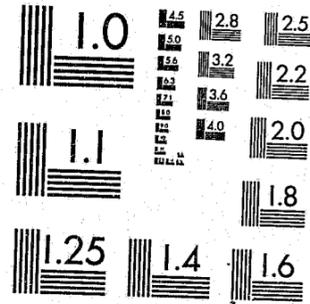


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6-17-82

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TO JAIL DUTY.

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ACQUISITIONS

FORWARD

SECTION 5120.10, OF THE OHIO REVISED CODE, LISTS AMONG THE POWERS AND DUTIES TO BE EXERCISED BY THE OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, DIVISION OF PAROLE AND COMMUNITY SERVICES, "THE INVESTIGATION AND SUPERVISION OF COUNTY AND MUNICIPAL JAILS, WORKHOUSES, AND OTHER PENAL OR REFORMATORY INSTITUTIONS AND AGENCIES." ACCORDINGLY, PURSUANT TO SECTION 5120.06, OHIO REVISED CODE, THE DIRECTOR OF THE DEPARTMENT OF REHABILITATION AND CORRECTION ISSUED EXECUTIVE ORDER 005, APRIL 14, 1976. THIS EXECUTIVE ORDER SPECIFIES THAT THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES SHALL HAVE THE AUTHORITY TO "PREPARE AND PUBLISH ADULT DETENTION FACILITY STANDARDS."

WORKING WITH REPRESENTATIVES FROM THE BUCKEYE STATE SHERIFFS' ASSOCIATION, ASSOCIATION OF OHIO CHIEFS OF POLICE, OHIO COMMON PLEAS JUDGES' ASSOCIATION, COUNTY COMMISSIONERS' ASSOCIATION OF OHIO, DEPARTMENT OF REHABILITATION AND CORRECTION, AND THE OHIO MUNICIPAL LEAGUE, THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES PROMULGATED IN APRIL, 1978, AND REVISED IN 1980, THE FOLLOWING MINIMUM STANDARDS FOR ALL LOCAL JAILS IN OHIO. THESE STANDARDS REPRESENT A CONSENSUS OF PROFESSIONAL OPINION, BASED UPON EXTENSIVE RESEARCH OF LEGAL REQUIREMENTS, EXISTING STANDARDS, AND PRACTICAL EXPERIENCE. THEY ARE CONSIDERED BY THOSE CONCERNED TO BE THE MINIMUM CONDITIONS NECESSARY TO INSURE THE SAFE, EFFICIENT, EFFECTIVE AND LEGAL OPERATION OF A JAIL.

THE STATED STANDARDS ARE INTENDED TO SERVE AS A BASIS FOR EVALUATING OHIO JAILS BOTH INDIVIDUALLY AND COLLECTIVELY, AND DEVELOPING COURSES OF ACTION TO BRING ABOUT IMPROVEMENTS. THEY ARE SUBJECT TO ONGOING REVISION AS THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES GAINS ADDITIONAL AWARENESS AND UNDERSTANDING OF EXISTING PROBLEMS, NEEDS AND CAPABILITIES.

OFFICIALS RESPONSIBLE FOR THE MANAGEMENT AND OPERATION OF ADULT DETENTION FACILITIES SHOULD VIEW THESE STANDARDS AS A FRAMEWORK WITHIN WHICH TO PLAN AND INITIATE CHANGES NECESSARY TO MEET CONTEMPORARY CORRECTIONS CONCEPTS, PRACTICES AND REQUIREMENTS. THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES SHALL ASSIST IN WHATEVER MANNER POSSIBLE TO FACILITATE SUCH EFFORTS.

PREFACE

I. STATUTORY AUTHORITY:

A. THE STANDARDS AND REQUIREMENTS CONTAINED HEREIN, ARE BASED UPON THE POWERS AND DUTIES EXERCISED BY THE DIVISION OF PAROLE AND COMMUNITY SERVICES, - BUREAU OF ADULT DETENTION FACILITIES AND SERVICES, AS MANDATED UNDER OHIO REVISED CODE 5120.10 (A):

"THE INVESTIGATION AND SUPERVISION OF COUNTY AND MUNICIPAL JAILS, WORKHOUSES, AND OTHER PENAL OR REFORMATORY INSTITUTIONS AND AGENCIES."

NOTE: "THIS SECTION DOES NOT APPLY TO THE YOUTH COMMISSION OR ITS INSTITUTIONS OR EMPLOYEES."

B. THE DEPARTMENT OF REHABILITATION AND CORRECTION IS REQUIRED TO APPROVE, BEFORE ADOPTION BY THE PROPER OFFICIALS, PLANS FOR NEW JAILS, WORKHOUSES AND MUNICIPAL LOCKUPS, AS MANDATED UNDER OHIO REVISED CODE 5103.18.

II. SCOPE OF MINIMUM STANDARDS:

A. THE "MINIMUM STANDARDS FOR JAILS IN OHIO - SEVENTY-TWO-HOUR FACILITY" APPLIES SPECIFICALLY TO MUNICIPAL JAILS CHOOSING NOT TO BE A FULL SERVICE FACILITY. STANDARDS WHICH ARE APPLICABLE TO SEVENTY-TWO-HOUR FACILITIES MAY BE IDENTIFIED BY CODE NUMBER 10 AS IN 5120:1-10-01. IN THE CASE OF A LEGAL HOLIDAY FALLING ON FRIDAY OR MONDAY, THE SEVENTY-TWO-HOUR CLASSIFICATION IS EXTENDED TO NINETY-SIX HOURS.

B. SEPARATE MANUALS CONTAINING STANDARDS FOR JAILS HOUSING PRISONERS LONGER THAN SEVENTY-TWO-HOURS AND LESS THAN FOUR HOURS MAY BE OBTAINED FROM THE DEPARTMENT OF REHABILITATION AND CORRECTION IF REQUIRED.

III. OTHER STANDARDS AND REQUIREMENTS:

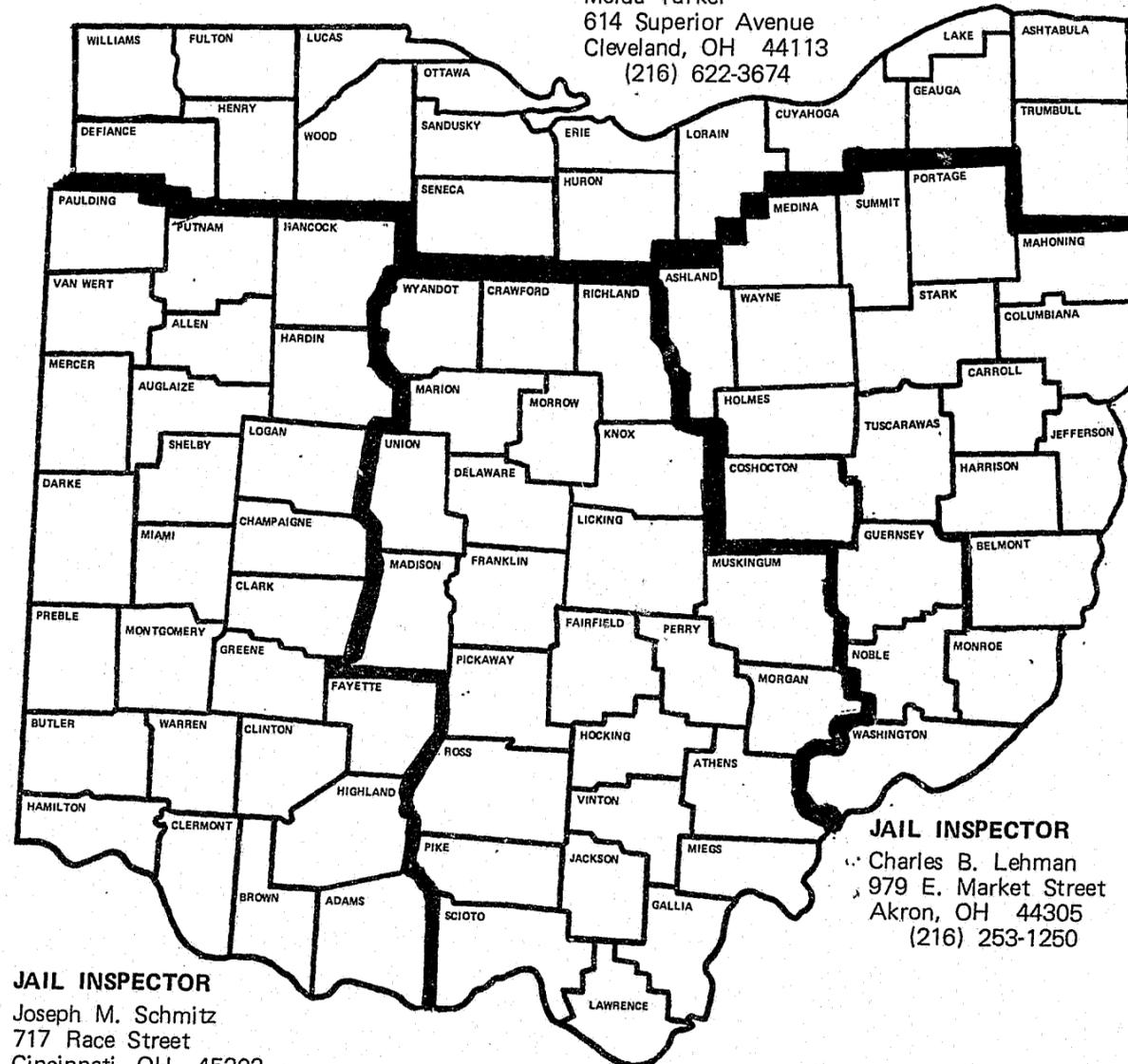
A. THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES HAS DRAWN HEAVILY UPON FEDERAL CASE LAW TO FORM THE BASIS FOR "THE MINIMUM STANDARDS FOR JAILS IN OHIO." A NUMBER OF NATIONAL OR FEDERAL JAIL STANDARDS WERE REVIEWED DURING THE WRITING AND UPDATING OF OHIO'S MINIMUM JAILS STANDARDS. NATIONAL STANDARDS HAVE BEEN DEVELOPED BY THE AMERICAN CORRECTIONAL ASSOCIATION'S COMMISSION ON ACCREDITATION, U.S. DEPARTMENT OF JUSTICE, NATIONAL SHERIFF'S ASSOCIATION, AMERICAN MEDICAL ASSOCIATION, AND THE AMERICAN BAR ASSOCIATION.

