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**ILLINOIS COUNTY JAIL
STANDARDS**

Effective October 1, 1988

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U.S. Department of Justice
National Institute of Justice

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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT

CHAPTER I: DEPARTMENT OF CORRECTIONS

SUBCHAPTER f: COUNTY STANDARDS

PART 701

COUNTY JAIL STANDARDS

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SOURCE: Emergency rule adopted November 7, 1974; amended at 4 Ill. Reg. 28, p. 186, effective July 1, 1980; codified at 8 Ill. Reg. 14408; amended at 12 Ill. Reg. 12274, effective October 1, 1988.

NOTE: All capital letters indicate statutory language.

FOREWORD

The introduction of the jail into the correctional process as a part of the criminal justice system placed the jail manager, especially the sheriff, in a unique position. Not only is he involved in law enforcement, the role with which he is more popularly identified, he is chief administrator of a correctional facility. The two are not the same and each requires special attention. During the past decade, the emphasis placed on the rights of individuals has made each more complex.

The Department of Corrections urges the development of local practices which divert many persons taken into custody from undergoing confinement. More extensive use of a notice to appear in lieu of arrest; intensified use of intake services to facilitate bond and release on recognizance; development of programs of supervision as alternatives to confinement pending trial; and post-trial assignment of carefully selected persons into supervised social and vocational readjustment programs, rather than short-term confinement, is encouraged.

At the same time, detention is a recognized need. Minimum standards and procedures for the operation of county jails and houses of correction are specified in this manual. Their purpose is to promote security of the community, improve safety to staff and detainees, protect the civil and legal rights of staff and detainees, encourage efficient management, and upgrade the general conditions of jails throughout Illinois.

In this respect, detention of juveniles must receive special attention. These standards apply equally to all minors under 17 except where prohibited.

Establishing standards is not an arbitrary or discretionary procedure. Statutes, court decisions, and sound management principles are fundamental guides. The minimum standards contained herein, which must be met, do not purport to reflect all of these requirements.

This manual establishes minimum standards for effective jail management and services. They also apply to houses of correction. The term "sheriff" is used throughout, but is applicable to superintendents of houses of correction in the context of chief administrator.

The sheriff must be familiar with applicable court opinions regarding jail operations. When court opinions in the various jurisdictions contradict these standards, the court opinion supersedes and will prevail.

These standards supersede the Illinois County Jail Standards dated July 1, 1980.

AUTHORITY OF DEPARTMENT OF CORRECTIONS

ILLINOIS UNIFIED CODE OF CORRECTIONS

Illinois Revised Statutes, Chapter 38 -- Criminal Law and Procedure,
Paragraph 1003-15-2, Standards and assistance to local jails and detention
and shelter care facilities:

(a) The Department shall establish for the operation of county and municipal jails and houses of correction, and county juvenile detention and shelter care facilities established pursuant to the "County Shelter Care and Detention Home Act", minimum standards for the physical condition of such institutions and for the treatment of inmates with respect to their health and safety and the security of the community and to make recommendations to such institutions to assure compliance with the requirements of such minimum standards.

(b) At least once each year, the Department shall inspect each such facility for compliance with the standards established and the results of such inspection shall be made available by the Department for public inspection. If any detention, shelter care or correctional facility does not comply with the standards established, the Director of Corrections shall give notice to the county board and the sheriff or the corporate authorities of the municipality, as the case may be, of such noncompliance, specifying the particular standards that have not been met by such facility. If the facility is not in compliance with such standards when six months have elapsed from the giving of such notice, the Director of Corrections may petition the appropriate court for an order requiring such facility to comply with the standards established by the Department or for other appropriate relief.

(c) The Department shall provide consultation services for the design, construction, programs and administration of detention, shelter care, and correctional facilities and services for children and adults operated by counties and municipalities and shall make studies and surveys of the programs and the administration of such facilities. Personnel of the Department shall be admitted to these facilities as required for such purposes. The Department may develop and administer programs of grants-in-aid for correctional services in cooperation with legal agencies. The Department shall provide courses of training for the personnel of such institutions and conduct pilot projects in the institutions.

ILLINOIS COUNTY JAIL STANDARDS

CROSS REFERENCE TABLE

PREFACE: The County Jail Standards were codified as required by the Illinois Administrative Procedure Act (Ill. Rev. Stat., ch. 127, pars. 1001 et seq.) and the Rulemaking rules (1 Ill. Adm. Code 100) promulgated by the Secretary of State. The codified rules are labeled in Sections rather than Chapters as the previous standards were. The following table is provided to assist you in making the transition to the codified rules.

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Section 701.5 Definitions

"Department" means the Illinois Department of Corrections.

"Detention Standards and Services Unit" means the unit within the Bureau of Inspections and Audits of the Department of Corrections which is authorized to monitor compliance with the County Jail Standards.

"Unit" means the Detention Standards and Services Unit.

(Source: Added at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.10 Administration, Minimum Standards**a) Staff Training**

All full-time jail officers shall be trained as provided by the Police Training Act (Ill. Rev. Stat. 1985, ch. 85, par. 508.1). All personnel assigned jail duties shall be made familiar with these standards. Such training shall include identification of signs and management of mentally ill detainees.

b) Written Procedures

A current written manual of policies and regulations for the operation of the jail shall be published and furnished to each employee. Written emergency procedures in the event of fires, riots, escapes, bomb threats, and natural disasters shall be a part of this manual.

c) Post Description

Comprehensive duty descriptions for each jail operational position shall be in writing and furnished to each employee performing the function.

d) Records

The sheriff or jail administrator shall assure that all required records are maintained and available for examination.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.20 Personnel**a) Introduction**

Rapid change characterizes modern society. Like most public institutions, the county jail, too, is changing. The emphasis is now on the role of the county jail in a corrections program. Today's jail officer is more than a mere keeper of keys and bodies. Officers must operate a small community whose inhabitants lack freedom of mobility, yet retain many citizen's rights. As new and expanded program responsibilities are added to protective services, jail personnel must develop new skills and become proficient in applying them. When staff are given increased responsibility and proper recognition, job performance and job satisfaction improves.

b) Minimum Standards**1) Jail Officer Staffing**

Each jail must have sufficient personnel to provide adequate twenty-four hour supervision of detainees.

- A) A jail administrator, qualified by training and experience to supervise staff and detainees, shall be appointed when the average daily jail population exceeds 25.
- B) No person shall be confined without an officer on continuous duty in the jail, awake and alert at all times.
- C) If the facility has more than one floor of detention, one jail officer shall be required for each additional floor when 15 or more detainees are confined. This minimum standard does not apply to the midnight shift if the required 30-minute supervisory checks can be performed.
- D) Under the following conditions, supervision shall be provided by a person of the same sex:
 - i) When procedures require physical contact or examination, such as strip searches.
 - ii) During periods of personal hygiene activities and care such as showers, toileting, and related activities.

AGENCY NOTE: This standard does not prohibit the use of necessary force by a staff member of a sex other than that of a detainee.

2) Personnel Rules

Each staff member working in direct contact with detainees shall have a thorough knowledge of rules and regulations.

- A) Jail officers shall be thoroughly acquainted with all security features of the jail and the location and use of all emergency equipment and first aid supplies.
- B) No jail officer shall recommend or furnish any advice concerning the retention of a specific lawyer; however, a list of lawyers shall be made available by the administration if a detainee is not acquainted with a local attorney.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.30 Records

a) Introduction

An accurate records system is of utmost importance. Factual information concerning prisoners and circumstances of their incarceration is necessary to plan programs, effectively control prisoners, meet statutory requirements, and supply regulatory agencies with information and statistics. A sound records and report system provides the jail administrator with an effective management tool.

b) Minimum Standards

1) Booking and Personal Record Information

A booking and personal record file shall be maintained. (Section 701.40(b)(12).)

2) Monthly Reports, Statistics

A) Each jail warden shall, monthly, submit to the Department of Corrections an accurate report of the number of persons confined during the preceding month and provide information on each of the several categories indicated on the report form provided by the Department.

B) Duplicate copies of the report shall be prepared. The reporting facility shall maintain the original and forward the duplicate to the Department by the tenth day of the following month.

3) Extraordinary or Unusual Occurrence

All unusual incidents which involve or endanger the lives or physical welfare of jail officers or detainees must be reported to the Detention Standards and Services Unit by the sheriff or his designee, utilizing the form supplied by the Unit.

A) Reports shall be forwarded within 72 hours of the occurrence.

B) Extraordinary or unusual occurrences shall mean:

i) Death, regardless of cause.

ii) Attempted suicide (if hospitalization or medical treatment is required).

- iii) Serious injury, to include accidental or self inflicted.
- iv) Escape from confinement.
- v) Attempted escape.
- vi) Fire.
- vii) Riot.
- viii) Battery on a staff member.
- ix) Battery on detainees by a staff member.
- x) Battery on detainee by another detainee (only if hospitalization or extensive medical treatment is required).
- xi) Sexual assaults.
- xii) Occurrence of contagious or infectious disease or illness within the facility.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.40 Admission Procedures**a) Introduction**

- 1) Good jail operation begins the instant a detainee in lawful custody enters the jail. A thoroughly planned and well organized admission process is an indispensable prerequisite to good jail management.
- 2) With confinement, the individual partially forfeits free status for one of a dependent detainee. If, in undergoing a first jail experience, a person observed thorough, objective, decent, orderly, and respectful methods by the admitting staff member, his reaction to other jail personnel is more likely to be with respect and confidence. On the other hand, admission methods that are careless and antagonistic will cause distrust and antagonism toward other jail staff. Admission procedures set the tone for detainee adjustment.

b) Minimum Standards**1) Posting of Rights**

A Notice of Rights, available from the Detention Standards and Services Unit, and jail rules and regulations shall be conspicuously posted in all receiving rooms and in common areas to provide maximum accessibility to detainees.

2) Search

Detainees shall be given an immediate frisk search.

3) Legal Confinement Authority

The jail officer accepting persons for confinement must determine that each is being confined under proper legal authority.

4) Identity

- A) Identity of the person being admitted must be verified as the person named in the commitment documents. Documents must become a part of the detainee's record.
- B) Each detainee must be photographed and fingerprinted and these records shall be maintained in accordance with law (see Ill. Rev. Stat. 1985, ch. 37, par. 702 and ch. 38, par 206-5).

5) Injuries

Any seriously injured, seriously ill or unconscious person must not be admitted to the jail until a medical examination has been conducted by a licensed physician, except when a properly staffed medical facility is a part of the jail.

6) Strip Search

A strip search shall be performed to ensure against the introduction of weapons, contraband, and body pests.

- A) The strip search shall be performed in an area that ensures privacy and dignity of the individual. The individual shall not be exposed to the view of others not specifically involved in the process.
- B) Searches shall be conducted by a person of the same sex.
- C) All personal clothing shall be carefully searched for contraband.
- D) The probing of body cavities may not be done except where there is reasonable suspicion to believe that the detainee is carrying contraband there, and such searches may only be conducted by medically trained persons other than an inmate, e.g., physician, physician assistant, registered nurse, licensed practical nurse, or paramedic, in a private location and under sanitary conditions.

