost for pre-adjudication detention for juveniles;
2. The county authorizes the county sheriff, any other county jail operator, or a contracted provider located inside or outside the county to provide pre-adjudication detention care for juveniles;
3. The county sheriff or other county jail operator is accredited by the Florida Corrections Accreditation Commission or American Correctional Association; and
4. The facility is inspected annually and meets the Florida Model Jail Standards.
    a. A county or county sheriff may form regional detention facilities through an interlocal agreement in order to meet the requirements of this section.
    b. Each county sheriff or other county jail operator must follow the federal regulations that require sight and sound separation of juvenile inmates from adult inmates.
    c. A county or county sheriff that complies with this subsection is not subject to any additional training, procedures, or inspections required by this chapter.

The supervision, care, custody, treatment, housing, and general handling of youths shall be in accordance with the following standards:

22.1 Technical Assistance – The Sheriff or Officer-in-Charge may contact the Florida Sheriff's Association (FSA) for technical assistance in achieving compliance with the FMJS.

I. Bullets

A. Each facility shall be pre-inspected by an FMJS inspector for compliance prior to operation.

B. Annual regular inspections shall commence upon initial FMJS pre-inspection compliance.

C. Any failed pre-inspections or regular inspections shall require a corrective action plan and re-inspection within ninety (90) days to prove compliance.

D. A second failure of FMJS compliance during re-inspection shall result in the denial of certification and compliance authorization to operate the facility by the FMJS Committee. After a failed re-inspection, the Officer-in-Charge must submit, in writing, a request to the FSA for a subsequent inspection certifying that all failed standards have been met. Thereafter, the facility must pass a new inspection for the previous failures to meet previously deficient standards.

II. Proofs of Compliance

- None

22.2 Use of Force

I. Bullets

A. Each agency shall develop policies and procedures on use of force, which is consistent with the Florida Department of Law Enforcement (FDLE) Use of Force Continuum and/or the Florida Department of Juvenile Justice (FDJJ) Use of Force Continuum regarding resistance and control techniques as well as local, state, and federal laws.

B. Each agency will adopt a comprehensive annual training program for employees consistent with policies and procedures and the FDLE Use of Force Continuum and/or the FDJJ Use of Force Continuum regarding resistance and control techniques.
   1. FDLE-approved training for certified corrections officers is required.
   2. FDJJ-approved training for non-corrections certified employees is required.

C. Failure to abide by use of force policies and training requirements consistent with the FDLE Use of Force Continuum and/or the FDJJ Use of Force Continuum regarding resistance and control techniques may result in removal of certification and compliance authorization to operate the facility by the FMJS Committee.

D. Employees shall use the minimal amount of force necessary (beginning with verbal intervention techniques) to effect control over a youth.

E. Verbal intervention techniques shall be the initial response by an employee to resistance by a youth except where physical intervention techniques are necessary to prevent physical harm to the youth, employee, or another person; property damage; or the youth is attempting escape or absconding from lawful supervision.

F. When resistance "escalates suddenly," employees shall use appropriate means to defend other youths and themselves, in accordance with policies and procedures, local, state, and federal laws given the existing circumstances.

G. In any case where force is used, a written and signed report shall be made by the employee to the Officer-in-Charge or designee, who shall review the report, have an investigation made when warranted, and shall approve or disapprove the use of force based upon policies and procedures and local, state, and federal laws.

H. All use of force reports shall be retained in compliance with the General Records Schedule and Chapters 119 and 257 of the Florida Statutes and made available to the DJJ. A youth involved in a "Use-of-Force" incident shall be examined by medical personnel as soon as practical following the incident. Acknowledgment of the medical examination shall be annotated in the "Use-of-Force" report. The results of the examination shall be documented in the youth's medical file.