B. JURISDICTIONS CONTEMPLATING NEW CONSTRUCTION OR MAJOR RENOVATION OF THEIR JAIL SHOULD FIRST CONTACT THE APPROPRIATE JAIL INSPECTOR. THE BUREAU STAFF IS AVAILABLE TO WORK WITH THE ARCHITECT, ADVISE THE PLANNING COMMITTEE, SPEAK TO PUBLIC OFFICIALS AND CITIZEN GROUPS. EARLY INVOLVEMENT OF BUREAU STAFF IN THE PLANNING PROCESS WILL LESSEN THE LIKELIHOOD OF COSTLY CHANGES OR DELAYS IN THE THE FACILITY DESIGN AND CONSTRUCTION.

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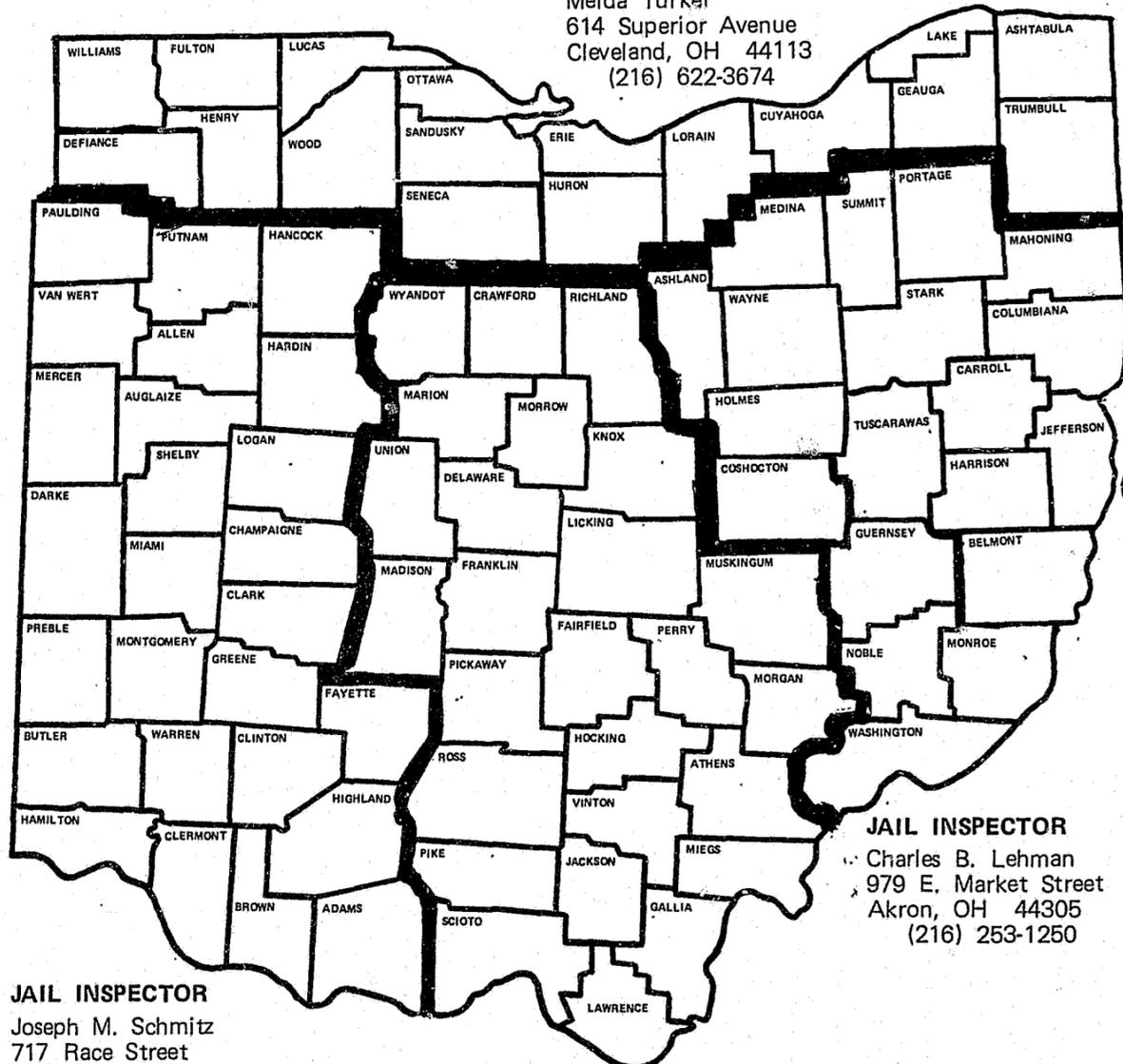
III. OTHER STANDARDS AND REQUIREMENTS:

- A. THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES HAS DRAWN HEAVILY UPON FEDERAL CASE LAW TO FORM THE BASIS FOR "THE MINIMUM STANDARDS FOR JAILS IN OHIO." A NUMBER OF NATIONAL OR FEDERAL JAIL STANDARDS WERE REVIEWED DURING THE WRITING AND UPDATING OF OHIO'S MINIMUM JAILS STANDARDS. NATIONAL STANDARDS HAVE BEEN DEVELOPED BY THE AMERICAN CORRECTIONAL ASSOCIATION'S COMMISSION ON ACCREDITATION, U.S. DEPARTMENT OF JUSTICE, NATIONAL SHERIFF'S ASSOCIATION, AMERICAN MEDICAL ASSOCIATION, AND THE AMERICAN BAR ASSOCIATION.
- B. JURISDICTIONS CONTEMPLATING NEW CONSTRUCTION OR MAJOR RENOVATION OF THEIR JAIL SHOULD FIRST CONTACT THE APPROPRIATE JAIL INSPECTOR. THE BUREAU STAFF IS AVAILABLE TO WORK WITH THE ARCHITECT, ADVISE THE PLANNING COMMITTEE, SPEAK TO PUBLIC OFFICIALS AND CITIZEN GROUPS. EARLY INVOLVEMENT OF BUREAU STAFF IN THE PLANNING PROCESS WILL LESSEN THE LIKELIHOOD OF COSTLY CHANGES OR DELAYS IN THE THE FACILITY DESIGN AND CONSTRUCTION.

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5120:1-7-01. BUREAU RESPONSIBILITY AND AUTHORITY

- (A) THE DIVISION OF PAROLE AND COMMUNITY SERVICES, BUREAU OF ADULT DETENTION FACILITIES AND SERVICES (HEREINAFTER REFERRED TO AS "THE BUREAU"), IS CHARGED WITH THE INVESTIGATION AND SUPERVISION OF COUNTY AND MUNICIPAL JAILS AND WORKHOUSES.
- (B) THE BUREAU SHALL MAKE ON-SITE INSPECTIONS OF JAILS IN THE STATE OF OHIO. SUCH INSPECTIONS SHALL BE SCHEDULED IN ADVANCE WITH WRITTEN NOTICE TO THE PERSON IN CHARGE OF THE JAIL.
- (C) INSPECTORS EMPLOYED BY THE BUREAU SHALL HAVE FULL ACCESS TO ALL AREAS OF A JAIL DURING AN INSPECTION AND TO ALL RECORDS RELATING TO THE OPERATION OF THE FACILITY.
- (D) THE INSPECTORS EMPLOYED BY THE BUREAU SHALL ASCERTAIN COMPLIANCE WITH THE "MINIMUM STANDARDS FOR JAILS IN OHIO," CONTAINED IN RULES 5120:1-8-01 TO 5120:1-12-19 OF THE ADMINISTRATIVE CODE.
 - (1) WITHIN SIXTY DAYS AFTER AN INSPECTION, THE BUREAU SHALL PREPARE A WRITTEN REPORT OF ITS INSPECTION. THE REPORT SHALL INCLUDE FINDINGS OF NON-COMPLIANCE AND APPROPRIATE RECOMMENDATIONS WHERE APPLICABLE. THE REPORT SHALL BE SENT TO THE PERSON IN CHARGE OF THE JAIL.
 - (2) THE BUREAU INSPECTOR SHALL SEND MINIMUM STANDARDS COMPLIANCE FORMS TO THE PERSON IN CHARGE OF THE JAIL WITHIN FIFTEEN DAYS AFTER THE INSPECTION REPORT IS SENT. THIS FORM WILL LIST AREAS OF NON-COMPLIANCE REFERENCED BY THEIR RESPECTIVE STANDARD NUMBER. WITHIN THIRTY DAYS OF RECEIPT OF THE COMPLIANCE FORM, THE PERSON IN CHARGE OF THE JAIL SHALL COMPLETE THE FORM BY STATING THE PROPOSED REMEDY AND COMPLIANCE DATE FOR EACH AREA OF NON-COMPLIANCE AND SUBMITTING THE FORM TO THE BUREAU INSPECTOR. DURING THIS PERIOD, THE BUREAU INSPECTOR SHALL BE AVAILABLE TO LOCAL OFFICIALS TO CLARIFY ANY AREAS OF THE INSPECTION REPORT OR COMPLIANCE FORM.
- (E) THE BUREAU MAY FULLY CERTIFY ANY JAIL WHICH MEETS THE MINIMUM STANDARDS. DUAL CERTIFICATION IS AVAILABLE FOR JAILS CONSTRUCTED AND OCCUPIED PRIOR TO 1979. CERTIFICATION IN THE AREAS OF "OPERATIONS" AND "PHYSICAL STRUCTURE" WILL BE CONSIDERED INDEPENDENTLY OF EACH OTHER. JAILS CONSTRUCTED AND OCCUPIED DURING OR AFTER 1979 MUST BE IN COMPLIANCE IN BOTH AREAS IN ORDER TO BE CERTIFIED. THE BUREAU MAY PROVISIONALLY CERTIFY ANY JAIL UPON COMPLETION OF A COMPLIANCE PLAN AND THE INITIATION OF CORRECTIVE ACTION. THE BUREAU MAY DE-CERTIFY ANY JAIL UPON RE-INSPECTION AND DETERMINATION OF NON-COMPLIANCE. ANY JAIL NOT CERTIFIED OR PROVISIONALLY CERTIFIED SHALL BE CONSIDERED "NON-CERTIFIED."