7) Personal Property, Accountability

Each personal property item taken from the detainee shall:

- A) Be listed and described in the presence of the detainee and a receipt shall be issued.
- B) The receipt must show the signatures of the admitting officer and the detainee, with the original filed in the detainee's personal record file and the duplicate given to the detainee.

8) Personal Property, Security

- A) All personal property of the detainee shall be safely stored until such time as release, discharge or transfer occurs, unless the detainee approves, in writing, the release of such property to a designated person.
- B) Personal property released to a third party must have the detainee's signature of approval and a signature of receipt of the third party.

9) Telephone Calls

Detained persons shall be permitted a reasonable number of local and/or long distance completed telephone calls to an attorney of their choice and to a family member as soon as practicable, generally within one hour after arrival. The expense for the making of a telephone call, if any, shall be borne by the detainee.

- A) When no family member can be contacted, a friend may be substituted.
- B) The date and time of initial telephone calls shall be recorded.

10) Medical Examination

- A) The admitting officer shall observe the detainee for any obvious injuries or illnesses requiring immediate emergency medical care, rashes, unusual cough, high temperature, body pests, and general mental status. The officer shall determine by questioning if the detainee has medical conditions such as dependence on drugs or alcohol, diabetes, epilepsy, past treatment for mental disorders, allergies; if the detainee is on medication; and if the detainee is female, whether she is pregnant.
- B) When a detainee shows signs of or reports unusual physical or mental distress, he shall be referred to health care personnel as soon as possible.

11) Medication

Any medication in the possession of a detainee at admission shall be withheld until verification of its proper use is obtained. This verification shall be made as soon as possible, but within the time interval specified for administration of the medication on the prescription container.

12) Booking and Personal Record Information

A record or records for each detainee shall be established at admission and maintained throughout the period of confinement. Such record shall include:

- A) Name and social security number.
- B) AKA and nicknames.
- C) Address.
- D) Marital status.

- E) Age and date of birth.
- F) Person to notify in case of emergency, including address and telephone number.
- G) Physical description and characteristic marks.
- H) Occupation.
- I) Education level attained.
- J) Religion or religious affiliation.
- K) Offense (charged with or sentenced for).
- L) Date and time of admission and authority.
- M) Name and title of officers presenting and receiving detainee.
- N) Name and telephone number of detainee's attorney.
- O) Previous arrest record and convictions.
- P) Medical record of health and physical condition at admission; during confinement, including treatment and medication administered; condition at discharge; and medical and/or hospitalization insurance carrier and policy numbers.
- Q) Itemized record of detainee's cash and other valuables, expenditures, and receipts while in custody.
- R) Dates of temporary absences from jail, authority to be absent, and destination.
- S) Record of visitor's names and dates of visits.
- T) Record of misconduct and discipline administered.
- U) Case disposition, judge, and court.

13) Lice and Other Body Pests

Treatment, directed by the facility physician, shall be initiated immediately when body pests are detected.

14) Showers

All detainees must shower or bathe when admitted.

15) Cell Assignment

- A) The detainee shall be assigned to suitable quarters.
- B) Jail staff shall be responsible for cell assignment and shall consider the status of new detainees (for example, pre or post-trial detention, etc.), sex, health, age, type of offense charged, prior record if known, and whether there are any accomplices or material witnesses already within the jail from whom the person should be separated.

16) Items of Issue

Detainees shall be issued clean bedding, towel, necessary clothing, and soap.

- A) Bedding shall consist of at least a mattress cover, flame retardant mattress, and blanket(s) appropriate to the season of the year.
- B) The towel shall be cloth and of bath size.
- C) Detainees shall be permitted to purchase a toothbrush and dentifrice from the commissary, unless furnished by the jail staff. If the detainee is without funds in his possession, he shall be issued such items by jail staff.
- D) Detainees shall be held accountable for all jail property issued to them.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.50 Orientation**a) Introduction**

- 1) Arrest and confinement are stress-producing and often result in unpredictable behavior. For the person undergoing confinement for the first time, the initial impact can determine reaction to the total experience. To those who have been confined before, previously formed impressions may be reinforced and reaction to the present situation predetermined. To counter negative reactions, a clear and concise orientation procedure by qualified staff is required.
- 2) A detainee must learn to adjust to confinement and have the benefit of guidelines and correctly interpreted information. Otherwise, he is subject to misinformation from other detainees. He must learn rules in relation to schedules, visiting, correspondence, personal cleanliness, freedom of movement, and approved activities.

b) Minimum Standards--Orientation Content

The orientation shall include:

- 1) Information pertaining to rising and retiring, meals, mail procedures, work assignments, telephone privileges, visiting, correspondence, commissary, medical care, etc.
- 2) Rules of conduct.
- 3) Disciplinary procedures.
- 4) Information regarding programs, i.e., work, education and vocational training, counseling, and all social services.
- 5) Procedures for making requests or entering complaints to the jail staff, judiciary or to Department of Corrections personnel.
- 6) Special assistance shall be given to illiterate and non-English speaking detainees.

Section 701.60 Release Procedures**a) Introduction**

- 1) Carefully followed release procedures are equally as important as proper admission procedures. Attention given to the rightful return of personal property demonstrates the jail personnel's attitude.
- 2) All jail personnel must be familiar with documentation required before a detainee is permitted to leave the jail, whether for a temporary period or as a final release. Positive identification of each detainee prior to release is essential.

b) Minimum Standards**1) Identification**

- A) Positive detainee identification shall be made by the releasing officer before discharge, transfer or release is effected.
- B) When a detainee is discharged or is released to the custody of another, a record shall be made of the date, time and the authority.

2) Physical Examination

Prior to final release or discharge, each detainee shall receive a physical inspection by a person of the same sex and record made of any wounds or injuries.

3) Contraband

Detainees being discharged, released or transferred shall be searched by a person of the same sex to eliminate taking property which does not belong to them or other contraband.

4) Personal Property

All personal property and funds inventoried at the time of admission or added during the period of confinement and not transferred to a third party or expended during confinement, other than those legally confiscated, shall be returned to the detainee.

- A) Items shall be carefully inventoried, or otherwise accounted for, with the releasing officer and the detainee signing the inventory form.
- B) A copy of the itemized and signed receipt shall be maintained by the jail as a permanent record.

- C) Personal property of the detainee being transferred to another facility shall be inventoried and items to be transferred with the detainee shall be documented and turned over to the transporting officer in the presence of the detainee. Only personal property allowed by the receiving facility shall be transferred with the detainee. Items not transferred shall be disposed of by the transferring facility in accordance with its procedures, e.g., having a relative pick up items, mailing items to a person designated by the detainee.

5) Transfers to Illinois Department of Corrections

Pursuant to Sections 3-8-1, 3-10-1 and 5-4-1 of the Unified Code of Corrections (Ill. Rev. Stat. 1985, ch. 38, pars. 1003-8-1 and 1003-10-1 and Ill. Rev. Stat. 1986 Supp., ch. 38, par. 1005-4-1) and Section 5-10 of the Juvenile Court Act (Ill. Rev. Stat. 1987 Supp., ch. 37, par. 705-10), when a detainee is delivered to the custody of the Department, the following information must be included with the items delivered:

- A) THE MITTIMUS OR JUDGEMENT ORDER WHICH MUST INCLUDE THE INDICTMENT OR PETITION NUMBER, SENTENCE OR DISPOSITION, OFFENSE, JUDGE'S NAME, DATE OF SENTENCE, DATES FOR TIME SERVED AND WHERE APPLICABLE, WHETHER THE SENTENCES ARE TO BE SERVED CONCURRENTLY OR CONSECUTIVELY. IN THE CASE OF A YOUTH COMMITTED AS A DELINQUENT, A CERTIFIED COPY OF THE COURT ORDER APPOINTING THE JUVENILE DIVISION LEGAL CUSTODIAN IS ALSO REQUIRED.
- B) ANY STATEMENT BY THE COURT ON THE BASIS FOR IMPOSING THE SENTENCE.
- C) ANY PRESENTENCE REPORTS.
- D) THE NUMBER OF DAYS, IF ANY, WHICH THE COMMITTED PERSON HAS BEEN IN CUSTODY AND FOR WHICH HE IS ENTITLED TO CREDIT AGAINST THE SENTENCE. CERTIFICATION OF JAIL CREDIT TIME SHALL INCLUDE ANY TIME SERVED IN THE CUSTODY OF THE ILLINOIS DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, TIME SERVED WHILE ON PROBATION OR PERIODIC IMPRISONMENT.
- E) A RECORD OF THE COMMITTED PERSON'S TIME, HIS BEHAVIOR AND CONDUCT WHILE IN CUSTODY OF THE COUNTY. ANY ACTION ON THE PART OF THE COMMITTED PERSON, INCLUDING BUT NOT LIMITED TO AN ESCAPE ATTEMPT, PARTICIPATION IN A RIOT, SUICIDE ATTEMPT, WHICH MIGHT AFFECT SECURITY

STATUS, AND A RECORD OF MEDICAL TREATMENT, IF ANY, SHOULD BE INCLUDED IN THE RECORD.

- F) STATE'S ATTORNEY'S STATEMENT OF FACTS. IF THE STATEMENT IS UNAVAILABLE AT THE TIME OF DELIVERY, THE STATEMENT SHALL BE TRANSMITTED WITHIN TEN DAYS OF RECEIPT BY THE CLERK OF THE COURT.
- G) ANY MEDICAL OR MENTAL HEALTH RECORDS OR SUMMARIES.
- H) NAME OF MUNICIPALITY WHERE THE ARREST OF THE COMMITTED PERSON AND THE COMMISSION OF THE OFFENSE OCCURRED, IF SUCH MUNICIPALITY HAS A POPULATION OF MORE THAN 25,000 PERSONS.
- I) ALL ADDITIONAL MATTERS WHICH THE COURT DIRECTS THE CLERK TO TRANSMIT.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.70 Classification, Separation, Segregation**a) Introduction**

- 1) Minimum segregation is required by law. Jail administrators are responsible for the safekeeping of many different types of persons in a wide range of categories, (i.e., legal, mental, and physical, and separating them for administrative purposes).
- 2) A good classification program is contingent upon obtaining essential information on which to base an appraisal which will help reduce many security problems and provide safety for staff and detainees. Proper decisions avoid the often dangerous consequence of indiscriminate housing. Classification can be uncomplicated or it can be a very complex process depending upon the size of the jail, physical facilities, and staff. Four fundamental conditions must be met:
 - A) Security of the jail;
 - B) Safety and welfare of the detainees;
 - C) Protection of the staff and community; and
 - D) Effective use of the jail to fulfill its potential as an instrument of correction and behavior modification for those confined.

b) Minimum Standards**1) Classification Information**

Each facility shall have a classification plan that specifies criteria and procedures for determining and changing the status of an inmate. To determine each detainee's degree of security, housing and programs, the following items of information, to the extent available, shall be considered among other matters:

- A) Sex.
- B) Age.
- C) Offense.
- D) Pretrial, awaiting sentence, sentenced.
- E) Past criminal history, including known prior institutional history.
- F) Probation/parole status.