I. Agency-approved chemical and electronic weapons may be accessible in the juvenile facility to certified corrections officers.
J. Agency-approved chemical agents and electronic weapons shall only be used by certified corrections officers trained in their use, when the use of force is necessary, when this level of force is the least likely to cause injuries to staff or youths, and only if in compliance with and if authorized by the policy and procedure directives for the facility. In all cases where chemical agents or electronic weapons are used on youths, each youth shall be examined by medical personnel as soon as practical. Acknowledgment of the medical examination shall be annotated in the Use-of-Force report.
K. Employees who are assigned to adult inmate duties shall not directly supervise in a county-operated youth detention facility on the same shift, unless the adult inmate duties come after youth detention duties; except in life-threatening situations. Once adult inmate duties are performed, an employee shall not return to the direct supervision of youth duties during the same work-shift.
L. Facility staff providing specialized services (e.g., medical care, food service, laundry, maintenance, engineering, etc.) who are not normally in contact with detainees, or whose infrequent contacts occur under conditions of separation of juveniles and adults, can serve both populations (subject to state standards or licensing requirements). Adult inmates shall not be allowed to serve meals or provide miscellaneous duties in a youth detention facility.
M. Each juvenile detention facility will maintain an electronic video recording system and archive the recordings for at least 30 days.

II. Proofs of Compliance

- Use of force policy
- Use of force incident reports
- Training records
- Observation of video recording systems
- Employee interviews

22.3 Classification – The primary objective of a classification plan is to place youths in the type of housing that best meets their needs and to provide reasonable protection for all youths.

I. Bullets

A. Each facility shall have a classification plan that includes the following: Consideration of age, gender, mental, social, educational maturity of the youth, medical disabilities, and other special needs.
B. Housing assignments for sexually aggressive youths will be made to protect other youths.
C. Youth shall not be housed in direct supervision units unless approved by the facility classification process in accordance with FS 951.23(4).

II. Proofs of Compliance

- Classification plans
- Housing assignments
- Employee interviews

22.4 Suicide Prevention

I. Bullets

A. Close Supervision - reserved for a youth who is not actively suicidal but expresses suicidal ideations and/or has a recent prior history of self-destructive behavior and would be considered a low risk for suicide. Close supervision requires regular, documented, physical observations of the youth by staff or members of the medical staff at intervals not to exceed ten (10) minutes. A written directive by each agency shall address "close supervision" as for placement, participation, and removal.

B. Direct Observation - reserved for a youth who is actively suicidal, either by threatening or engaging in self-injury and would be considered a high risk for suicide. Direct supervision requires the youth to be observed by a staff member on a continuous, uninterrupted basis with documented ten (10) minute checks. A written directive by each agency shall address "direct observation" as for placement, participation, and removal.

II. Proofs of Compliance

- Written Directive

22.5 Case-Record Management – Records shall be maintained on each youth.

I. Bullets

A. A daily reporting system will be maintained by the facility and include information related to the admission, release, and current status of all youth in the facility.

B. This information will be entered into the Florida Department of Juvenile Justice Information System (JJIS) daily; provided the DJJ makes the JJIS system available, including training at no cost to the county facility.

II. Proofs of Compliance

- Case records
- Employee interviews

22.6 Behavior Management – Rules and regulations governing the conduct of youths and visitors shall be posted and available to each youth and all visitors.

I. Bullets

A. A systematic behavioral management system of consequences and rewards shall be in place to encourage positive behavior from the youths.

B. The use of drugs to control youth behavior is prohibited, foregoing the administration of medication as prescribed by a licensed physician.

II. Proofs of Compliance

- Behavior management plans
- Observation of. posted rules
- Employee interviews

22.7 Activities and Programming – Youth shall be provided the opportunity to participate in constructive activities that will benefit the youth as follows:

I. Bullets

A. Gender-specific educational programming shall be available for at-risk girls and boys, to include topics such as physical and mental abuse, high-risk sexual behavior, mental health and substance abuse issues, and gang activity.
B. Educational programming shall be made available that includes life and social skill competency development, which help youths function more responsibly and successfully in everyday life situations, including social skills that specifically address interpersonal relationships.
C. Education for the youths shall be provided in accordance with state law and funding availability.
D. Recreation and physical activities shall be provided to promote physical growth and development, including daily large muscle exercise. Youths shall have the opportunity to have daily exercise, weather permitting. Uncontrollable or violent youths shall have their recreational time curtailed as required for safety.

II. Proofs of Compliance

- Programming schedules
- Employee interviews

22.9 Mandatory Child Abuse Reporting Per Florida Statute – Any facility employee who knows or has reasonable cause to suspect the following must report such knowledge or suspicion to the Florida Abuse Hotline, as prescribed in FS 39.201(1)(a). Youths shall be allowed to self-report abuse as well.