(F) THE BUREAU MAY ENFORCE THE STANDARDS PURSUANT TO THE FOLLOWING GUIDELINES:

- (1) IF ANY DEFICIENCY IS SUCH THAT THE PERSON IN CHARGE OF THE FACILITY MAY REASONABLY BE EXPECTED TO CORRECT IT INDEPENDENTLY OF OTHER AUTHORITY, THE BUREAU SHALL ALLOW ONE HUNDRED TWENTY DAYS FOR COMPLETION OF CORRECTIVE ACTION BEFORE PROCEEDING IN ACCORDANCE WITH PARAGRAPH (F) (3) OF THIS RULE.
 - (2) IF ANY DEFICIENCY IS SUCH THAT THE PERSON IN CHARGE OF THE FACILITY WOULD REQUIRE LOCAL LEGISLATIVE, JUDICIAL, OR EXECUTIVE AUTHORIZATION BEFORE ACTING, THE BUREAU SHALL ALLOW A REASONABLE AMOUNT OF TIME FOR CORRECTIVE ACTION BEFORE PROCEEDING IN ACCORDANCE WITH PARAGRAPH (F) (3) OF THIS RULE.
 - (3) IF ANY DEFICIENCY CITED IN THE REPORT IS NOT CORRECTED AS PROVIDED IN PARAGRAPHS (F) (1) AND (F) (2) OF THIS RULE, THE BUREAU SHALL NOTIFY THE LOCAL LEGISLATIVE, JUDICIAL, OR EXECUTIVE AUTHORITIES RESPONSIBLE FOR THE FACILITY OF THE FAILURE TO CORRECT THE DEFICIENCIES AND SHALL ADVISE THEM THAT THE BUREAU WILL NOT FULLY CERTIFY THE FACILITY UNTIL THE MINIMUM STANDARDS ARE MET.
 - (4) IF, AFTER THE NOTIFICATION PROVIDED FOR IN PARAGRAPH (F) (3) OF THIS RULE, THE LOCAL LEGISLATIVE, JUDICIAL, OR EXECUTIVE AUTHORITIES RESPONSIBLE FOR THE FACILITY FAIL TO TAKE CORRECTIVE ACTION, THE BUREAU MAY TAKE SUCH ACTION AS IT DEEMS NECESSARY TO EFFECT THE NECESSARY CORRECTIVE ACTION. NO SUCH ACTION SHALL BE TAKEN WITHOUT THE WRITTEN APPROVAL OF THE DIRECTOR OF THE DEPARTMENT OF REHABILITATION AND CORRECTION.
- (G) THE BUREAU MAY MAKE SUCH INSPECTIONS AND PARTICIPATE IN SUCH MEETINGS AS IT DEEMS NECESSARY FOR THE PROPER EXECUTION OF THE PROVISIONS OF THIS RULE. THIS RULE SHALL NOT BE CONSTRUED AS GRANTING TO THE BUREAU THE EXECUTIVE MANAGEMENT RESPONSIBILITIES OF LOCAL OFFICIALS.

5120:1-7-02 GLOSSARY OF TERMS.

- (A) THE TERM "MINIMUM STANDARDS FOR JAILS IN OHIO" REFERS TO RULES 5120:1-8-01 TO 5120:1-12-19 OF THE ADMINISTRATIVE CODE. THE STANDARDS APPLY TO COUNTY JAILS, MUNICIPAL JAILS, REGIONAL JAILS AND WORKHOUSES. EACH SUCH FACILITY FALLS WITHIN ONE OF THE FOLLOWING DEFINITIONAL CATEGORIES AND IS SUBJECT TO THE STANDARDS IDENTIFIED WITHIN THE DEFINITIONS AS APPLICABLE TO THOSE CATEGORIES:
- (1) "FULL SERVICE JAIL": A LOCAL FACILITY THAT DETAINS PERSONS FOR MORE THAN SEVENTY-TWO HOURS. THE STANDARDS SET FORTH IN RULES 5120:1-8-01 TO 5120:1-8-19 OF THE ADMINISTRATIVE CODE APPLY TO FULL SERVICE JAILS.
 - (2) "SEVENTY-TWO-HOUR HOLDING FACILITY": A LOCAL FACILITY THAT DETAINS PERSONS FOR MORE THAN FOUR HOURS BUT NOT MORE THAN SEVENTY-TWO HOURS. THE STANDARDS SET FORTH IN RULES 5120:1-10-01 TO 5120:1-10-19 OF THE ADMINISTRATIVE CODE APPLY TO SEVENTY-TWO-HOUR HOLDING FACILITIES.
 - (3) "FOUR-HOUR HOLDING FACILITY": A LOCAL FACILITY THAT DETAINS PERSONS FOR FOUR HOURS OR LESS. THE STANDARDS SET FORTH IN RULES 5120:1-12-01 TO 5120:1-12-19 OF THE ADMINISTRATIVE CODE APPLY TO FOUR-HOUR HOLDING FACILITIES.
- (B) AS USED IN RULES 5120:1-8-01 TO 5120:1-12-19 OF THE ADMINISTRATIVE CODE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED IN THIS RULE:
- (1) "ADMINISTRATIVE SEGREGATION": THE ACT OF PHYSICALLY SEPARATING AN INDIVIDUAL FROM THE OTHER PRISONERS FOR SPECIFIED REASONS OTHER THAN AS A PENALTY.
 - (2) "ATTORNEY (OF RECORD)": RECORD)": A LICENSED LAWYER (RETAINED OR COURT APPOINTED).

- (3) "AVERAGE DAILY POPULATION": THE NUMBER ARRIVED AT BY TOTALING THE NUMBER OF MEALS SERVED PRISONERS DURING A SPECIFIED PERIOD OF TIME, DIVIDING BY THREE, AND THEN DIVIDING BY THE NUMBER OF DAYS DURING THAT SPECIFIED PERIOD. THIS FIGURE IS ALSO SOMETIMES DERIVED BY DIVIDING THE TOTAL NUMBER OF COMMITMENTS RECORDED IN THE JAIL LEDGER OR THE SUM OF DAILY OFFICIAL PRISONER COUNTS (OFTEN THE MIDNIGHT COUNT IS USED) BY THE TOTAL NUMBER OF DAYS IN THE SPECIFIED PERIOD.
- (4) "CENSORING OF MAIL": WITHHOLDING OR DELETION OF POSTAL MATERIAL OR ANY PART OF ITS CONTENTS. OTHER FORMS OF MAIL CENSORSHIP INCLUDING READING WRITTEN MATERIAL, WHICH MAY ONLY BE DONE AS SET FORTH IN THE STANDARDS, AND INSPECTION OF MAIL FOR CONTRABAND ITEMS (LEGAL CORRESPONDENCE MAY ONLY BE INSPECTED AND OPENED IN THE PRESENCE OF THE PRISONER SENDING OR RECEIVING THE MATERIAL).
- (5) "CERTIFICATION": RECOGNITION OF A JAIL FOR MEETING AN ACCEPTABLE LEVEL OF COMPLIANCE WITH THE MINIMUM STANDARDS FOR JAILS IN OHIO. JAILS CONSTRUCTED PRIOR TO JANUARY 1, 1979, ARE ELIGIBLE FOR DUAL CERTIFICATION BASED ON EITHER OPERATIONS OR PHYSICAL STRUCTURE:
- (a) "CERTIFICATION OF OPERATIONS": RECOGNIZES THE JAIL MANAGEMENT AND OPERATION AS MEETING A REQUIRED LEVEL OF COMPLIANCE WITH THE "MINIMUM STANDARDS FOR JAILS IN OHIO."
- (b) "CERTIFICATION OF PHYSICAL STRUCTURE": RECOGNIZES THE BUILDING'S COMPLIANCE WITH AN ACCEPTABLE LEVEL OF THE STANDARDS RELATING TO THE PHYSICAL STRUCTURE.
- (6) "CLASSIFICATION": A SYSTEM OR PROCESS BY WHICH A DETENTION FACILITY, UNIT, OR COMPONENT DETERMINES DIFFERENTIAL CARE AND HANDLING OF PRISONERS. ELEMENTS OF THIS DETERMINATION INCLUDE THE FOLLOWING: QUARTERS ASSIGNMENT; CUSTODY STATUS; WORK/PROGRAM ASSIGNMENT(S); SPECIAL TREATMENT SERVICES; ALLOWANCE OR DENIAL OF CERTAIN PRIVILEGES; AND INVOLVEMENT IN OTHER PROGRAMS, SERVICES, AND ASSIGNMENTS AS MAY BE AVAILABLE.