- G) Medical condition and treatment needs.
- H) Mental/emotional condition and needs.
- I) Mental health problems.
- J) Homosexuality.
- K) Academic and vocational needs.
- L) Special services and program needs.
- M) Detainee's attitudes regarding himself and his future.
- N) Gang activity.

2) Separation by Sex

Female detainees shall be confined in an area separated from physical and visual contact with male detainees.

3) Separation by Category

A) Witnesses

Persons being detained as witnesses shall be separated from detainees charged with an offense.

B) Non-criminal

Non-criminal offenders such as traffic violators, nonsupport cases, and persons charged with civil contempt shall be kept separated from persons charged with criminal offenses.

AGENCY NOTE: Separate housing is strongly recommended for misdemeanants and felons, except where the prior history (see subsection (b)(1)(e)) warrants similar housing.

C) Sentenced Offender

Sentenced offenders shall be segregated from unsentenced offenders.

D) Homosexuals

Known homosexuals shall be housed separately.

E) Mentally or Emotionally Disturbed or Retarded

- i) The mentally or emotionally disturbed or retarded shall be housed or tiered separately and maintained under constant supervision.
- ii) Suspected disturbed or retarded persons shall be immediately examined by a physician, or other competent person, and action taken to transfer them to an appropriate facility.

F) Classification Review

Review of the committed person's classification shall be conducted periodically, but at least every 60 days.

4) Direct Supervision Option

Where jail design and policies and procedures of jail management meet the requirement of direct staff supervision of inmates within housing areas, classification and prisoner housing assignments may alternatively be based upon prisoner behavior, rather than mandatory separation by classification category, with the following stipulations:

- A) Jail staffing must provide for a correctional officer within each housing area on a twenty-four hour basis. This correctional officer shall be in direct visual and oral contact with prisoners, without separation by security walls or other barriers.
- B) Exercise of this option does not waive the requirements of subsection (b)(1) which require a classification plan taking into account its designated considerations.
- C) Exercise of this option does not waive the requirements of subsection (b)(2), Separation by Sex, and under subsection (b)(3), Separation by Category, the requirements of subsections (A), (D) and (E).

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.80 Housing**a) Introduction**

When admission procedures are completed, the new detainee must be assigned quarters based upon separation and classification requirements.

b) Minimum Standards

The following statements of required minimums, while mandatory, are not intended to discourage the meeting of a higher standard. To the contrary, counties are encouraged to incorporate recognized professional standards in the planning and design of new facilities even though such standards may not be cited herein. It should also be noted that compliance with standards which exceed those which are cited herein as minimum has frequently been ordered by the courts in conjunction with jail conditions litigation.

1) Cell and Detention Room Space

- A) At least 50 square feet of floor space shall be provided in each cell with a minimum ceiling height of eight feet.
- B) At least 64 square feet of floor space shall be provided for each detention room with a minimum ceiling height of eight feet.
- C) With regard to existing facilities the Department of Corrections will not initiate legal action against a county if the only physical noncompliance relates to square footage of the individual cell or detention room. The facility would technically not be in full physical compliance, but no formal action would result unless there are additional noncompliances such as not providing suitable quarters as a result of overcrowding.

2) Cell or Detention Room Occupancy

All existing cells and detention rooms should be designated for a maximum of double occupancy (two inmates per cell or detention room).

3) Cell or Detention Room Equipment

Each cell or room shall be equipped with:

- A) A rigidly constructed metal bed, with solid or perforated metal bottom, securely anchored to the floor and/or wall; or a concrete sleeping surface. A sleeping surface constructed of concrete may only be used if the

construction design is approved in advance by the Department of Corrections. In determining whether to approve design of concrete beds, the Department will consider, among other matters, the architectural design, whether the concrete is solid, whether they would be constructed in a manner which would not affect heating of the cell, whether the height and measurements are similar to a standard jail bed, and whether the location of the bed would restrict detainee movement.

- B) A washbasin with piped hot and cold water. A supply of disposable drinking cups shall be provided if the washbasin is not drinking fountain equipped.
- C) A prison type toilet.
- D) Illumination sufficient to assure a comfortable reading level. (30 foot-candles, three feet above the floor.) Light fixtures shall be tamper proof.

4) Dormitory Space

- A) A dormitory is defined as a multiple occupancy room which is designed to hold more than two inmates who are screened prior to admission for suitability to group living.
- B) Floor space for dormitories shall be determined by the number of detainees each individual dormitory is designated to house.
 - i) At least 50 square feet of floor space shall be provided per occupant.
 - ii) There shall be a clear floor to ceiling height of not less than eight feet.

5) Dormitory Occupancy

- A) The measures outlined in Section 701.70 (Classification, Separation, Segregation) shall be observed to ensure reasonable screening and assignment.
- B) Dormitories are to be utilized exclusively for persons who are suitable for group living. It is suggested that the most likely candidates for dormitory style living are work releasees, weekenders, trusties, and sentenced misdemeanants (after intensive screening).

6) Dormitory Room Equipment

Each dormitory shall be equipped with:

- A) A rigidly constructed metal bed, with solid or perforated metal bottom, securely anchored to the floor and/or wall for each detainee.
- B) A washbasin with piped hot and cold water for every eight occupants. A supply of disposable drinking cups shall be provided if the washbasin is not drinking fountain equipped.
- C) A prison type toilet for every eight occupants.
- D) A shower with piped hot and cold water for every eight occupants.
- E) Illumination sufficient to assure a comfortable reading level. (30 foot-candles, three feet above the floor.) Light fixtures shall be tamper proof.
- F) Securely anchored metal tables as well as chairs or benches. Seating shall be provided for each detainee.

7) Access by Elevator

No cells or detention rooms shall be located above the first floor, unless key operated elevator service is provided. This standard is waived for existing structures.

8) Day Room

A day room is defined as an area separate from, but in conjunction with, individual cells or detention rooms which allows two or more inmates access from their cells or detention rooms. The purpose of a day room is to allow the participation of contact between inmates for leisure time activities such as cards, dominoes, checkers or similar nonstructured diversions. Additionally, day rooms provide a place for meals to be eaten outside individual cells or detention rooms.

- A) A day room area containing no less than 35 square feet must be provided in conjunction with each cell block or detention room cluster.
- B) Each day room shall be equipped with securely anchored metal tables as well as chairs or benches. Seating shall be provided for each detainee.

9) Showers

Showers shall be provided in each cell block area.

10) Mirror

Cells and detention rooms shall contain a metal mirror anchored securely to the wall.

11) Ventilation

Detention areas shall be comfortably heated and cooled according to the season with a system designed to eliminate disagreeable odors and to routinely provide temperatures within the normal comfort zone.

12) Compliance

All requirements of a physical nature shall be complied with by the following dates:

- A) Jails built in 1950 or before shall be in compliance by January 1, 1986.
- B) Jails built between 1951 - 1970 shall be in compliance by January 1, 1990.
- C) Jails built between 1971 - 1979 shall be in compliance by January 1, 1995.
- D) Jails built after 1979 and jails currently under construction must comply. However, if the Department of Corrections has previously given written approval for final architectural plans for new construction or remodeling, new standards of a physical nature will not be enforced.
- E) Those noncompliances relating to physical conditions which adversely affect the treatment of detainees with respect to their health and safety may be considered for further action under the provisions of Section 3-15-2(b) of the Unified Code of Corrections (Ill. Rev. Stat. 1987 Supp., ch. 38, par. 1003-15-2(b)).

13) Variances

Variances connected with physical requirements may be granted by the Director of the Department of Corrections for existing facilities. Variance expiration dates will be determined at the time granted. Variance requests of an administrative nature will not be granted. In determining

whether to grant a variance, the Department will consider, among other factors, the nature of the standard, previous noncompliance, the cost, the population, the alternative means of complying with the intent of the standard, the length of time requested for the variance, the consequences if the variance is not granted, and the safety and security of the facility or individuals.

- A) The variance request must be in writing and pertain to a specific standard.
 - i) The request must describe the reasons for the variance; the period of time for the variance; any hardship the facility might experience by complying with the standard; plans to be implemented to eventually comply with the particular standard; and a statement that the variance would not adversely affect the health and safety of detainees or security of the jail.
 - ii) All of these criteria will be considered in arriving at a decision.
- B) The approval or denial of a variance request will be returned by letter to the requesting governmental agency.
- C) The Director of the Department of Corrections, at his discretion, may grant a renewal of the variance provided documentation is received from the governing body which indicates a good faith effort on their part to effect necessary actions to comply with the standard in question.
- D) A permanent variance, depending on the circumstances, may be granted.

14) Architectural Plans

New construction and remodeling plans of detention facilities must be submitted to the Department for review and approval to ensure the physical plant conforms to the standards.

- A) The architect's preliminary drawings and final plans and specifications shall be submitted.
- B) Plans showing the proposed building location must be submitted to the Illinois Department of Transportation, Division of Water Resources, to determine compliance with the Regulation of Construction within Flood Plains (92 Ill. Adm. Code 706) and Construction Activities in Special Flood Hazard Areas (Executive Order 79-4, effective June 1, 1979).

- C) Subsections (b)(3)(A), (C) and (D), (b)(6)(F) and (b)(8)(B) of this Section may be waived for those facilities exercising the Direct Supervision Option, as described in Section 701.70(b)(4), provided that alternatives would not affect the safety and security of the facility or individuals.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.90 Medical and Health Care**a) Introduction:**

- 1) For more than half a century, courts have held it a jailer's duty to exercise reasonable and ordinary care to protect a detainee's life and health. More recently, courts in several states have ordered direct and substantial medical services to be provided persons in jail confinement.
- 2) Health services should reflect the desire of the community to provide health care equivalent to that accorded its citizens in the free community. The detainee must be shown concern and interest in his physical and mental well being. Confinement, for many persons, generates psychosomatic reactions. Some detainees will attempt to manipulate jail staff with numerous physical complaints in order to attract attention, plot escape, obtain drugs or create situations in order to register complaints regarding their treatment.
- 3) Jail personnel cannot risk the consequences in refusing a detainee's need of or request for medical attention. Economics or a detainee's behavioral history must not be allowed to influence the decision to provide emergency medical attention.
- 4) The current edition of the American Medical Association Standards for Health Services in Jails should be consulted as guidelines for planning, developing, and implementing medical and health services.

b) Minimum Standards**1) Medical and Health Services**

All jails shall provide a competent medical authority to ensure that the following medical services are available:

- A) Collection and diagnosis of complaints.
- B) Treatment of ailments.
- C) Prescription of medications and special diets.
- D) Arrangements for hospitalization.
- E) Liaison with community medical facilities and resources.
- F) Environmental health inspections.
- G) Supervision of special treatment programs, as for alcohol and other drug dependent inmates.