I. Bullets

A. That a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, as defined by FS 39.201; or
B. That a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care;

II. Proofs of Compliance

- Employee interviews

22.10 Transportation

I. Bullets

A. All youths and employees shall wear seat belts during transportation.
B. Employees shall lock facility vehicles when not in use.
C. Staff performing supervision within the secure area of a juvenile detention center may not supervise adult inmates on the same shift prior to supervising youth inside the secure area of the juvenile detention center. If a staff member supervising youth within the secure area of a detention center then supervises adult offenders, the staff member may not return to supervising youth within the secure area of the detention center. This shall not apply to a transportation unit whose sole duties reside in moving adults and juveniles outside of the secure area but does not perform supervision duties within the secure area of a juvenile detention center or correctional facility.
D. Adult inmates and juveniles shall not be transported together.

II. Proofs of Compliance

- Observation of transportation practices
- Employee interviews

22.11 Medical Care and Treatment

I. Bullets

A. All medical care and treatment shall be governed by informed consent practices applicable in FS 743.0645. Emergency medical care or treatment may be rendered to minors without parental consent as defined in FS 743.064, with notification accomplished as soon as possible after the emergency medical care or treatment is administered. Per FS 743.0645(1)(b), medical care and treatment include ordinary and necessary medical and dental examination and treatment, including ordinary immunizations, tuberculin testing, and well-child care, but do not include surgery, general anesthesia, provision of psychotropic medications, or other extraordinary procedures for which a separate court order, power of attorney, or informed consent as provided by law is required; except as provided in FS 39.407(3).

B. With the exception of emergency medical care and care that is required by Florida Statute, all medical treatment shall require informed consent of the parent or guardian. In the absence of parent or guardian consent, a court order may be required.

C. It is required that juveniles receive a health appraisal within 7 days of admission to the facility.

D. It is required that juveniles found to be under the influence of drugs or alcohol should not be admitted and be directed to the nearest hospital emergency room for evaluation and medical clearance.

E. Youths may not be confined in isolation for medical purposes unless the order is made by a medical professional and approved by a medical doctor. In addition, such youths should be examined by a physician or designee within eight (8) to twelve (12) hours of his or her confinement.

II. Proofs of Compliance

- Health appraisal documentation
- Employee interviews

22.12 Baker Act – Youth brought to the facility pursuant to FS 394.463, (protective custody/Baker Act) shall not be housed at the facility but will be referred to either a local hospital or designated Mental Health/Baker Act receiving facility until such time as it is determined that the youth no longer meets Baker Act criteria.

I. Bullets

II. Proofs of Compliance

- Employee interviews

Appendix A – Construction Prior to October 8, 1976

EXHIBIT 1 -
PER SPECIFIED UNIT OF FLOOR SPACE FACTORING PROCESS
This factoring process will apply to detention facilities constructed prior to October 8, 1976.

Recognizing that these facilities do not comply with current space requirements, this process has been developed to allow these facilities to house inmates in smaller quarters, provided they are allowed sufficient out-of-cell time to equal the requirements of this process. Inmates shall be afforded a square footage factor of sixty-three (63) in cells of any type (twenty-two (22) of which must be sleeping space) and a square footage factor of seventy-five (75) in dormitories, sleeping quarters, or reduced custody housing area (forty (40) of which must be sleeping space).

As used in this process, cell refers to any type of cell as defined in these standards. Density (capacity) for each cell is determined by consideration of all the above square footage factors. It results in setting the number of persons who may be placed in each cell and only under the conditions described by the completed factoring process.

Programmed out-of-cell time will be factored opon the following schedule based on reasonable activities in a detention facility. A square foot factor of three (3) will be allowed for each hour of programmed out-of-cell time per week not to exceed the maximum allowable described below.

Sq. F.F. = Square Foot Factor N.T.E. = Not to Exceed Visiting (out-of-cell) NTE 27 (none (9) hours per week)
Outside Recreation/Exercise NTE 21 (one (1) hour per day)
Inside Recreation/Exercise/Programs NTE 21 (one (1) hour per day) Common Dining NTE 21 (one (1) hour per day)
Work NTE 41 (Maximum allowable under process) Total NTE 41 (Maximum allowable under process)
The limited factors (N.T.E.) allowed for out-of-cell time prevent the process from circumventing the minimum square footage requirement in cells. The maximum factor of three (3), in most instances, will require access to at least two (2) programs for those cells containing minimum square footage. Programs providing for out-of-cell factors shall be included in facility policies and procedures and accurate records maintained on required forms.