- (7) "CONFINING AUTHORITY": ANY FEDERAL, STATE, COUNTY, OR MUNICIPAL GOVERNMENTAL, JUDICIAL, OR LAW ENFORCEMENT AGENCY VESTED BY LAW WITH THE AUTHORITY TO PLACE A PERSON IN CONFINEMENT.
- (8) "CONTRABAND": ANYTHING POSSESSED BY PRISONERS OR WITHIN THE CONFINEMENT FACILITY WHICH IS DECLARED ILLEGAL BY LAW OR WHICH IS EXPRESSEDLY PROHIBITED BY THOSE LEGALLY CHARGED WITH THE RESPONSIBILITY FOR THE ADMINISTRATION AND GOVERNMENT OF THE JAIL.
- (9) "CORPORAL PUNISHMENT": THE ACT OF INFLICTING PUNISHMENT DIRECTLY ON THE BODY, SUCH AS: BEATING, FLOGGING, HITTING, KICKING, ETC.
- (10) "DECERTIFICATION": WITHDRAWAL OF CERTIFICATION FOR FAILURE TO MAINTAIN AN ACCEPTABLE LEVEL OF COMPLIANCE WITH THE "MINIMUM STANDARDS FOR JAILS IN OHIO."
- (11) "DUE PROCESS": A FLEXIBLE TERM FOR THE COMPLIANCE WITH THE FUNDAMENTAL RULES WHICH GUARANTEE THAT A PERSON HAS NOTICE AND AN OPPORTUNITY TO PRESENT EVIDENCE IN A DISPUTE AND THAT NO LAW, RULE, OR PROCEDURE IS ARBITRARY OR UNFAIR.
- (12) "DISCIPLINARY ISOLATION": THE ACT OF PHYSICALLY SEPARATING AN INDIVIDUAL (PLACING IN A SEPARATE CELL) FROM THE GENERAL PRISONER POPULATION AS A FORM OF SANCTION.
- (13) "FAMILY": THAT GROUP OF PEOPLE WHO ARE DIRECTLY RELATED BY ANCESTRY OR MARRIAGE.
- (14) "FUNDAMENTAL RIGHTS": RIGHTS WHICH MAY NOT BE SUSPENDED FOR DISCIPLINARY OR CLASSIFICATION REASONS AND WHICH ARE TO BE GUARANTEED TO ALL PRISONERS EXCEPT IN TIMES OF EMERGENCY SUCH AS RIOT, FIRE, SEVERE WEATHER, OR OTHER SUCH CONDITIONS BEYOND THE CONTROL OF THE FACILITY ADMINISTRATORS.
- (15) "GOOD TIME": A SYSTEM, ESTABLISHED BY LAW, WHEREBY A CONVICTED OFFENDER IS CREDITED A SET AMOUNT OF TIME OFF HIS SENTENCE FOR EACH DAY SERVED IN AN ACCEPTABLE MANNER.

- (16) "INDIGENT PRISONER": A PRISONER CONFIRMED TO HAVE INSUFFICIENT RESOURCES NECESSARY TO PROVIDE FOR HIS BASIC NEEDS.
- (17) "KANGEROO COURT", "TANK JUDGE", ETC.: UNAUTHORIZED PRISONER TRIBUNAL USED TO PUNISH, PENALIZE, CONTROL, OR REGULATE THE BEHAVIOR OF OTHER PRISONERS.
- (18) "MEDICAL PERSONNEL": INCLUDES PERSONS LICENSED AS MEDICAL DOCTORS, OSTEOPATHS, NURSES (R.N., L.P.N.), PHYSICIAN'S ASSISTANTS, MEDICAL INTERNS, PARAMEDICS, AND EMERGENCY MEDICAL TECHNICIANS WHO ARE UNDER CONTRACT OR HAVE BEEN ASSIGNED TO PROVIDE MEDICAL SERVICES TO PRISONERS.
- (19) "NEUTRAL OFFICER": AN OFFICER WHO WAS NOT INVOLVED IN THE INCIDENT IN QUESTION AND WHO WAS NOT A WITNESS THERETO.
- (20) "OFFICIAL COUNT": AN ACTUAL COUNTING OF PRISONERS CONFINED IN A FACILITY FOR THE PURPOSE OF RECORDING AND VERIFYING THE PRESENCE OF EACH AT A GIVEN TIME.
- (21) "PHYSICAL FORCE": ANY USE OF FIREARMS, CHEMICAL AGENTS, CLUBS, OR OTHER DEVICES IN CONTROLLING A PRISONER. ALSO, ANY SITUATION WHICH REQUIRES AN OFFICER TO "LAY HANDS" ON A PRISONER OR PHYSICAL FORCE USED WHICH SUBJECTS A PRISONER TO UNNECESSARY PAIN, DISCOMFORT, OR PHYSICAL INCAPACITATION.
- (22) "PROVISIONAL CERTIFICATION": A TEMPORARY RECOGNITION OF A JAIL FOR MEETING AN ACCEPTABLE LEVEL OF STANDARDS WITH MINOR EXCEPTIONS. SPECIFIC CONDITIONS AND/OR STIPULATIONS SHALL BE IMPOSED DURING THE PERIOD OF TIME REQUIRED TO COMPLY WITH THE STANDARDS IN QUESTION.
- (23) "QUALIFIED RIGHTS": RIGHTS WHICH ARE ENJOYED BY PRISONERS IN THE GENERAL POPULATION BUT WHICH MAY BE SUSPENDED FOR DISCIPLINARY OR CLASSIFICATION REASONS AS WELL AS IN TIMES OF EMERGENCY.
- (24) "RECEPTION": THE PERIOD DURING WHICH A PRISONER UNDERGOES ADMISSION PROCESSING, WHICH MAY INCLUDE ORIENTATION AND INITIAL CLASSIFICATION, PRIOR TO REGULAR ASSIGNMENT TO THE GENERAL JAIL POPULATION.

- (25) "RECREATION/PHYSICAL EXERCISE": RECREATION REFERS TO SUCH ACTIVITIES AS TELEVISION VIEWING, TABLE GAMES, AND OTHER SEDENTARY ENTERTAINMENT. PHYSICAL EXERCISE REFERS TO SUCH ACTIVITIES AS ATHLETICS AND CALISTHENICS WHICH REQUIRE AT LEAST A MODERATE DEGREE OF PHYSICAL EXERTION.
- (26) "RESTRAINING DEVICE": ANY MECHANICAL CONTRIVANCE, APPLIANCE, OR OBJECT DESIGNED OR FASHIONED TO PHYSICALLY CONTROL OR INCAPACITATE A PERSON. THESE SHALL INCLUDE WRIST MANACLES, ANKLE MANACLES, "STRAIGHT JACKETS", RESTRAINING STRAPS, CHAINS, AND OTHER SUCH DEVICES.
- (27) "SAFETY EQUIPMENT": FIREFIGHTING EQUIPMENT, INCLUDING CHEMICAL EXTINGUISHERS; HOSES, NOZZLES, AND WATER SUPPLIES; ALARM SYSTEMS; SPRINKLER SYSTEMS; EMERGENCY EXITS AND FIRE ESCAPES; AND OTHER FIREFIGHTING EQUIPMENT AS MAY BE PROVIDED. ALSO, STRETCHERS; FIRST-AID KITS; EMERGENCY ALARMS; AND OTHER SUCH PROVISIONS AND EQUIPMENT.
- (28) "SEARCH": AN EXAMINATION FALLING INTO ONE OF THE FOLLOWING THREE CATEGORIES:
- (a) "FRISK SEARCH": A SEARCH OF A PRISONER'S CLOTHES, HEAD CAVITIES, AND A THOROUGH "PAT DOWN" AS DESCRIBED IN THE NATIONAL SHERIFF'S ASSOCIATION'S BOOKLET ON JAIL SECURITY.
- (b) "STRIP SEARCH": A VISUAL SEARCH OF A PRISONER'S NAKED BODY AND A SEARCH OF THE PRISONER'S CLOTHING WHILE THEY ARE NOT BEING WORN.
- (c) "CAVITY SEARCH": AN INTERNAL SEARCH OF A PRISONER'S LOWER BODY CAVITY(S) TO BE CONDUCTED BY TRAINED MEDICAL PERSONNEL ONLY.
- (29) "SECURITY DEVICES": LOCKS, GATES, DOORS, WINDOWS, BARS, FENCES, SCREENS, CEILINGS, FLOORS, WALLS, AND BARRIERS USED TO CONFINE AND CONTROL PRISONERS. ALSO, ELECTRONIC MONITORING EQUIPMENT, SECURITY ALARM SYSTEMS, SECURITY LIGHT UNITS, AUXILIARY POWER SUPPLY, AND OTHER EQUIPMENT USED TO MAINTAIN JAIL SECURITY.

- (30) "SECURITY PERIMETER": THE OUTER PORTIONS OF THE FACILITY WHICH ACTUALLY PROVIDE FOR THE SECURE CONFINEMENT OF PRISONERS. THIS PERIMETER MAY VARY FOR INDIVIDUAL PRISONERS, DEPENDING UPON THEIR SECURITY STATUS CLASSIFICATION.
- (31) "SECURITY SPOTCHECK": UNSCHEDULED SEARCH AND EXAMINATION FOR WEAPONS, CONTRABAND, AND OTHER SECURITY IRREGULARITIES.
- (32) "SEPARATION OF (SEGREGATION OF)": WHENEVER POSSIBLE, TO BE PHYSICALLY SET APART IN ORDER TO PROHIBIT BODILY CONTACT AND, WHERE POSSIBLE, COMMUNICATION.
- (33) "SPECIAL PRISONERS": PRISONERS WHO REQUIRE DIFFERENTIAL CARE AND HANDLING DUE TO PROBLEMS SUCH AS DRUG/ALCOHOL INTOXICATION; MENTAL DISORDERS; PHYSICAL ILLNESS OR INJURY; VIOLENT BEHAVIOR; NATURE OF CHARGES; SERIOUS PHYSICAL HANDICAPS; AGE; SEXUAL BEHAVIOR PROBLEMS; ESCAPE RISK; SELF-DESTRUCTIVE TENDENCIES; CHRONIC AND/OR SERIOUS DISCIPLINARY PROBLEMS; AND OTHER PROBLEMS WHICH INTERFERE WITH A SATISFACTORY ADJUSTMENT UNDER ROUTINE CARE AND HANDLING.
- (34) "STATUTORY VIOLATION": A VIOLATION OF ANY FEDERAL, STATE, OR MUNICIPAL STATUTE OR LAW; AN ACT WHICH IS CONSIDERED A CRIME.
- (35) "WORK RELEASE": A FORMAL ARRANGEMENT, SANCTIONED BY LAW, WHEREBY A PRISONER IS PERMITTED TO LEAVE CONFINEMENT FOR APPROVED EMPLOYMENT IN A JOB AND/OR PARTICIPATION IN SPECIFIC PROGRAMS.

5120:1-7-03. INTRODUCTION TO MINIMUM STANDARDS.