- H) Administration of medications.
 - I) Maintenance of accurate medical records.
 - J) Maintenance of detailed records of medical supplies, particularly of narcotics, barbiturates, amphetamines, and other dangerous drugs.
- 2) Physician and Dental Services
- A) A medical doctor shall be available to attend the medical and mental health needs of detainees. Arrangements shall be made for a dentist to provide emergency dental care.
 - B) General medical physician services shall be provided by one or more of the following procedures:
 - i) On salary, in accordance with locally established personnel pay plan.
 - ii) A contract with a local physician or clinic for full-time coverage at specific hours and for emergencies.
 - iii) A contract with a local physician to conduct sick call, be on call for emergencies, and to examine newly admitted persons.
 - iv) Arrangements with a nearby hospital to provide all needed medical services.
 - v) Services rendered, without cost, by another agency or department with costs prorated.
- 3) Admission Examination
- All persons admitted to confinement shall undergo a physical examination as prescribed in Section 701.40(b)(10).
- A) Newly admitted persons suspected of having any type of communicable disease shall be isolated and immediate referral made to the jail physician for possible transfer to a medical facility, unless the admitting facility can safely and effectively segregate and maintain a medically prescribed course of treatment.
 - B) All detainees confined shall be given a medical screening by a medical doctor, a registered nurse or a physician assistant within 14 days and as required by a medical doctor thereafter.

4) Sick Call

A schedule shall be established for daily sick call.

- A) The names of those detainees reporting to sick call shall be recorded in the medical log.
- B) Detainee's with emergency complaints shall receive attention as quickly as possible, regardless of the sick call schedule.
- C) Non-medical jail staff may issue any form of over-the-counter medication, providing the attending physician gives prior written approval to the facility for such issue and the issue is made at the request of the detainee.

5) Written Record or Log

A written record shall be maintained, as part of the detainee's personal file, of all treatment and medication prescribed, including the date and hour such treatment and medication is administered. A written record shall be maintained of over-the-counter medication, i.e., aspirin, cough medicine, etc., issued by jail staff. A written record shall be kept of all detainee's special diets.

6) Medical Security

Security of supplies must be maintained at all times.

- A) When a physician or other medical personnel attends patients at the facility, a jail officer shall be present to maintain order, prevent theft of medication and/or equipment or supplies, and to assure an orderly process.
- B) Drugs, including over-the-counter medication, and other abusable medical supplies shall be secured and accessible only to designated staff.
- C) Detainees shall receive one dose of medication at a time and shall be required to ingest medication in the presence of a medical staff member or jail officer.

7) First Aid Training

At least one member of the jail staff on each shift shall have completed a recognized course of first aid training, including cardiopulmonary resuscitation (CPR).

8) **First Aid Supplies**

Those facilities not having a dispensary shall maintain a stock of first aid supplies for the treatment of cuts, bruises, sprains, and other minor injuries.

9) **Detainee Access to Medical System**

Detainees shall not be assigned to work with or have access to medical supplies, patients, records or medications.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.100 Clothing, Personal Hygiene, Grooming**a) Introduction**

- 1) Development of a good attitude toward personal hygiene and grooming benefits any jail program. It enhances morale, self-respect, and health and contributes to a more positive relationship between staff and detainees.
- 2) Arbitrary rules for personal appearance are sometimes encountered which reflect bias and violate detainee rights. On the other hand, some persons admitted to jail may practice such poor standards of personal hygiene as to be obnoxious to others and make fellow detainees uncomfortable.

b) Minimum Standards**1) Cleanliness**

- A) Mechanical washing, drying equipment, and cleaning agents must be provided when detainees are required to supply and wear personal clothing.
- B) When clothing is provided by the jail, clean clothing shall be issued at least once weekly.

2) Grooming and Personal Hygiene

- A) Detainees without funds shall be provided necessary equipment and articles to maintain proper grooming and hygiene, when requested by the detainee.
- B) Bathing or showering shall be required twice weekly except as amended by medical advice in individual cases.
- C) Detainees shall not be required to shave.
 - i) Detained males shall be permitted to shave daily. Shaving equipment and shaving soap shall be made available.
 - ii) Detained females shall be provided with shaving supplies appropriate for personal hygiene needs.
- D) Barber and beautician services shall be made accessible, but must not violate required security measures.
 - i) Hair shall be kept neat and clean. There shall be no standard hair length or style required. Sideburns, mustaches, and beards are acceptable.
 - ii) When a detainee neglects the requirement of neat and clean grooming, the sheriff or chief

administrative officer may designate grooming standards to be maintained by that detainee.

- E) Female detainees shall be provided articles for feminine hygiene.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.110 Food Services**a) Introduction**

- 1) Food is a most important factor to a detainee. It assumes a greater significance than when he was free in the community. The method of preparing and serving it, menu variety, quality, and quantity--all influence detainee behavior and morale. Poor food is a major source of complaint and is often identified as the cause of jail discontent and disorder.
- 2) A good food service program requires three meals per day, spaced at reasonable intervals, adequate in quantity, nutritionally balanced, well prepared, attractively served, and provided at moderate cost. It requires careful planning and competent supervision in food purchasing, preparation, and serving.

b) Minimum Standards**1) Meal and Food Service**

Jail facilities shall provide meals and food service that conform to the following:

- A) Food must be of sufficient nutritional value and provide a minimum of 1,800-2,000 calories for adults and 2,500-3,000 calories for juveniles per day.
- B) Food quantity must be sufficient to satisfy, within reason, the detainee's needs.
- C) Meals shall be provided at reasonable and proper intervals, i.e., adhering to recognized breakfast, lunch, and dinner schedules. Breakfast shall not be served earlier than 6:30 a.m., lunch no earlier than 11:00 a.m., and supper no earlier than 4:00 p.m.
- D) A drink other than water shall be served with each meal.
- E) Of the three meals provided for each 24 hours of detention, one shall be a balanced and complete hot meal.
- F) Special diets shall be adhered to when prescribed by a jail physician.

2) Meal Preparation and Food Service, Sources of

The jail warden may elect to provide meals and food service by one or more of the following methods:

- A) Contract for catered food service.

- B) Provide frozen, or otherwise pre-prepared, meals which have been processed by the procedure required to produce a condition suitable for consumption.
- C) Food preparation and service in an on-site kitchen with food service staff who are employees of the facility.

3) Menus

- A) Menus shall be preplanned and copies of the menu served shall be maintained for a period of three months.
- B) The menu shall be diversified so as to avoid the monotony of a standardized diet.

4) Portion or Serving

A portion or serving shall be defined as a quantity which looks good on the plate or tray and is satisfying to the majority.

5) On-site Food Preparation and Service, Facility Provided

Food service shall conform to the following:

- A) The jail cook or kitchen staff must be familiar with security aspects of jail operation and effective in training and supervising detainees in food services.
 - i) Detainees assigned to food service must undergo a physical examination and be certified free of communicable diseases.
 - ii) Personal appearance, whether employee or detainee, must be inspected regularly.
 - iii) Detainees working in food service shall be required to bathe daily and be provided with clean clothing daily.
- B) A heated or insulated cart capable of transporting containers of food, drink, and eating utensils shall be utilized when the serving or dining area (cell, day room, etc.) is a significant distance from the kitchen and food temperature would not otherwise be maintained.
- C) Food and drink, while being stored, prepared, displayed, served or transported, shall be protected from contamination by insects or foreign substances.
- D) Divided or compartmented trays shall be used for full meal service. Food trays, dishes, and eating utensils shall be removed from detainee's quarters (cell, day

room, etc.) soon after the meal is finished and returned to the kitchen for proper washing and sterilizing or disposal.

- E) Ranges, stoves, and ovens shall be equipped with an accurate thermostat or temperature gauge.
- F) A mechanical dishwasher which meets Illinois Department of Public Health standards (77 Ill. Adm. Code 750) is preferred, but in its absence:
 - i) A three-compartment, stainless steel sink with drainboard is required: one compartment for washing with 110 degree F. water containing adequate soap or detergent; one compartment for rinsing; and one compartment for sterilization with the water temperature no less than 170 degrees F. or sterilization using a sanitizing agent.
 - ii) Dishes and trays shall be drain dried and not wiped dry.
- G) Dry stores such as flour, cereal, dried beans, peas, coffee, and canned goods shall be stored in a cool, dry, and well ventilated area, screened or otherwise protected against insects and rodents.
 - i) Containers used to store dry bulk quantities shall be lined with or have the interior coated with an acceptable impervious substance or plastic.
 - ii) Fresh fruits, vegetables, dairy products, meats, and frozen foods shall be refrigerated. All refrigerators and freezers shall be equipped with an accurate thermometer. Frozen food shall be kept at or below 0 degrees F. temperature. All perishable food shall be stored at such temperature as will protect against spoilage (45 degrees F. or below).

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.120 Sanitation**a) Introduction**

- 1) Detergent, water, and supervision are three things essential to a clean jail.
- 2) Good sanitation must be a prime consideration. Sanitation procedures can be easily overlooked or ignored. Jail administrators must impress on jail staff that cleanliness improves the general conditions of the jail and affects detainee attitudes. Insistence upon keeping the facility clean demonstrates that they are important as human beings.
- 3) One of the most difficult tasks in effecting and supervising good sanitation practices is instructing newly admitted detainees of the importance for keeping their quarters clean. Individual differences exist between detainees with respect to their personal habits. Some are cleanliness conscious while others are not. Efficient supervision will note these differences and will quickly identify detainees who habitually have dirty cells or rooms.

b) Minimum Standards**1) General Requirements**

A cleaning schedule shall be established.

- A) Floors shall be swept and mopped at least once daily.
- B) Windows shall be clean.
- C) Insect screens shall be installed in windows, when appropriate, for protection from flying insects.
- D) Ventilation must be sufficient to admit fresh air and remove disagreeable odors.
- E) Forced air or other form of artificial ventilation in the living area shall provide 60 cubic feet per minute of air exchange per person.
- F) Walls shall be kept clear of etched or inscribed graffiti and/or writing.
- G) Walkways and corridors shall be free of litter or trash.
- H) Mops and other cleaning tools and implements shall be thoroughly cleaned and dried after each use and securely stored in a well ventilated place.

I) All detainee cleaning details shall be under the supervision of a jail officer.

2) Facility Equipment

A) Quarters equipment--toilets, washbasins, shower stalls, and sinks--shall be thoroughly cleaned each day.

B) All trash and garbage containers shall be equipped with tight fitting covers. Trash and garbage shall be removed at least daily and disposed of in a sanitary manner.

3) Facility Drinking Equipment

Drinking water shall be provided in cells, dormitories, recreation or day room areas and may be a sink tap, or preferably, a sink spout (bubbler).

4) Facility Supplies

An adequate supply of clean clothing, bedding, towels, soap, and cleaning supplies shall be maintained.

A) Sheets, pillowcases, and mattress covers shall be changed and washed at least once a week.

B) Vinyl covered mattresses must be washed with hot water, detergent, and disinfectant monthly or before reissue.

C) Blankets shall be laundered, or otherwise sterilized, monthly or before reissue.

D) Cotton or fiber filled mattresses or pads shall be aired and spray sanitized monthly or before reissue.

E) A clean towel shall be issued each detainee at least twice weekly.

F) Shaving and barber tools shall be thoroughly cleaned by the staff and secured.

5) Facility Food Service

The floors of all rooms in which food or drink is stored, prepared, served, or in which utensils are washed, shall be kept clean.