Appendix B – Construction Prior to October 1, 1996

An adult county or municipal detention facility constructed prior to October 1, 1996, may house Two (2) inmates in a single cell of sixty-three (63) square feet or more, provided the following conditions are met:

a. Inmates are permitted out of the single cell a minimum of ten (10) hours per day to a dayroom, dining area, exercise area or other area approved for inmate occupancy;
b. Neither inmate is classified as dangerous or special risk;
c. Both inmates are similarly classified;
d. The combined bed space does not exceed twenty-two (22) square feet of floor space;
e. Additional staff, as determined by the Officer-in-Charge or designee, is provided for the supervision of inmates. The following criteria shall be evaluated in determining the additional staff needed:
    1. Admission, Classification, and Release, Chapter 6
    2. Housing, Chapter 7

3. Medical, Chapter 9
4. Clothing and Bedding, Chapter 10
5. Programs, Chapter 11
6. Privileges, Chapter 12
7. Security and Control, Chapter 13
8. Sanitation, Chapter#14
9. Minimum Construction Standards, Chapter 19

Appendix C – Youth Detention Facilities

a. "Juvenile" definition is expanded to differentiate between people under the age of eighteen (18) within the juvenile justice system and other youth currently housed in adult jails, i.e. youth charged as adults or previously found to have committed an offense as an adult;
b. "Prisoner" or "Inmate" definition is edited to add juvenile or youth to reflect the possibility that such individuals may be housed by Sheriffs;
c. (Chapter 3) "Technical Assistance" is expanded to include encouragement to facility operators to seek assistance from the FSA and DJJ;
d. A daily reporting system will be maintained by the facility and include information related to the admission, release, and current status of all youth in the facility. This information will be entered into the Florida Department of Juvenile Justice Information System (JJIS) daily.
e. (4.9) "Compliancy Enforcement" is edited to make clear that a circuit court may order the transfer of juveniles to another county or the DJJ for noncompliance with the FMJS;
f. (7.4) "Special Needs Inmates" is also expanded to include juveniles who are: (1) under the age of nine, (2) have a mental illness as determined by the Health Authority regardless of age, (3) have the characteristics of an intellectual or developmental disability (as defined by FS 393.063, Title 42 of the United States Code Chapter (USCC) 144, and the Developmental Disabilities Assistance and Bill of Rights Act of 2000) regardless of age and those who are low functioning, or (4) have the characteristics of autism spectrum disorder.
g. (8.5) is edited to include a healthy snack for juveniles, in addition to three (3) nutritious meals;
h. (8.6) Menus shall be clarified to note that juveniles have caloric and nutritional needs greater than adults and that pregnant girls have special dietary needs that must be met;
i. (10.5) is edited to permit juveniles clean clothes daily; including underwear.
j. (Chapter 11) Because detention is especially stressful for youth and the average length of detention for juveniles is forty-eight (48) hours, the provision exempting FMJS sections regarding visitation and other privileges is edited to permit juveniles such visits and privileges regardless of how recently they arrived in the facility. Juveniles should be moved into regular programming as soon as practicable.
k. (11.3) All detained juveniles are per se indigent and supplied with writing materials and postage to correspond with attorneys and courts, as well as their family.
l. (11.4) Visiting – Juveniles shall be permitted visitation with family at least three (3) times a week.

m. (11.5) Work – Juveniles may not be required to work other than to clean their living area and secure common areas and shall be specifically exempted from this standard;
n. (11.5) is edited to make it clear that juveniles may not have access to work release.
o. (11.6) Exercise – Juveniles shall be permitted at least one (1) hour of large muscle exercise a day;
p. (15.4) is edited to mandate that juveniles have an advocate assigned to them for the purposes of disciplinary hearings;
q. Chapter 20 does not apply to detention facilities that house pre-adjudicated youths in the juvenile justice system.
r. Chapter 20 and the FMJS must ensure that juveniles are not to be admitted to a county operated juvenile detention facility in violation of either Chapter 985, Florida Statutes, or the federal Juvenile Justice and Delinquency Prevention Act.
s. Effective October 1, 2011, youth detention buildings previously operated by the DJJ may be exempt from FMJS housing standard 18.1 when taken over by a Sheriff or County for the purposes of pre-adjudicated youth detention. Upon renovation or modification completion, all standards of 18.1, 18.2, and 18.3 shall be met.