- (A) NOTHING CONTAINED IN THE "MINIMUM STANDARDS FOR JAILS IN OHIO" SHALL BE CONSTRUED TO PROHIBIT A CITY, COUNTY, OR COMBINED CITY AND/OR COUNTY AGENCY OPERATING A LOCAL DETENTION FACILITY FROM ADOPTING STANDARDS AND REQUIREMENTS GOVERNING ITS OWN EMPLOYEES AND FACILITIES, PROVIDED THAT SUCH RULES MEET OR EXCEED AND DO NOT CONFLICT WITH THESE STANDARDS.
- (B) A FACILITY SHALL COMPLY WITH THE STANDARDS EXCEPT THAT THE ADMINISTRATOR OF THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES, OR DESIGNEE, MAY GRANT A VARIANCE WHEN IT IS DETERMINED THAT:
- (1) STRICT COMPLIANCE WOULD CAUSE UNUSUAL PRACTICAL DIFFICULTIES AND HARDSHIPS;
 - (2) EXISTING PRACTICES MEET THE INTENT OF THE STANDARDS, AND THE GRANTING OF A VARIANCE WOULD NOT SERIOUSLY AFFECT THE SECURITY OF THE FACILITY, THE SUPERVISION OF INMATES, OR THE SAFE, HEALTHFUL OPERATION OF THE FACILITY.

5120:1-10-01. RECEPTION AND RELEASE - SEVENTY-TWO-HOUR FACILITY

- (A) EACH JAIL SHALL DEVELOP POLICIES AND PROCEDURES GOVERNING THE RECEPTION, ORIENTATION, AND RELEASE OF PRISONERS.
- (B) RECEPTION OF ALL COMMITMENTS BY PROPER AUTHORITY REQUIRES DOCUMENTATION AS PRESCRIBED BY LAW.
- (C) THE ARRESTING OR COMMITTING OFFICER SHALL BE POSITIVELY IDENTIFIED AND DULY AUTHORIZED TO MAKE THE COMMITMENT.
- (D) A BOOKING AND IDENTIFICATION RECORD SHALL BE MADE OF EVERY COMMITMENT. SUCH RECORDS/ID SHALL INCLUDE THE FOLLOWING INFORMATION:
 - (1) TIME AND DATE OF COMMITMENT.
 - (2) NAME AND ALIAS.
 - (3) OFFICIAL CHARGE OR CHARGES.
 - (4) AUTHORITY ORDERING COMMITMENT.
 - (5) DATE OF BIRTH.
 - (6) RACE.
 - (7) SEX.
 - (8) WEIGHT AND HEIGHT.
 - (9) HOME ADDRESS AND PHONE NUMBER.
 - (10) MARITAL STATUS.
 - (11) SPOUSE/NEXT OF KIN.
 - (12) THE PERSON TO NOTIFY IN CASE OF AN EMERGENCY.
 - (13) EMPLOYER, PLACE OF EMPLOYMENT, AND PHONE NUMBER.
 - (14) SOCIAL SECURITY NUMBER.

- (15) PERSONAL PHYSICIAN AND ANY SPECIAL MEDICAL NEEDS.
- (16) APPARENT MENTAL AND PHYSICAL CONDITION.
- (17) OTHER IDENTIFYING CHARACTERISTICS (E. G., SCARS AND MARKS).
- (18) PRISONER IDENTIFICATION BY PHOTOGRAPH AND/OR ID BRACELET TO BE ISSUED DURING RECEPTION.
- (19) PHOTOGRAPHS AND/OR ID BRACELETS ARE NOT REQUIRED FOR PRISONERS DETAINED FOUR HOURS OR LESS.
- (E) UPON THEIR RECEPTION AND REQUEST, ALL PERSONS TO BE CONFINED IN A LOCAL JAIL SHALL BE PERMITTED TO COMPLETE TELEPHONE CALLS TO:
 - (1) RETAIN AN ATTORNEY.
 - (2) CONTACT A PERSON OF THEIR CHOICE.
- (F) A PRELIMINARY HEALTH EVALUATION RECORD SHALL BE COMPLETED ON ALL PRISONERS UPON ADMISSION AND PRIOR TO BEING PLACED IN THE GENERAL POPULATION TO DETERMINE IF THE PRISONER IS EXPERIENCING ANY SERIOUS PHYSICAL OR MENTAL DISORDER; AND, IN THE EVENT SUCH A CONDITION APPEARS TO EXIST, APPROPRIATE TREATMENT WILL BE PROVIDED PRIOR TO CONFINEMENT IN ACCORDANCE WITH THE MEDICAL AND HEALTH CARE PLAN AS IN PARAGRAPHS (B) AND (C) OF RULE 5120:1-10-09 OF THE ADMINISTRATIVE CODE.
- (G) NO PRISONER SHALL BE ADMITTED IN A STATE OF UNCONSCIOUSNESS WITHOUT DOCUMENTED APPROVAL FROM A LICENSED PHYSICIAN.
- (H) DURING ADMISSION, EVERY PRISONER SHALL BE PROPERLY FRISK-SEARCHED, AND ALL UNAUTHORIZED ITEMS SHALL BE PROPERLY CONFISCATED, RECORDED, AND SECURED.
- (I) PRISONERS WHOSE PRESENT OR PRIOR BEHAVIOR INDICATES THAT THEY ARE LIKELY TO BE CONCEALING CONTRABAND OR A WEAPON SHALL BE STRIP-SEARCHED PRIOR TO BEING PLACED IN THE CONFINEMENT AREA. ANY PRISONER NOT STRIP-SEARCHED SHALL BE HOUSED IN AN AREA SEPARATE FROM THOSE WHO HAVE BEEN.

- (1) A STRIP-SEARCH SHALL BE CONDUCTED IN A MANNER THAT PRESERVES THE DIGNITY OF THE PRISONER.
- (2) A STRIP-SEARCH SHALL BE CONDUCTED BY DESIGNATED PERSONNEL OF THE SAME SEX.
- (3) A STRIP-SEARCH SHALL BE CONDUCTED IN A DESIGNATED NON-PUBLIC AREA.
- (4) A DETAILED RECORD SHALL BE MADE OF ALL UNUSUAL FINDINGS (E. G., CUTS, BRUISES, BODY VERMIN, NEEDLE SCARS, AND OTHER INJURIES).
- (5) LOWER BODY CAVITY SEARCHES ARE TO BE CONDUCTED ONLY BY MEDICAL PERSONNEL AND WHEN REASONABLE CAUSE EXISTS TO BELIEVE THAT A WEAPON OR CONTRABAND IS BEING CONCEALED.
- (J) IMMEDIATELY AFTER ADMISSION, EVERY PRISONER WHO IS IN NEED, SHALL BE BATHED/SHOWERED AND DELOUSED IN A MANNER APPROVED BY A PHYSICIAN.
- (K) EACH PRISONER'S CLOTHING NEEDS SHALL BE EVALUATED AT RECEPTION (E. G., HEAVILY SOILED, VERMIN INFESTED) AND CLEAN CLOTHING PROVIDED, IF NECESSARY.
- (L) A BED, MATTRESS, BLANKET, TOWELS, AND SOAP SHALL BE PROVIDED TO ALL PRISONERS CONFINED OVERNIGHT.
- (M) ANY PRISONER NOT HAVING ARTICLES FOR MAINTAINING PERSONAL HYGIENE (E. G., TOOTHPASTE, TOOTHBRUSH, DEODORANT, FEMININE HYGIENE ITEMS) SHALL HAVE THEM PROVIDED TO HIM/HER BY THE CONFINING AUTHORITY.
- (N) SUITABLE SHAVING EQUIPMENT SHALL BE MADE AVAILABLE.
- (O) DURING ADMISSION, EVERY PRISONER SHALL BE GIVEN A COPY OF THE JAIL RULES AND REGULATIONS GOVERNING PRISONER CONDUCT OR HAVE THE RULES EXPLAINED TO HIM/HER BY STAFF.
- (P) THE RULES AND REGULATIONS SHALL BE GIVEN TO OR EXPLAINED TO PRISONERS WHO ARE INTOXICATED WHEN THEY BECOME REASONABLY COHERENT.
- (Q) THE PRISONER SHALL SIGN TO VERIFY THAT HE/SHE UNDERSTANDS THE RULES AND REGULATIONS.

- (R) DURING ADMISSION, NO JUVENILE SHALL BE PLACED OR ALLOWED TO REMAIN IN THE SAME CELL OR ROOM WITH ADULT PRISONERS; FEMALE PRISONERS SHALL NOT BE PLACED OR ALLOWED TO REMAIN IN THE SAME CELL OR ROOM WITH MALE PRISONERS.
- (S) NO PRISONER SHALL BE PERMITTED TO POSSESS ANY FORM OF MONEY WHILE IN CONFINEMENT.
- (T) AN ITEM-BY-ITEM INVENTORY OF ALL PERSONAL PROPERTY WITH A DETAILED OBJECTIVE DESCRIPTION OF EACH ITEM SHALL BE LISTED ON EACH PROPERTY FOLDER.
 - (1) MONEY TAKEN FROM THE PRISONER SHALL BE COUNTED IN HIS/HER PRESENCE.
 - (2) THE PRISONER'S SIGNATURE SHALL BE AFFIXED TO THE COMPLETED INVENTORY.
 - (3) ALL PROPERTY NOT RETURNED TO THE PRISONER SHALL BE CAREFULLY SECURED.
- (U) PROPER AND WRITTEN LEGAL AUTHORIZATION SHALL BE REQUIRED PRIOR TO THE RELEASE OR REMOVAL OF ANY PRISONER FROM CONFINEMENT.
- (V) WHEN A PRISONER IS RELEASED TO THE CUSTODY OF ANOTHER JURISDICTION, THE IDENTITY OF THE ESCORTING OFFICER SHALL BE VERIFIED.
- (W) THE ESCORTING OFFICER SHALL SIGN A RELEASE AUTHORIZATION FOR THE PRISONER.
- (X) A TRUE RECORD SHALL BE MADE OF THE TIME AND DATE OF RELEASE FROM CONFINEMENT, THE AUTHORITY BY WHICH RELEASED, AND INTO WHOSE CUSTODY THE PRISONER IS RELEASED.
- (Y) ALL PRISONERS BEING RELEASED OR REMOVED FROM CONFINEMENT SHALL BE POSITIVELY IDENTIFIED BY A PHOTOGRAPH OR ID BRACELET.
- (Z) ALL PRISONERS SHALL SIGN A RECEIPT FOR PROPERTY, VALUABLES, AND CASH RETURNED TO THEM AT THE TIME OF RELEASE.
- (AA) ANY COMPLAINT REGARDING PROPERTY RETURNED MUST BE MADE IN WRITING, WITH SPECIFIC DETAILS OF THE COMPLAINT.