A) All counters, shelves, tables, equipment, and utensils with which food or drink come in contact shall be maintained in good repair and free of corrosion, cracks, and chipped or pitted surfaces.

- B) Utensils shall be stored in a clean, dry place protected (covered or inverted) from flies, dust, overhead leakage, and condensation.
 - C) There shall be adequate plumbing facilities, in good working order.
 - D) The range cooking surface shall be scraped daily. Hoods, vents, and filters shall be cleaned regularly.
 - E) All windows, walls, and woodwork shall be kept clean.
- 6) Body Pests
- A) Frequent inspection of living areas shall be made to aid in control of body pests.
 - B) Immediate extermination measures shall be taken when body pest infestation occurs, including spraying or fumigation of bedding, clothing, equipment, and all areas of the building supportive of existence and reproduction of the pests.

7) Pest and Vermin Control

A continuous and effective program of insect and rodent control and extermination shall be established.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.130 Supervision**a) Introduction**

- 1) The primary objective of any jail is to provide a safe, secure, and humane facility.
- 2) The primary function of any jail is the safekeeping and control of persons charged with or convicted of a crime. In a detention setting, the gamut of human emotions and behavioral reactions to them can be seen--depression, calm, rage. Twenty-four hour supervision by trained personnel is necessary to maintain a safe and secure facility.
- 3) Proper supervision provides protection to both staff and detainees. Mischievous or malicious acts cannot be easily plotted and carried out and escapes or attempted escapes are more easily thwarted, when staff direction is constant.
- 4) Supervision is more than surveillance for it includes the elements of interaction between people. Electronic surveillance should never be relied upon as a primary form of supervision. It is an important supplement to direct contact supervision, but at best, it provides only conditional watchfulness.

b) Minimum Standards**1) Shift Coverage**

There must be sufficient officers present in the jail, awake and alert at all times, to provide supervision while detainees are in custody.

- A) A jail officer shall provide personal observation, not including observation by a monitoring device, at least once every 30 minutes.
- B) Dormitories housing more than 25 inmates must provide personal continuous observation by staff, not including observation by a monitoring device.
- C) Radio operators performing jail officer duties, to include 30-minute supervisory checks, shall have jail officer training.

2) Log Record

A written record book, or log, with entries in ink or time clock record shall be maintained by each jail officer assigned to cell block duty on each shift. Entries shall show the time of each visit by the jail officer, his signature, and any relevant remarks.

3) Kangaroo Courts and Barn Boss System

Kangaroo courts, sometimes called "Sanitary Courts" or "Barn Boss System," or any other similar detainee organization shall be prohibited. No detainee shall be allowed to have authority or disciplinary control over anyone.

4) Night Hours

A) Detainees shall be locked in their individual cells between the designated times of lights out and arising in the morning.

B) Designated lights out time shall be determined by administrative policy but shall not be set earlier than 10:00 p.m.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.140 Security**a) Introduction**

- 1) No correctional program can be successfully implemented without effective security. All jail personnel must be continuously attentive to security measures. Apathy, temporary lapse of caution, and ignoring procedures for personal convenience are major causes of breakdown in custody procedures.
- 2) Jail officers must follow proven security procedures in an unobtrusive manner with a minimum of disruption or interference with jail activities. Security objectives are more easily accomplished when each officer's work coordinates with that of other personnel. In this way, staff confidence and trust develops which, in turn, has a positive effect on the total jail environment.
- 3) Although mechanical locking devices and other equipment are an important part of the jail security system, the final dependence is on training and alertness of staff.

b) Minimum Standards**1) Searches**

Detainees permitted to leave the confines of the jail temporarily, for any reason, shall be thoroughly searched prior to leaving and before re-entering the jail.

2) Supervision

Jail officers and other personnel assigned to jail duty must be trained in security measures and handling special incidents such as assaults, disturbances, fires, and natural disasters.

3) Facility Security

Jail officers only must exercise and control security measures and shall not permit detainee assistance.

- A) All jail locks and doors shall be regularly and frequently inspected to ensure their proper working order and to detect escape efforts.
- B) All cell block doors and all doors opening into a corridor shall be kept locked, except when necessary to permit entry or exit.

- C) In cell block design which includes safety vestibules, two doors into the cell block shall not be unlocked and opened at the same time.
 - D) Unoccupied cells, detention rooms, and storage rooms shall be kept locked at all times.
 - E) Backup personnel shall be available when cell doors to living quarters are opened.
 - F) Detainees with "hold orders" shall not be assigned trusty status.
 - G) Glass or unattached metal items shall not be permitted in the detention area.
 - H) Trusties shall be carefully supervised and not be permitted unrestricted movement.
 - I) Jail sections housing hardened or escape-minded detainees, inebriates, persons with suicidal tendencies, the ill, and the mentally disturbed or retarded shall be given special care and supervision and checked more frequently than the standard 30-minute check.
 - J) A master population record, computer printout or locator board shall be established and maintained at the control center, indicating the various jail sections and housing assignments.
 - K) Jail officers shall conduct population spot checks at least hourly.
 - L) An inventory of all keys available to jail officers shall be made at the beginning of each shift.
- 4) Shakedown
- A) Frequent but irregularly scheduled shakedown of detainees and their quarters shall be made to detect the presence of weapons and other contraband.
 - B) Bars, walls, windows, and floors of the jail and detention sections shall be regularly and frequently inspected and kept clear of large posters, pictures, calendars, and articles of clothing which might be used to conceal escape attempts.

5) Makeshift Weapons

- A) After use, tools and equipment shall be accounted for by the jail officer responsible and returned to their proper storage place.
- B) Eating utensils shall be accounted for after each meal and returned to the kitchen.

6) Maintenance

Any damaged or nonfunctioning security equipment must be promptly repaired.

7) Access to Keys and Records by Detainee

- A) Detainees, including trustees, shall not be permitted to handle, use or have jail keys of any type in their possession.
- B) No detainee shall be assigned work that requires access to personnel records of persons currently or previously in detention nor to staff personnel records.

8) Population Count

A head count shall be made and recorded at least four times daily, including counts taken at change of shifts and night lockup.

9) Key Control

- A) Jail keys must be stored in a secure key locker when not in use.
- B) There must be at least one full set of jail keys, separate from those in use, stored in a safe place, accessible only to jail personnel for use in the event of an emergency.

10) Firearms and Other Weapons

No person, including law enforcement personnel, shall be permitted to enter any section of the jail with a gun or other weapon on his person.

- A) Weapons shall be stored in a secure and locked drawer, cabinet or container outside the security area.
- B) Reserve firearms ammunition, chemical agents, and other protective equipment shall be stored in a secured room (arsenal).

11) Chemical Agents

Persons designated to authorize the use of tear gas, mace, etc., shall be named in writing and shall be trained in the proper employment of the chemical agents.

- A) Chemical agents shall be used only as a last resort to bring a detainee(s) under the necessary degree of control and only after thorough consideration of the hazards involved, including the physical characteristics of the area where it is to be used. A record of the incident shall be made.
- B) A detainee(s) affected by tear gas must be given a thorough medical examination and appropriate treatment immediately after security control has been gained.

12) Tool Control

All tools shall be inventoried and locked in a secure place.

13) Emergency Power Source

An emergency electrical power source shall be available in the event of a power failure.

(Source: Amended 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.150 Safety

a) Introduction

The fine line between good safety and good security practices is almost indistinguishable--one complements the other. For the purposes of these standards, safety protects both staff and detainee.

b) Minimum Standards

1) Fire Protection

Based on the size of the facility, there shall be at least one fire extinguisher installed in the basement and on each floor for each 5,000 square feet of floor area.

- A) Extinguishers shall be readily accessible to staff but not detainees. The local fire department shall be contacted regarding the location, type, and number of fire extinguishers.
- B) Extinguishers shall be examined not less than once each year and tagged with the date of inspection and initials of the inspector.
- C) All jail personnel shall be familiar with the characteristics and operation of all types of extinguishers in the facility.

2) Emergency Exits

- A) Emergency exit doors shall be clearly indicated with at least 4 ½ inch block lettering stating, "Exit" in all capital letters; their location made known to all jail personnel; and the keys for the doors immediately available to jail staff.
- B) There shall be two exits from each floor of detention.

3) Horseplay

Residents shall be prohibited from engaging in wrestling, horseplay or any activity that could cause injury.

4) Safety Orientation

Detainees who volunteer and are assigned to vocational tasks shall be given a safety orientation prior to participation.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.160 Discipline**a) Introduction**

- 1) Discipline is a system of rules which gives training by instruction, control, and practice and includes administering punitive action. Equitable and consistent discipline is a prerequisite for proper jail operation.
- 2) A well-trained staff is essential to good discipline within the jail. Jail officers have a responsibility to assist detainees in achieving acceptable behavior and self-control. A trained jail officer prevents situations that result in rule infractions. An officer who knows the operation of his post, the rules, and the detainees assigned to his area of responsibility can anticipate circumstances that need special attention and thereby prevent difficulties.
- 3) Rules must be reasonable and evenly applied. Jail administrators cannot afford to have them capricious, arbitrary or unduly severe. A growing body of court decisions demonstrate that the civil rights of detained persons will not be ignored. Courts have intervened to protect detainees from poor administrative decisions and practices that infringe upon those rights.
- 4) Just as rules must be reasonable, action taken to determine an alleged infraction must be based on findings of fact. Once proven, penalty action is compelled to recognize the offender's civil rights. Some court decisions have held administrators personally liable for monetary damages in instances of civil rights oversight.
- 5) It is important that disciplinary measures be related to the infraction and be fairly applied. Jail regulations and the possible consequences for infractions, in writing, provide consistent direction to both staff and detainees.

b) Minimum Standards**1) Written Rules**

Any future changes in Standards relating to discipline must comply with the following (Ill. Rev. Stat. 1986 Supp., ch. 75, par 32.1):

- A) WITHIN 3 MONTHS AFTER THE EFFECTIVE DATE OF THIS AMENDATORY ACT OF 1986, THE WARDENS WHO SUPERVISE INSTITUTIONS UNDER THIS ACT SHALL MEET AND AGREE UPON UNIFORM RULES AND REGULATIONS FOR BEHAVIOR AND CONDUCT, PENALTIES, AND THE AWARDING, DENYING AND REVOCATION OF GOOD BEHAVIOR ALLOWANCE, IN

SUCH INSTITUTIONS; AND SUCH RULES AND REGULATIONS SHALL BE IMMEDIATELY PROMULGATED AND CONSISTENT WITH THE PROVISIONS OF THIS ACT. INTERIM RULES SHALL BE PROVIDED BY EACH WARDEN CONSISTENT WITH THE PROVISION OF THIS ACT AND SHALL BE EFFECTIVE UNTIL THE PROMULGATION OF UNIFORM RULES. ALL DISCIPLINARY ACTION SHALL BE CONSISTENT WITH THE PROVISIONS OF THIS ACT. COMMITTED PERSONS SHALL BE INFORMED OF RULES OF BEHAVIOR AND CONDUCT, THE PENALTIES FOR VIOLATION THEREOF, AND THE DISCIPLINARY PROCEDURE BY WHICH SUCH PENALTIES MAY BE IMPOSED. ANY RULES, PENALTIES AND PROCEDURES SHALL BE POSTED AND MADE AVAILABLE TO THE COMMITTED PERSONS.

- B) WHENEVER A PERSON IS ALLEGED TO HAVE VIOLATED A RULE OF BEHAVIOR, A WRITTEN REPORT OF THE INFRACTION SHALL BE FILED WITH THE WARDEN WITHIN 72 HOURS OF THE OCCURRENCE OF THE INFRACTION OR THE DISCOVERY OF IT, AND SUCH REPORT SHALL BE PLACED IN THE FILE OF THE INSTITUTION OR FACILITY. NO DISCIPLINARY PROCEEDING SHALL BE COMMENCED MORE THAN 8 DAYS AFTER THE INFRACTION OR THE DISCOVERY OF IT, UNLESS THE COMMITTED PERSON IS UNABLE OR UNAVAILABLE FOR ANY REASON TO PARTICIPATE IN THE DISCIPLINARY PROCEEDING.
- C) ALL OR ANY OF THE GOOD BEHAVIOR ALLOWANCE EARNED MAY BE REVOKED BY THE WARDEN, UNLESS HE INITIATED THE CHARGE, AND IN THAT CASE BY THE DISCIPLINARY BOARD, FOR VIOLATIONS OF RULES OF BEHAVIOR AT ANY TIME PRIOR TO DISCHARGE FROM THE INSTITUTION, CONSISTENT WITH THE PROVISIONS OF THIS ACT.
- D) IN DISCIPLINARY CASES THAT MAY INVOLVE THE LOSS OF GOOD BEHAVIOR ALLOWANCE OR ELIGIBILITY TO EARN GOOD BEHAVIOR ALLOWANCE, THE WARDEN SHALL ESTABLISH DISCIPLINARY PROCEDURES CONSISTENT WITH THE FOLLOWING PRINCIPLES:
- i) THE WARDEN MAY ESTABLISH ONE OR MORE DISCIPLINARY BOARDS, MADE UP OF ONE OR MORE PERSONS, TO HEAR AND DETERMINE CHARGES. ANY PERSON WHO INITIATES A DISCIPLINARY CHARGE AGAINST A COMMITTED PERSON SHALL NOT SERVE ON THE DISCIPLINARY BOARD THAT WILL DETERMINE THE DISPOSITION OF THE CHARGE. IN THOSE CASES IN WHICH THE CHARGE WAS INITIATED BY THE WARDEN, HE SHALL ESTABLISH A

DISCIPLINARY BOARD WHICH WILL HAVE THE AUTHORITY TO IMPOSE ANY APPROPRIATE DISCIPLINE.

- ii) ANY COMMITTED PERSON CHARGED WITH A VIOLATION OF RULES OF BEHAVIOR SHALL BE GIVEN NOTICE OF THE CHARGE, INCLUDING A STATEMENT OF THE MISCONDUCT ALLEGED AND OF THE RULES THIS CONDUCT IS ALLEGED TO VIOLATE, NO LESS THAN 24 HOURS BEFORE THE DISCIPLINARY HEARING.
- iii) ANY COMMITTED PERSON CHARGED WITH A VIOLATION OF RULES IS ENTITLED TO A HEARING ON THAT CHARGE, AT WHICH TIME HE SHALL HAVE AN OPPORTUNITY TO APPEAR BEFORE AND ADDRESS THE WARDEN OR DISCIPLINARY BOARD DECIDING THE CHARGE.
- iv) THE PERSON OR PERSONS DETERMINING THE DISPOSITION OF THE CHARGE MAY ALSO SUMMON TO TESTIFY ANY WITNESSES OR OTHER PERSONS WITH RELEVANT KNOWLEDGE OF THE INCIDENT. THE PERSON CHARGED MAY BE PERMITTED TO QUESTION ANY PERSON SO SUMMONED.
- v) IF THE CHARGE IS SUSTAINED, THE PERSON CHARGED IS ENTITLED TO A WRITTEN STATEMENT, WITHIN 14 DAYS AFTER THE HEARING, OF THE DECISION BY THE WARDEN OR THE DISCIPLINARY BOARD WHICH DETERMINED THE DISPOSITION OF THE CHARGE, AND THE STATEMENT SHALL INCLUDE THE BASIS FOR THE DECISION AND THE DISCIPLINARY ACTION, IF ANY, TO BE IMPOSED.
- vi) THE WARDEN MAY IMPOSE THE DISCIPLINE RECOMMENDED BY THE DISCIPLINARY BOARD, OR MAY REDUCE THE DISCIPLINE RECOMMENDED; HOWEVER, NO COMMITTED PERSON MAY BE PENALIZED MORE THAN 30 DAYS OF GOOD BEHAVIOR ALLOWANCE FOR ANY ONE INFRACTION.
- vii) THE WARDEN, IN APPROPRIATE CASES, MAY RESTORE GOOD BEHAVIOR ALLOWANCE THAT HAS BEEN REVOKED, SUSPENDED OR REDUCED.

2) Distribution of Rules

- A) Every detainee shall be provided with:
- i) Rules and regulations governing behavior.
 - ii) Conduct constituting a penalty offense.
 - iii) Types of penalties, including duration, which may be imposed.
 - iv) Authority authorized to impose penalties.
 - v) Authorized methods of seeking information and making complaints.
 - vi) All other matters necessary to enable him to understand both his rights and his obligations.
- B) If a detainee is illiterate, information in subsection (b)(2)(A) shall be conveyed to him orally. Special assistance shall be given to non-English speaking detainees.

3) Complaints

Each detainee shall be permitted to make requests or complaints to the jail administration in proper form, without censorship as to substance.

4) Violations, Reporting of

Jail officers who observe disciplinary violations shall submit a written report of the incident.

5) Violations, Investigations and Penalties

Decisions on investigation and penalties for disciplinary violations shall be made in accordance with disciplinary rules of the county jails.

6) Violations, Classifications

Violations shall be classified as minor or major.

- A) Minor violations of conduct rules are those for which the penalty does not exceed a reprimand or the loss of privileges for more than 72 hours.
- B) Major violations are those for which the penalty may be more severe, such as loss of good time, transfer to segregation or isolation confinement, transfer to a higher classification of custody, any other change in

status which may tend to affect adversely a detainee's time of release or discharge or the filing of additional charges subject to prosecution.

7) Prehearing Rules, Major Violations

Rules governing major violations shall provide for specific procedures as follows:

- A) Someone other than the reporting officer shall conduct an investigation into the facts of the alleged misconduct to determine if a violation occurred and if there is probable cause to believe the alleged offender committed the violation. If probable cause exists, a hearing date shall be scheduled no later than 48 hours after occurrence of the alleged misconduct. The hearing shall be convened in accordance with subsection (b)(1)(B).
- B) The accused, if he wishes, shall be offered assistance from a member of the jail staff, another detainee, or other authorized person to prepare for the hearing.
- C) No penalty shall be imposed until after the hearing, except that the accused may be segregated from the rest of the population or transferred to a different tier or cell block if jail authorities feel that he constitutes a threat to other detainees, staff members or to himself.

8) Hearing Rules, Major Violations

Rules governing major violations shall provide for a hearing on the alleged violation and the hearing shall be conducted as follows:

- A) The hearing shall be held as quickly as possible in accordance with subsection (b)(1)(B).
- B) The hearing shall be before an impartial officer or committee which may include a public member.
- C) The accused shall be allowed to present evidence or witnesses in his behalf.
- D) The accused shall be allowed to pose questions to the hearing officer/committee to be asked of witnesses against him.
- E) Where the accused is illiterate, the issues are complex, and it is unlikely the offender will be able to collect and present the necessary evidence, the aid of a fellow detainee or member of the staff shall be made available to him.

- F) The hearing officer or committee shall render the decision in writing setting forth the findings, the conclusion(s), and any penalty imposed. If the decision finds the offender did not commit the alleged violation, all reference to the charges shall be removed from his file.
- G) Findings of the hearing officer or committee shall be reviewed by the sheriff/warden, who may accept the decision or reduce the penalty imposed.

9) Disciplinary Findings and Penalty Imposition

In reaching a decision regarding the type of discipline to be imposed, the hearing officer or committee shall evaluate the violation and the violator and choose the disposition which is most likely to promote conformance to normal standards of conduct.

A) Restriction of Privileges

A restriction of privileges shall be carefully evaluated and assessed as it relates to the infraction, and does not impose a secondary penalty on another person.

B) Segregation

Segregation shall be resorted to only after lesser penalties have been considered.

- i) Assignment to segregation shall not be cause to deprive the detainee of other rights such as cleanliness, medical care, selected recreation, correspondence, diet or commissary.
- ii) Segregation of a minor under 17 must conform with statutes and minimum standards regarding separation from adults.
- iii) Minors under 16 in segregation must remain in the jail section designated for juveniles.

C) Restricted Diets and Corporal Punishment

Restricted diets and corporal punishment are prohibited.

D) Forfeiture of Good Time

Forfeiture of good time shall be assessed in conformity with Section 3.1 of the Misdemeanant Good Behavior Allowance Act (Ill. Rev. Stat. 1986 Supp., ch. 75, par. 32.1).

10) Use of Restraints

Restraint devices, such as handcuffs, waist chains, leg irons, leg braces, straitjackets, etc., shall not be applied as a penalty.

A) Such restraints may be used on an inmate:

- i) As a precaution against escape during transportation.
- ii) On medical grounds by direction of the physician.
- iii) By order of the sheriff/chief jailer in order to prevent a detainee from injuring himself or others, or from damaging or destroying property.

B) A written report shall be placed on file whenever restraint devices are applied in accordance with subsection (b) (12) (A) (ii) or (iii). Additionally, each individual case shall be reviewed at least once every 24 hours to determine the necessity for such restraints.

C) Psychotropic medicines shall not be used as a disciplinary device or control measure.

11) Use of Force by Staff

Use of force in no way prohibits self defense, prevention of injury to another staff member or detainee, prevention of property damage, to subdue a recalcitrant or to thwart or prevent escape or attempt to escape. The least force necessary under the circumstances shall be employed.

12) Prosecution

Where an inmate is alleged to have committed a crime covered by statutory law, the facility shall refer the case to appropriate law enforcement officials for possible prosecution.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.170 Employment of Detainees

a) Introduction

Detainee idleness and boredom are major problems in jail administration. Idleness contributes to disciplinary problems and to the deterioration of the detainee's attitude.

b) Minimum Standards

1) Unsented Detainees

Persons awaiting trial and those not sentenced shall not be required to work, except to keep their living area clean.