5120:1-10-02. CLASSIFICATION - SEVENTY-TWO-HOUR FACILITY

- (A) EACH JAIL SHALL DEVELOP AN APPROPRIATE CLASSIFICATION SYSTEM.
- (1) THE CRITERIA TO BE USED IN THE CLASSIFICATION SYSTEM SHALL BE ASSIGNED PRIORITY AS FOLLOWS:
- (a) SEX.
 - (b) AGE.
 - (c) TENDENCY FOR VIOLENT BEHAVIOR.
 - (d) MENTAL/PHYSICAL HANDICAPS.
 - (e) SENTENCED OR UNSENTENCED STATUS.
- (2) THE CRITERIA SHALL BE IMPLEMENTED TO THE MAXIMUM EXTENT, CONSISTENT WITH THE DESIGN AND CAPACITY OF THE JAIL.
- (B) AT NO TIME SHALL ANY UNSUPERVISED ADULT PRISONER BE PERMITTED IN EITHER A PROGRAM AREA OR HOUSING AREA WITH PRISONERS OF THE OPPOSITE SEX.
- (C) PRISONERS SHALL NOT BE CONFINED WITH OTHER PRISONERS POSSESSING CHARACTERISTICS MARKEDLY DISSIMILAR TO THEIR OWN PROVIDED THAT NO DISCRIMINATION EXISTS IN HOUSING ASSIGNMENTS BASED ON RACE, COLOR, CREED, NATIONAL ORIGIN, OR POLITICAL BELIEF.
- (D) ANY CLASSIFICATION ACTION WHICH SIGNIFICANTLY DEPRIVES A PRISONER OF PRIVILEGES AFFORDED OTHER PRISONERS OR IN ANY WAY PLACES HIM/HER IN A LESSER STATUS SHALL BE THOROUGHLY JUSTIFIED IN WRITING AND COUNTENANCED BY LAW.
- (E) ALL PRISONERS BEING CONSIDERED FOR TRUSTY STATUS SHALL BE EVALUATED AND SELECTED ON CRITERIA INCLUDING BUT NOT LIMITED TO:
- (1) THE NATURE OF THE PRISONER'S OFFENSE AND SENTENCE.
 - (2) PREVIOUS ATTEMPTS TO ESCAPE BY THE PRISONER.
 - (3) THE PRISONER'S ABILITY TO UNDERSTAND DIRECTIONS.

5120:1-10-03. SECURITY - SEVENTY-TWO-HOUR FACILITY

- (A) ALL FACILITIES SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING ALL SECURITY ASPECTS OF JAIL OPERATIONS.
- (B) DIRECT, IN-PERSON SURVEILLANCE OF EACH PRISONER SHALL BE CONDUCTED ON AN IRREGULAR SCHEDULE, NO LESS THAN EVERY SIXTY MINUTES. HOURLY CHECKS MUST BE LOGGED.
- (C) CERTAIN CLASSIFICATIONS AND PHYSICAL ARRANGEMENTS REQUIRE INCREASED DOCUMENTED SURVEILLANCE AT INTERVALS TO INCLUDE BUT NOT BE LIMITED TO EVERY FIFTEEN TO TWENTY MINUTES. EXAMPLES OF CLASSIFICATIONS AND PHYSICAL ARRANGEMENTS REQUIRING INCREASED SURVEILLANCE ARE: SUICIDAL, ASSAULTIVE, ESCAPE RISK, MENTALLY/EMOTIONALLY DISTURBED PRISONERS, DORMITORY SETTINGS, AND BULLPEN AREAS.
- (D) WHEN AVAILABLE, CLOSED-CIRCUIT TELEVISION (CCTV) SHALL BE PRIMARILY USED TO MONITOR HALLWAYS, STAIRWELLS, SALLYPORTS, PERIMETER SECURITY, POINTS OF EGRESS, AND COMMON AREAS.
- (E) THERE SHALL BE AT LEAST THREE OFFICIAL COUNTS EVERY TWENTY-FOUR HOURS (ONCE PER SHIFT) DURING WHICH EACH PRISONER'S PHYSICAL PRESENCE, MOVEMENT, OR SPEECH SHALL BE OBSERVED TO VERIFY HIS/HER PRESENCE. A RECORD SHALL BE MADE OF SUCH COUNTS AND SIGNED BY THE JAIL STAFF MEMBER WHO OBSERVES THE PRISONER'S PRESENCE.
- (F) PRISONERS MUST BE ABLE TO VERBALLY CONTACT JAIL STAFF AT ALL TIMES. AN AUDIO COMMUNICATION SYSTEM SHALL BE USED WHEN A STAFF PERSON IS NOT WITHIN NORMAL HEARING DISTANCE OF THE PRISONER.
- (G) ALL JAIL ADMINISTRATORS SHALL ESTABLISH A ROUTINE PROCEDURE FOR THOROUGHLY INSPECTING ALL FACILITY AREAS ACCESSIBLE TO PRISONERS FOR CONTRABAND AND PHYSICAL SECURITY ON AT LEAST A WEEKLY BASIS.
- (1) ISOLATED SECURITY "SPOT CHECKS" SHALL BE CONDUCTED ON A DAILY BASIS.
 - (2) ITEMS CONSIDERED AS CONTRABAND OR ITEMS PERMITTED IN THE JAIL SHALL BE CLEARLY DEFINED IN THE JAIL RULES.

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- (3) THERE SHALL BE A WRITTEN PROCEDURE FOR REPORTING SECURITY IRREGULARITIES.
- (H) NO WEAPON, AMMUNITION, CHEMICAL AGENT, RELATED SECURITY EQUIPMENT, OR ANY OBJECT WHICH PRESENTS THE POTENTIAL OF BEING USED AS A WEAPON SHALL EVER BE PERMITTED IN THE CONFINEMENT AREA UNLESS AUTHORIZED BY THE CHIEF OR OTHER OFFICIALS SPECIFICALLY DESIGNATED AS HAVING ADMINISTRATIVE RESPONSIBILITY FOR THE CONFINEMENT FACILITY.
- (I) ALL UNISSUED FIREARMS, WEAPONS, AND/OR CHEMICAL AGENTS ASSIGNED TO THE JAIL SHALL BE STORED IN AN ARSENAL, VAULT, OR OTHER SECURE ROOM UNDER DOUBLE LOCK.
- (1) THIS AREA SHALL BE INACCESSIBLE TO ALL UNAUTHORIZED PERSONS.
- (2) THERE SHALL BE A WRITTEN PROCEDURE FOR ISSUING AND ACCOUNTING FOR ALL WEAPONS.
- (J) ALL JAILS SHALL HAVE A STORAGE AREA (I.E., PISTOL LOCKER, WEAPONS CABINET) FOR THE TEMPORARY SECURING OF WEAPONS WHEN PERSONS ENTER THE SECURITY PERIMETER.
- (K) A DETAILED WRITTEN RECORD (E. G., DAILY JAIL LOG) SHALL BE MADE OF ALL SIGNIFICANT ACTIVITIES OCCURRING WITHIN THE CONFINEMENT FACILITY TO INCLUDE BUT NOT BE LIMITED TO:
- (1) SECURITY INSPECTIONS.
- (2) PRISONER COUNTS.
- (3) USE OF FORCE.
- (4) DISCIPLINARY ACTIONS.
- (5) MOVEMENT INSIDE AND OUTSIDE THE JAIL.
- (6) MEDICAL TREATMENT.
- (7) FEEDING.
- (8) CRITICAL INCIDENTS (E. G., FIRES, ASSAULTS, ATTEMPTED/COMPLETED SUICIDES AND ESCAPES, AND OTHER DEATHS).

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- (9) PRISONER VANDALISM (E. G., DESTRUCTION OF JAIL PROPERTY, FLOODING, OR OTHER ACTS OF VANDALISM).
- (L) ALL SECURITY DEVICES AND SAFETY EQUIPMENT SHALL BE INSPECTED MONTHLY TO INSURE THEY ARE MAINTAINED IN PROPER WORKING ORDER AND THE INSPECTIONS LOGGED.
- (M) ALL JAILS SHALL HAVE A KEY CONTROL SYSTEM. THIS SYSTEM SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING ELEMENTS:
- (1) A KEY CONTROL CENTER WHICH IS SECURE AND INACCESSIBLE TO UNAUTHORIZED PERSONS AT ALL TIMES.
- (2) AN ACCOUNTING PROCEDURE FOR ISSUING AND RETURNING KEYS.
- (3) A PROCEDURE FOR IMMEDIATE REPORTING AND REPAIRING OF ANY BROKEN OR MALFUNCTIONING KEY OR LOCK.
- (4) A SET OF DUPLICATE KEYS TO BE MAINTAINED IN A SEPARATE, SECURE PLACE.
- (5) A THIRD SET OF KEYS SHALL BE KEPT AT A LOCATION OUTSIDE THE JAIL.
- (N) IN ADDITION, THE KEY CONTROL SYSTEM SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING PROVISIONS:
- (1) NO PRISONER SHALL EVER HANDLE KEYS USED TO OPERATE JAIL SECURITY LOCKS.
- (2) KEYS OPERATING LOCKS TO OUTSIDE DOORS AND/OR GATES WILL NEVER BE IN THE CONFINEMENT AREA.
- (3) EMERGENCY KEYS AND KEYS TO CRITICAL SECURITY AREAS (E. G., ARSENAL) WILL ONLY BE ISSUED IN ACCORDANCE WITH WRITTEN PROCEDURES ESTABLISHED BY THE JAIL ADMINISTRATOR.
- (4) PRECAUTIONS SIMILAR TO THOSE OUTLINED ABOVE SHALL BE TAKEN TO INSURE THE SECURITY OF ALL NON-KEY-OPERATED LOCKING DEVICES (E. G., ELECTRICAL SWITCHES, LEVERS).