2) Sentenced Detainees

Assigning sentenced persons to perform one or more of a variety of jobs is acceptable, especially within the areas of housekeeping and maintenance, except that such assignment shall not:

- A) Violate any personal right or jail standard;
- B) Be hazardous or potentially dangerous to a detainee's life and/or limb, health or state of well-being;
- C) Conflict with any law or ordinance, standards of any regulatory agency or with terms and agreements in a recognized trade union contract; or
- D) Endanger jail security regulations.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.180 Mail Procedures**a) Introduction**

- 1) Frequent communication with family, relatives, friends, and others concerned with the detainee is to be encouraged. It is essential to morale, maintenance of family ties, legal rights, and an eventual healthy reentry into the community.
- 2) Procedures for receiving and sending mail must protect the detainee's personal rights and provide for reasonable security practices consistent with the function of a jail.

b) Minimum Standards**1) Scope**

A detainee shall be allowed to correspond with anyone so long as his correspondence does not violate any state or federal law, except:

- A) A detainee shall not be allowed to correspond with the victims of his current or previous offense(s), unless they have given their consent in writing.
- B) A detainee shall be permitted to correspond with a member of his immediate family or spouse who is incarcerated in another correctional or detention facility, provided joint approval of both chief administrative officers is obtained.
 - i) Failure to express disapproval within 15 days will be considered as approval.
 - ii) The disapproval shall state the reason therefore.
- C) Caution shall be taken to protect the detainee's rights in accordance with court decisions regarding correspondence.

2) Incoming Mail

Detainees shall be permitted to receive an unlimited number of letters.

- A) Incoming mail shall not be read, censored or reproduced, but shall be opened and examined for contraband or funds.
- B) Cashier's checks, money orders, certified checks or cash shall be recorded in the detainee's personal property record or trust fund account, indicating the sender, amount and date.

- C) Incoming letters containing contraband shall be held for further inspection and disposition by the sheriff or chief administrator.
- i) Contraband received shall be handled with care and labeled, indicating the date of receipt, the name and address of the sender, the name of the detainee to whom it is addressed, and the name(s) and date of the person(s) handling same.
 - ii) The appropriate law enforcement agencies shall be notified and the items safeguarded in the event they are to be used as evidence in criminal proceedings or disciplinary action.
- D) All mail shall be distributed to the detainee within 24 hours of receipt, excluding weekends and holidays. A discharged or transferred detainee's mail shall be forwarded unopened if the forwarding address is known. If no forwarding address is available, mail shall be returned unopened to the sender.
- E) A detainee shall not be allowed to open, read or deliver another detainee's mail.
- F) Detainees may receive books and periodicals subject to inspection by jail personnel. Packages may be received only if approved by administrative policy and shall be subject to inspection before being delivered to the detainee.
- G) The sheriff or his designee shall retain the right to spot check incoming mail when there is reason to believe that jail security may be impaired or mail procedures are being abused.
- 3) Outgoing Mail

Each detainee shall be permitted to send, at personal expense, an unlimited number of letters.

- A) Postage shall be provided to indigent detainees for at least one letter per week.
- B) Postage supplied to detainees is not transferable.
- C) Appropriate stationery, envelopes, and a writing implement shall be supplied, but detainees may use such items as they themselves provide.
- D) Detainees may not send packages by mail, unless granted permission to do so by the sheriff or jail

administrator. The detainee shall provide for the postage cost for mailing a package.

- E) A program permitting residents to send special messages or greeting cards for anniversaries, birthdays or special holidays such as Christmas, Easter, and Mother's Day shall be implemented, providing the detainee has personal funds to pay the total cost of such communications.
 - F) Outgoing mail shall be collected Monday through Friday. Every effort shall be made to ensure that outgoing mail is delivered to the U.S. Postal Service on the same day.
 - G) While outgoing mail shall not normally be read, censored or reproduced, the jail shall retain the right to spot check nonprivileged outgoing mail by the sheriff or his designee to do so when it is believed that jail security may be impaired. Except for privileged mail, detainees shall submit outgoing mail in unsealed envelopes.
- 4) Certified or Registered Mail

Each jail shall establish procedures for processing certified or registered mail.

- A) Determination of the appropriateness of such outgoing mail shall be the responsibility of the detainee.
 - B) To send certified or registered mail, the detainee must have sufficient funds in his personal property or trust fund account and must attach a signed withdrawal voucher to the envelope for the application of proper postage and deduction of postage charges and other costs from his trust fund account. Blank withdrawal vouchers shall be provided by the jail.
- 5) Privileged Mail, Outgoing

Outgoing letters from detainees to persons or organizations listed below are privileged communications and may be sealed by the detainee prior to submission for mailing. Such letters shall not be opened by the jail staff before mailing and shall be dispatched promptly.

- A) Elected or appointed federal or state officials including any U.S. Senator or Representative; any Federal Judge or the Clerk of any Federal Court; the Attorney General of the United States; the Director of the Federal Bureau of Prisons; the Governor of the State of Illinois; any Illinois Circuit, Appellate or Supreme Court judge; the Illinois Attorney General; and any member of the Illinois General Assembly.

- B) The Director of the Illinois Department of Corrections; the Deputy Director of the Bureau of Inspections and Audits of the Illinois Department of Corrections; the Chief of the Detention Standards and Services Unit of the Illinois Department of Corrections; and the Chairman, Executive Secretary and members of the Illinois Prisoner Review Board.
- C) Any attorney currently licensed to practice law.
- D) All correspondence addressed to legal aid organizations and any other organization whose official declared purpose is to provide legal services for detainees. These letters may be addressed either to paraprofessional personnel at the organization or to the organization's office.

6) Privileged Mail, Incoming

Incoming mail from persons or organizations identified in the preceding standard may be opened only for the purpose of verifying the addressee and the addressor and to ascertain that nothing other than legal and/or official matter is enclosed. Mail opening must be in the presence of the detainee.

7) Disciplinary Denial

Detainees shall not be denied mail rights for disciplinary purposes; however, a serious violation of mail regulations may result in close scrutiny of mail.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.190 Telephone**a) Introduction**

Periodic use of the telephone to talk with family, friends, and relatives aids in creating and maintaining good morale within the jail.

b) Minimum Standards**1) Right to Use**

Telephone communication is a right when a detainee is first admitted to the jail.

2) Telephone Program

A scheduled program to permit each detainee to place at least one telephone call each week shall be established. Additional calls may be permitted at local administrative discretion. The expense for the making of a telephone call, if any, shall be borne by the detainee.

A) A minimum of five minutes shall be allotted for each phone call.

B) Telephone calls shall not be monitored.

3) Violation of Telephone Rules

Violation of jail rules governing the telephone program may result in suspension of telephone usage for a designated period of time.

Section 701.200 Visiting**a) Introduction**

- 1) Visits provide a direct and valuable means of communication between the detainee and his family and friends. Detainees look forward to receiving visitors and visits should be encouraged. They bolster morale and may prove valuable to jail programs designed to aid a detainee's social readjustment.
- 2) Jail personnel should not become complacent regarding visits. Visitor contact can provide the spark for an outburst of detainee misbehavior, for example, news of illness in the family, children's school problems, financial problems or real or imagined infidelity.
- 3) Jail administrators must give close attention to rules which control visiting. Severely restrictive regulations have been overturned by court decisions; however, security is threatened when procedures are not controlled.

b) Minimum Standards**1) Visit Regulations**

The sheriff shall prescribe regulations relative to visits with detainees.

- A) Regulations shall provide a schedule identifying no fewer than two visiting days each week, one of which must be during the weekend.
 - B) At least one visit per week per detainee shall be allowed, except when an individual has been assessed a disciplinary penalty for a visiting regulation infraction.
 - C) Visits shall not be less than 15 minutes.
 - D) Two or more persons permitted to visit at the same time shall count as a single visit.
 - E) There shall be no age restriction on visitors when a child is accompanied by a parent or guardian.
- 2) Visits by Attorneys, Probation Officers, Pretrial Service Officers, and Clergymen
 - A) Attorneys, probation officers, pretrial service officers, and clergymen shall be permitted to visit detainees at reasonable hours other than during regularly scheduled visiting hours or periods and such visits shall not count as an allotted visit.

B) An area for interview between a detainee and his attorney, probation officer, pretrial service officer, or clergyman shall be provided and arranged so as to ensure privacy.

3) Security Precautions

Visits can be a grave security risk; however, under proper supervision, the risk can be reduced. All visitors shall be required to sign the visitor register or visitor card before being permitted to visit a detainee.

4) Visits, Maximum Security Classification

Detainees requiring maximum security precautions must be given special attention during visits.

5) Non-Security Area Visits

In jails where visiting is conducted in an open room or area because of previous jail structural limitations, constant visual supervision by jail staff must be exercised.

A) Detainees must be thoroughly searched before and after each visit.

B) Visitors are subject to search and a search notice sign must be conspicuously posted.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.210 Social Service Programs**a) Introduction**

- 1) Social services for detainees have generally been overlooked. Modern correctional thought emphasizes that all jails, regardless of size, must provide necessary treatment services in order to fulfill the full spectrum of obligations. Treatment services are used in a broader sense--the aggregate of jail experiences--rather than the traditional clinical concept of medical or psychological therapy.
- 2) Efforts must be intensified to reverse criminal trends through planned treatment programs in county jails.
- 3) The philosophy of a detention facility must emphasize that the resocialization of offenders and prevention of further antisocial behavior are essential factors in controlling crime. The protection of society, humane care of persons in detention, and services required to maintain the physical, social, and emotional health of detainees must be firmly established to implement this philosophy.

b) Minimum Standards

Volunteer workers and groups such as Alcoholics Anonymous, Gamblers Anonymous, clergy, and volunteer counselors or groups offering needed services shall be invited to participate in the jail programs.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.220 Education

a) Introduction

- 1) Education programs, both academic and vocational, not only reduce idleness but assist in meeting basic needs of detainees.
- 2) Educational programs can be developed with the aid of community resources and interested citizens. Many detainees welcome the opportunity to sharpen their academic skills.
- 3) Local school authorities may provide teachers and information regarding financial aids available through governmental agencies.
- 4) Educational programs that may be developed are:
 - A) Adult Basic Education Courses aimed at reducing the level of illiteracy by increasing individual reading vocabulary, encouraging writing skill, explaining basic arithmetic, and providing an opportunity for detainees to learn more about community business and social activities which affect their lives.
 - B) Elementary and High School Courses that are specific or general. Depending upon the aim of the detainee, these courses may serve to provide knowledge related to a definite interest or be suitable for a continued educational program in the community after release.
 - C) General Education Development (G.E.D.) courses to prepare qualified detainees for the G.E.D. test so they can earn a high school equivalency diploma.
 - D) Correspondence Courses for both high school students and graduates can be arranged through local school districts, state colleges, and universities.
 - E) Social Education taught by instructors from local schools and colleges, volunteers from community agencies, and university students to instruct detainees in understanding self-concept, how to modify existing life style habits, and how to understand and relate to others. Detainees, individually or in groups, can be introduced to acceptable methods of finding and getting a job. They may also be introduced to vocational requirements such as proper work habits, job performance, personal relationships, and keeping a job. Jail personnel can assist detainees in obtaining birth certificates and social security numbers, to find suitable employment after release, and to utilize the services of community agencies such as local unions, employment offices, and private agencies or industries.

b) Minimum Standards

1) Educational Materials

Educational information and academic materials shall be permitted and made accessible to detainees.