- (O) ALL TOOLS; TOXIC, CORROSIVE, AND FLAMMABLE SUBSTANCES; AND OTHER POTENTIALLY DANGEROUS SUPPLIES AND EQUIPMENT SHALL BE STORED IN A LOCKED, SECURE AREA.
- (P) TOOLS, SUPPLIES, AND EQUIPMENT WHICH ARE HAZARDOUS SHALL BE USED BY PRISONERS ONLY UNDER DIRECT SUPERVISION.
- (Q) AT NO TIME SHALL ANY PRISONER BE ASSIGNED TO A POSITION OF AUTHORITY OVER ANY OTHER PRISONER OR BE IN CHARGE OF PROVIDING PRISONER SERVICES SUCH AS TELEPHONE CALLS OR DELIVERY OF MEALS.
- (R) PRISONERS SHALL NEVER BE PERMITTED TO PERFORM OR ASSIST IN ANY SECURITY DUTIES.
- (S) JAIL ADMINISTRATORS CHOOSING TO ASSIGN PRISONERS TO TRUSTY STATUS SHALL ESTABLISH PROCEDURES WHICH REGULATE THEIR MOVEMENT AND ACTIVITY INSIDE AND, IF APPLICABLE, OUTSIDE THE FACILITY.
- (T) PRISONERS SHALL BE THOROUGHLY SEARCHED WHENEVER ENTERING OR LEAVING THE SECURITY PERIMETER.
- (U) WRITTEN PROCEDURES SHALL BE DEVELOPED FOR TRANSPORTING PRISONERS OUTSIDE THE FACILITY.
- (V) PROCEDURES SHALL BE ESTABLISHED TO MINIMIZE PRISONERS BEING ALONE WITH STAFF MEMBERS OF THE OPPOSITE SEX.
- (W) EACH JAIL ADMINISTRATOR SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING THE USE OF PHYSICAL RESTRAINTS.
- (X) NO PRISONER PLACED IN PHYSICAL RESTRAINTS SHALL BE LEFT UNATTENDED.
- (Y) PHYSICAL FORCE SHALL ONLY BE EMPLOYED WHEN REASONABLY NECESSARY FOR THE FOLLOWING:
 - (1) SELF-DEFENSE OF STAFF;
 - (2) PROTECTION OF ANOTHER PERSON FROM A PRISONER ATTACK;
 - (3) PREVENTION OF RIOT OR ESCAPE; AND
 - (4) ENFORCEMENT OF INSTITUTIONAL RULES AND REGULATIONS.

- (Z) RESTRAINING DEVICES SHALL ONLY BE EMPLOYED DURING TRANSPORTATION OR PENDING THE APPROVAL OF THE JAIL ADMINISTRATOR OR HIS DESIGNEE FOR THE FOLLOWING:
 - (1) TO PREVENT THE PRISONER FROM HARMING HIMSELF;
 - (2) PROTECTION OF ANOTHER PERSON FROM A PRISONER ATTACK; AND
 - (3) SELF DEFENSE OF STAFF.
- (AA) ONLY THE AMOUNT OF FORCE REASONABLY NECESSARY TO CONTROL A GIVEN SITUATION SHALL BE USED.
- (BB) ALL USE OF PHYSICAL FORCE SHALL BE THOROUGHLY DOCUMENTED WITH A DETAILED ACCOUNT INCLUDING BUT NOT LIMITED TO:
 - (1) WHO WAS INVOLVED.
 - (2) THE FORCE THAT WAS USED.
 - (3) JUSTIFICATION FOR ITS USE.
- (CC) AN EXAMINATION AND/OR TREATMENT BY IN-HOUSE MEDICAL PERSONNEL OR OUTSIDE EMERGENCY MEDICAL SERVICES SHALL BE PROVIDED TO PRISONER(S) AND/OR STAFF INVOLVED IN ANY USE-OF-FORCE INCIDENTS.
- (DD) THE EXAMINATION AND/OR TREATMENT RESULTING FROM THE USE-OF-FORCE INCIDENT SHALL BE THOROUGHLY DOCUMENTED.
- (EE) ALL JAILS SHALL HAVE AVAILABLE WRITTEN PROCEDURES FOR EMERGENCY SITUATIONS INCLUDING BUT NOT LIMITED TO:
 - (1) ESCAPES.
 - (2) TAKING OF HOSTAGES.
 - (3) FIRES.
 - (4) CIVIL DISTURBANCES IN THE COMMUNITY.
 - (5) NATURAL DISASTERS.
 - (6) SUICIDES.
 - (7) OTHER DEATHS AND DISORDER.

5120:1-10-04. HOUSING - SEVENTY-TWO-HOUR FACILITY

- (A) ADULT FEMALE, JUVENILE FEMALE, ADULT MALE, AND JUVENILE MALE PRISONERS SHALL BE HOUSED COMPLETELY SEPARATE BY SIGHT, SOUND, AND TOUCH AT ALL TIMES UNLESS OTHERWISE SPECIFIED BY COURT ORDER.
- (B) ALL PRISONERS CONFINED SHALL BE PROVIDED SUFFICIENT SPACE FOR REASONABLE AND NECESSARY MOVEMENT.
- (C) THERE SHALL BE SUFFICIENT SEATING FOR ALL PRISONERS IN CELLS, DORMITORIES, DAYROOMS, AND/OR EATING AREAS.
- (D) REASONABLE EFFORTS SHALL BE MADE TO MAINTAIN TEMPERATURES IN PRISONER QUARTERS WITHIN THE NORMAL COMFORT ZONE (SIXTY-EIGHT DEGREES F. TO EIGHTY-FIVE DEGREES F.) DURING DAYTIME HOURS AND NOT BELOW SIXTY DEGREES F. AT NIGHT.
- (E) CELLS AND SURROUNDING CONFINEMENT AREAS SHALL BE FINISHED WITH NON-FLAMMABLE, NON-TOXIC, WASHABLE, PREDOMINANTLY LIGHT-COLORED MATERIALS.
- (F) CELLS SHALL BE EQUIPPED WITH A SANITARY, WORKING FLUSH TOILET, LAVATORY AND DRINKING WATER IF USED TO CONFINED PRISONERS NOT HAVING ACCESS TO SUCH FACILITIES ON A TWENTY-FOUR-HOUR BASIS.
- (G) IN MULTIPLE CELLS AND DORMITORIES, THERE SHALL BE AT LEAST ONE FLUSH TOILET AND ONE WASH BASIN FOR EVERY TWELVE PRISONERS.
- (H) EACH PRISONER SHALL BE PROVIDED ACCESS TO A SHOWER IN THE HOUSING AREA ON A DAILY BASIS.

5120:1-10-05. SANITATION/ENVIRONMENTAL CONDITIONS - SEVENTY-TWO HOUR FACILITY.

- (A) EACH JAIL SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES FOR INSURING THE SAFE AND SANITARY CONDITION OF THE JAIL.
- (B) EACH JAIL AND THE IMMEDIATE GROUNDS SHALL BE KEPT FREE OF POTENTIAL HEALTH AND SAFETY HAZARDS.
- (C) ALL GROUNDS, WALKWAYS, DRIVEWAYS, AND PARKING AREAS SHALL BE IN GOOD REPAIR AND WELL LIGHTED TO INSURE SAFETY AND ADEQUATE PERIMETER SECURITY.
- (D) THE JAIL ADMINISTRATOR SHALL MAKE REGULAR REQUESTS TO HAVE THE FACILITY INSPECTED BY LOCAL OR STATE HEALTH AUTHORITIES ON AN ANNUAL BASIS.
- (E) ARRANGEMENTS SHALL BE MADE FOR SEMI-ANNUAL INSECT AND RODENT INSPECTIONS AND CONTROL.
- (F) ALL BUILDING ELEMENTS SHALL BE STRUCTURALLY SOUND, CLEAN, AND IN GOOD REPAIR.
- (G) ALL PAINTED SURFACES SHALL BE PAINTED AS NEEDED.
- (H) VENTILATION SHALL BE SUFFICIENT TO REMOVE DANGEROUS AND DISAGREEABLE ODORS.
- (I) ALL AREAS USED BY PRISONERS FOR READING SHALL PROVIDE THIRTY FOOTCANDLES OF LIGHT (MEASURED AT THIRTY INCHES ABOVE THE FLOOR).
 - (1) SUFFICIENT LIGHTING SHALL BE PROVIDED TO INSURE EFFECTIVE SECURITY IN ALL AREAS.
 - (2) REDUCED LIGHTING SHALL BE PROVIDED IN THE PRISONER CONFINEMENT AREAS DURING SLEEPING HOURS.
 - (3) NATURAL LIGHT SHALL BE PROVIDED IN THE CONFINEMENT AREAS WHERE PHYSICALLY POSSIBLE.

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- (J) CONSISTENT WITH PARAGRAPH (L) OF RULE 5120:1-10-01 OF THE ADMINISTRATIVE CODE, BEDDING AND MATTRESSES SHALL BE CLEANED IN A MANNER WHICH IS APPROVED BY LOCAL OR STATE HEALTH OFFICIALS PRIOR TO BEING REISSUED TO NEW ADMISSIONS.
- (K) PRISONERS SHALL BE REQUIRED TO KEEP THEIR PERSONS AND QUARTERS CLEAN AND IN PROPER ORDER.
- (L) GARBAGE AND TRASH RECEPTACLES SHALL BE EMPTIED AND CLEANED DAILY.
- (M) TOILETS, URINALS, SINKS, DRINKING FACILITIES AND BATHING FACILITIES SHALL BE CLEANED DAILY.
- (N) ALL SUPPLY AND EQUIPMENT STORAGE AREAS SHALL BE LOCATED SO AS TO MINIMIZE SAFETY HAZARDS.
- SUCH AREAS SHALL BE MAINTAINED IN A CLEAN AND ORDERLY MANNER.
- (O) BATHING FACILITIES SHALL BE PROVIDED FOR ALL PRISONERS WITH AN ADEQUATE SUPPLY OF SOAP, WARM AND/OR HOT (REGULATED TO PREVENT SCALDING) AND COLD WATER.
- (P) THE JAIL ADMINISTRATOR SHALL REQUEST IN WRITING THAT THE JAIL BE INSPECTED BY A LOCAL OR STATE FIRE SAFETY INSPECTOR AT LEAST ANNUALLY.
- (Q) THERE SHALL BE A FIRE EVACUATION PLAN WHICH SHALL INCLUDE PROVISIONS FOR ADEQUATE FIREFIGHTING EQUIPMENT.