2) Vocational Materials

Vocational information and materials shall be permitted and made accessible to detainees, provided their presence does not jeopardize security.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.230 Library

a) Introduction

- 1) Federal and state court decisions have underscored the detainee's right of access to any reading material, except pornography as defined by the courts or reading matter which might pose an imminent threat to jail security.
- 2) The right to read is extremely important for the detainee to develop greater self-awareness, a better understanding of the social and governmental system, and to gain information usable for vocational purposes. The individual in confinement must have every opportunity for access to printed material pertinent to his personal needs. Just as important is the opportunity to have relief from boredom and a chance to reduce aggressiveness through recreational reading and related library services.

b) Minimum Standards

1) Library Services

Library services shall be made available to all detainees. Library materials shall include up-to-date informational, recreational, legal, and educational resources appropriate to individual detainees.

- A) Detainee access to current Illinois Revised Statutes shall be provided.
- B) Detainee access to current jail rules and regulations shall be provided.

2) Written Policy

There shall be a written policy covering the library's day-to-day activities and schedule.

3) Library Personnel

Where the level of need does not require full-time library personnel, whether employed by a public library system or on the staff of the jail, there shall be a jail staff person whose job assignment shall include responsibility for ongoing development and maintenance of the library and liaison with a public library.

Section 701.240 Religious Services

Minimum Standards

a) **Religious Services**

Detainees shall be afforded an opportunity to participate in religious services and receive religious counseling.

b) **Compulsory Participation**

Detainees shall not be required to attend or participate in religious services or discussions.

Section 701.250 Commissary**a) Introduction**

A commissary provides a valuable morale and control factor in a jail operation. Items can be made available to detainees that are otherwise denied because the jail cannot supply them. The commissary provides a broader range of selection in several lines of commodities and provides a source of grooming and personal hygiene items.

b) Minimum Standards**1) Establishment of a Commissary**

Each jail shall establish and maintain a commissary system to provide detainees with approved items that are not supplied by the jail.

2) Management of a Commissary

No member of the staff shall gain personal profit, directly or indirectly, as a result of the commissary system.

3) Commissary Prices

Prices charged detainees shall not exceed those for the same articles sold in local community stores.

4) Schedule

Commissary shall be provided on a regularly scheduled basis and not less than once weekly.

5) Purchases

Commissary purchases must be reflected by a debit entry on the detainee's cash account. Entry must be initialed by the detainee or a receipt issued.

6) Profits

All profits from the commissary shall be used for detainee welfare, and such monies shall be subject to audit.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

Section 701.260 Recreation and Leisure Time**a) Introduction**

- 1) Properly organized recreation and leisure time programs can do much to relieve idleness and boredom and provide constructive activities. A regular recreational activities schedule which permits strenuous exercise helps to lower tensions and reduce disciplinary, physical, and mental health problems.
- 2) These activities should be scheduled in the day rooms, exercise rooms or yards, multipurpose rooms, and other available space to provide equal opportunities for all detainees to participate in programs of their choice and abilities. Athletic programs, radio, television, motion pictures, arts and crafts, cards, dominoes, puzzles of all types, checkers, chess, and similar diversions should be planned, equipment obtained, and scheduled.
- 3) Tools and material which can be used for unauthorized purposes must be carefully controlled.

b) Minimum Standards

All construction designs submitted for approval after publication of these standards must include an exercise room* and/or yard of sufficient area to allow strenuous physical exercise.

- 1) The exercise area shall be appropriately equipped and utilized within the limitations of security requirements.
- 2) Detainees shall be allowed in the exercise area for no less than one hour per day, unless the sheriff or jail administrator determines that participation in such activity by a particular detainee or group of them is harmful or dangerous to the security and/or morale of the facility.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)

*A day room may be designated as an exercise room provided the minimum standards for exercise areas are met.

Section 701.270 Juvenile Detention

a) Introduction

- 1) All standards in the preceding Sections apply equally to minors under 17 years of age, except where prohibited. The following standards for juvenile detention provide added requirements, restrictions or emphasis.
- 2) Section 3-6(5) of the Juvenile Court Act (Ill. Rev. Stat. 1985, ch. 37, par. 703-6(5)) specifies:

NO MINOR UNDER 16 YEARS OF AGE MAY BE CONFINED IN A JAIL OR PLACE ORDINARILY USED FOR THE CONFINEMENT OF PRISONERS IN A POLICE STATION. MINORS UNDER 17 YEARS OF AGE MUST BE KEPT SEPARATE FROM CONFINED ADULTS AND MAY NOT AT ANY TIME BE KEPT IN THE SAME CELL, ROOM, OR YARD WITH ADULTS CONFINED PURSUANT TO THE CRIMINAL LAW.

- 3) Two classifications of youth are identified:
 - A) Minors under 16 years of age are those youth who are less than 16 years of age.
 - B) Minors under 17 years of age are those youth who are 16 years or older but under 17 years of age.
- 4) Sections 1-9a and 3-2.1 of the Juvenile Court Act (Ill. Rev. Stat. 1986 Supp., ch. 37, pars. 701-9a and 703-2.1 state:
 - A) A MINOR ALLEGED TO BE A PERSON DESCRIBED IN SECTION 2-2 MAY BE CONFINED IN A JUVENILE DETENTION CENTER, COUNTY JAIL OR MUNICIPAL LOCK-UP FOR MORE THAN 24 HOURS ONLY IF THE FACILITY MEETS THE REQUIREMENTS AS DESCRIBED IN THE DEFINITION OF "JUVENILE DETENTION HOME."
 - B) "JUVENILE DETENTION HOME" MEANS A PUBLIC FACILITY WHICH PROVIDES FOR THE SAFETY, MEDICAL, EDUCATIONAL, RECREATIONAL, RELIGIOUS AND OTHER NEEDS OF YOUTH HELD IN A SECURE SETTING AND MAY BE EITHER A FREE-STANDING STRUCTURE OR IN THE SAME BUILDING AS AN ADULT JAIL OR LOCK-UP AS LONG AS, IN THE LATTER CASE, THE TWO ARE SEPARATE SUCH THAT THERE WOULD BE NO CONTACT BETWEEN JUVENILE AND ADULT RESIDENTS IN THE RESPECTIVE FACILITIES.

b) Minimum Standards

1) Minors Under 16

Minors under 16 may be detained temporarily in a room, not a cell, in a county jail where the place of confinement is a separate floor or section which ensures complete and effective isolation from any contact with adult prisoners.

- A) The designated section shall be clearly indicated above each entrance.
- B) Male and female youth shall not be housed within auditory and/or visual range of each other.
- C) Rooms shall be single occupancy.

2) Minors Under 17

Minors under 17 may be confined in cells or rooms in a jail or place ordinarily used for confinement of prisoners at a county jail, but these cells or rooms for the minors must be separate and distinct from the cells or rooms in which adults are confined. This does not preclude the very brief use of entrances, corridors, elevators, and booking areas prior to actual confinement.

- A) Separate and distinct shall mean no visual and/or auditory contact.
- B) Minors under 17 years of age may be confined in a area designated for minors under 16.
- C) The same jail facilities may be used, but not simultaneously with adults.

3) Detention Admissions

Only those youth charged with the alleged commission of a delinquent act or for whom a delinquency petition has been filed shall be confined.

- A) Unless sooner released, a minor taken into temporary custody must be brought before a judicial officer within 36 hours, exclusive of Saturdays, Sundays and court-designated holidays, for a detention hearing to determine whether he shall be further detained.
- B) When a minor is delivered to the jail, a probation officer or such other public official designated by the court shall immediately investigate the circumstances of the minor and the facts surrounding his being taken into

custody. If further detention is a matter of immediate and urgent necessity, written authorization of such public officer is required in accordance with Section 3-4 of the Juvenile Court Act (Ill. Rev. Stat. 1985, ch. 37, par. 703-4). The written authorization permits detaining the minor for up to 36 hours, excluding Saturdays, Sundays and court-designated holidays.

- C) Parents, legal guardian or person with whom the minor resides shall be notified if the law enforcement officer has been unable to do so.

4) Supervision

Staff providing supervision for minors under 16 shall receive training in understanding the methods and techniques of juvenile care.

- A) Supervision of minors under 16 shall be maintained by visual contact with each youth no less than once every 30 minutes.
- B) A shift log, in ink, shall be maintained as a record of incidents and activities, including supervisory checks, occurring on the shift.
- C) Detainee supervision shall be provided by a person of the same sex under the following conditions:
 - i) When procedures which require physical contact or examination such as body searches are made.
 - ii) During periods of personal hygiene activities and care such as showers, toileting, and related activities.
 - iii) This standard does not prohibit the use of necessary force by a staff member of a sex other than that of a detainee.

5) Detention Rooms and Day Rooms

The following requirements are established:

- A) Each detention room shall, at minimum, provide 64 square feet of floor space per room.
- B) A day room area must be provided with a minimum of 35 square feet per detainee for each detention room cluster.
- C) Each sleeping room shall be equipped with a rigidly constructed metal bed securely fastened to the wall or floor; a toilet; washbasin with hot and cold running

water; a suitable flame retardant mattress; mattress covering and bed covers suited to individual needs; and illumination sufficient to guarantee distinct visual supervision and a comfortable reading level.

6) Personal Hygiene

Clothing changes, showers, shaving, and other personal hygiene activities shall conform, at minimum, with those standards pertaining to adult detainees.

7) Food Service

A) Food preparation, menu, diet, food service, and meal schedules shall conform to the needs of growing adolescents. A minimum of 2,500 to 3,000 calories per day shall be provided.

B) Food service dining areas cannot be shared simultaneously with adults.

8) Activities

Each youth shall have a minimum of eight hours daily of dayroom and recreation activity, except when behavior endangers required security; jeopardizes the safety and well-being to staff and other detained youth; is a threat to himself; or to protect property.

A) Appropriate reading materials, table games in sufficient quantities and radio and/or television shall be provided.

B) Recreation of an energetic nature shall be provided and outdoor activities shall be scheduled when appropriate facilities exist.

9) Education

A) A regular schedule of academic instruction and related educational services appropriate to the needs of each individual shall be provided for those youth detained beyond 36 hours, with arrangements made through the appropriate school district.

B) Coeducational classes may be scheduled.

10) Psychiatric and Social Services

Access to psychiatric, psychological, casework, and counseling services shall be provided as needed in individual cases.

11) Visiting

- A) A liberal visiting schedule shall be established identifying no fewer than two visiting days each week, one of which must be during the evening hours and one during the weekend, and all holidays.
- B) Visits from attorneys, clergy, social workers, probation officers or other persons professionally associated with a youth's case shall be permitted at reasonable non-scheduled hours. These visits shall not count against any limitation which may be placed on the number of visits allowed.

12) Records

Records, to include admission, medical, and visiting shall be maintained in accordance with these standards.

- A) Records of all minors under 17 years of age must be maintained separate from the records of adult arrests. Names of juveniles shall not be recorded in the same ledgers, jail registers, monthly population reports or other records that are subject to public review.
- B) Records may not be open to public inspection or their contents disclosed to the public, except by order of the court or when the institution of criminal proceedings has been permitted or the person has been convicted of a crime and is the subject of pre-sentence investigation or proceedings on an application for probation.

(Source: Amended at 12 Ill. Reg. 12274, effective October 1, 1988)