5120:1-10-06. COMMUNICATION - SEVENTY-TWO-HOUR FACILITY

- (A) EACH JAIL ADMINISTRATOR SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING PRISONER MAIL.
- (B) THERE SHALL BE NO LIMITATION ON THE AMOUNT OF INCOMING OR OUTGOING FIRST-CLASS CORRESPONDENCE.
- (C) INCOMING CORRESPONDENCE SHALL NOT BE CENSORED, EXCEPT AS PROVIDED IN PARAGRAPHS (G), (G) (1) AND (G) (2) OF THIS RULE.
- (1) INCOMING CORRESPONDENCE SHALL BE INSPECTED FOR CONTRABAND ITEMS PRIOR TO DELIVERY.
- (2) INCOMING CORRESPONDENCE FROM THE COURTS, AN ATTORNEY OF RECORD, OR PUBLIC OFFICIALS SHALL BE OPENED IN THE PRESENCE OF THE PRISONER.
- (D) OUTGOING MAIL SHALL BE FORWARDED SEALED WITHOUT INSPECTION EXCEPT AS PROVIDED IN PARAGRAPHS (G), (G) (1) AND (G) (2) OF THIS RULE.
- (E) EACH JAIL SHALL PROVIDE THE NECESSARY WRITING MATERIALS, AN ENVELOPE, AND POSTAGE FOR A MINIMUM OF ONE LETTER FOR INDIGENT PRISONERS.
- (F) PACKAGES ARRIVING THROUGH THE MAIL FOR A PRISONER SHALL BE THOROUGHLY EXAMINED FOR CONTRABAND.
- (G) EACH JAIL SHALL DEVELOP A WRITTEN POLICY GOVERNING THE CENSORING OF MAIL. ANY REGULATION FOR CENSORSHIP SHALL MEET THE FOLLOWING CRITERIA:
- (1) THE REGULATION MUST FURTHER AN IMPORTANT AND SUBSTANTIAL GOVERNMENTAL INTEREST UNRELATED TO THE SUPPRESSION OF EXPRESSION (E. G., DETECTING ESCAPE PLANS WHICH CONSTITUTE A THREAT TO FACILITY SECURITY AND/OR THE WELL-BEING OF STAFF AND/OR PRISONERS).
- (2) THE LIMITATION MUST BE NO GREATER THAN IS NECESSARY TO THE PROTECTION OF THE PARTICULAR GOVERNMENTAL INTEREST INVOLVED.

5120:1-10-07. VISITATION - SEVENTY-TWO-HOUR FACILITY.

- (A) EACH JAIL ADMINISTRATOR SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING PRISONER VISITATION.
- (B) EACH JAIL SHALL PROVIDE A SECURE VISITING AREA FREE FROM OBSTRUCTIONS OR OBSTACLES TO NORMAL CONVERSATION OR VIEWING.

CONTACT VISITS SHALL BE PERMITTED AT THE DISCRETION OF THE JAIL ADMINISTRATOR.
- (C) EACH JAIL SHALL MAINTAIN A VISITORS' JOURNAL. ALL VISITORS SHALL BE REQUIRED TO SHOW PROPER IDENTIFICATION.
- (D) VISITING HOURS SHALL BE SCHEDULED EACH PRISONER A MINIMUM OF ONE VISITING PERIOD UNLESS CIRCUMSTANCES DICTATE TEMPORARY SUSPENSION.
- (E) VISITORS SHALL BE SUBJECTED TO SECURITY CONTROLS ESTABLISHED BY THE JAIL ADMINISTRATOR TO PREVENT CONTRABAND AND WEAPONS FROM BEING BROUGHT INTO THE JAIL.
- (F) PRISONERS SHALL NOT BE RESTRICTED IN REGARD TO WHOM THEY MAY VISIT UNLESS THE FACILITY ADMINISTRATOR DETERMINES THAT A VISITOR SHOULD BE EXCLUDED DUE TO THE EXISTENCE OF ONE OR MORE OF THE CONDITIONS LISTED IN PARAGRAPH (J) OF THIS RULE.
- (G) THE JAIL STAFF SHALL NOT LISTEN TO VISITORS' CONVERSATIONS BUT MAY OBSERVE THE VISITATION.
- (H) ANY ATTORNEY OF RECORD SHALL BE ALLOWED TO VISIT HIS CLIENT AT ALL REASONABLE TIMES, BOTH DAYTIME AND EVENINGS.

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- (I) VISITATION CAN BE DENIED BY THE JAIL ADMINISTRATOR UNDER THE FOLLOWING CONDITIONS:
 - (1) THE VISITOR REPRESENTS A CLEAR AND PRESENT DANGER TO SECURITY.
 - (2) THE VISITOR HAS A PAST HISTORY OF DISRUPTIVE CONDUCT AT THE JAIL.
 - (3) THE VISITOR IS UNDER THE INFLUENCE OF ALCOHOL OR DRUGS.
 - (4) THE VISITOR REFUSES TO SUBMIT TO SEARCH OR SHOW PROPER IDENTIFICATION.
 - (5) THE PRISONER REFUSES THE VISIT.
- (J) A MEMBER OF THE CLERGY SHALL BE ALLOWED TO VISIT A PRISONER AT ALL REASONABLE TIMES, BOTH DAYTIME AND EVENINGS.
- (K) WRITTEN PROCEDURES SHALL BE DEVELOPED TO REGULATE SPECIAL VISITS.

5120:1-10-08. TELEPHONE - SEVENTY-TWO-HOUR FACILITY

- (A) EACH JAIL ADMINISTRATOR SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING PRISONER TELEPHONE COMMUNICATIONS.
- (B) EACH JAIL SHALL HAVE PROVISIONS FOR MAKING TELEPHONE CALLS IN ADDITION TO CALLS PERMITTED CONSISTENT WITH PARAGRAPHS (E) (1) AND (E) (2) OF RULE 5120:1-10-01 OF THE ADMINISTRATIVE CODE.

5120:1-10-09. MEDICAL - SEVENTY-TWO-HOUR FACILITY

- (A) A PHYSICIAN SHALL APPROVE A WRITTEN MEDICAL AND HEALTH CARE PLAN OUTLINING POLICIES AND PROCEDURES REGULATING ALL ASPECTS OF MEDICAL TREATMENT AND SERVICES FOR PRISONERS.
- (B) THE RECEIVING OFFICER SHALL COMPLETE A PRELIMINARY HEALTH EVALUATION RECORD FOR ALL NEW ADMISSIONS INCLUDING BUT NOT LIMITED TO:
 - (1) CURRENT ILLNESSES AND HEALTH PROBLEMS INCLUDING THOSE SPECIFIC TO WOMEN.
 - (2) MEDICATIONS TAKEN AND SPECIAL HEALTH REQUIREMENTS.
 - (3) SCREENING OF OTHER HEALTH PROBLEMS DESIGNATED BY THE RESPONSIBLE PHYSICIAN.
 - (4) BEHAVIORAL OBSERVATION, INCLUDING STATE OF CONSCIOUSNESS AND MENTAL STATUS.
 - (5) NOTATION OF BODY DEFORMITIES, TRAUMA MARKINGS, BRUISES, LESIONS, EASE OF MOVEMENT, JAUNDICE.
 - (6) CONDITION OF SKIN INCLUDING RASHES AND INFESTATIONS.
 - (7) DISPOSITION, IF APPLICABLE.
 - (8) DOCUMENT REFERRAL OF PRISONERS TO QUALIFIED MEDICAL PERSONNEL FOR EMERGENCY TREATMENT.
- (C) EVERY JAIL SHALL HAVE EMERGENCY MEDICAL TREATMENT AVAILABLE EITHER THROUGH AN IN-HOUSE OR OUTSIDE MEDICAL SERVICE ARRANGEMENT ON A TWENTY-FOUR-HOUR BASIS FOR ALL PRISONERS.
- (D) EACH JAIL SHALL PROVIDE A DAILY PROCEDURE WHEREBY EACH PRISONER MAY HAVE AN EQUAL OPPORTUNITY TO REPORT MEDICAL COMPLAINTS.
- (E) ALL MEDICAL COMPLAINTS SHALL BE RECORDED AND MAINTAINED ON FILE.

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- (F) PRISONERS SHALL BE PERMITTED TO BE TREATED BY THEIR PERSONAL PHYSICIANS IN THE JAIL AT THEIR OWN EXPENSE PROVIDED THE IDENTITY OF THE PHYSICIAN IS VERIFIED.
- (G) COMPLETE AND ACCURATE RECORDS DOCUMENTING ALL PATIENT-PERCEIVED MEDICAL PROBLEMS, EXAMINATION, DIAGNOSIS, AND TREATMENT SHALL BE MAINTAINED AT THE FACILITY.
 - (1) ALL MEDICAL RECORDS SHALL BE CONSIDERED STRICTLY CONFIDENTIAL.
 - (2) MEDICAL RECORDS MAINTAINED AT THE JAIL SHALL INCLUDE A COPY OF ALL TREATMENT PROVIDED BY A PERSONAL PHYSICIAN DURING THE PRISONER'S CONFINEMENT.
 - (3) THE PHYSICIAN-PATIENT PRIVILEGE SHALL BE PROTECTED AT ALL TIMES.
- (H) THE ADMINISTRATION OF PRISONER MEDICATIONS AND MEDICAL SUPPLIES SHALL BE REGULATED BY THE WRITTEN MEDICAL AND HEALTH CARE PLAN.
- (I) A COMPLETE AND ACCURATE RECORD OF ALL PRISONERS RECEIVING THEIR MEDICATIONS AND SUPPLIES SHALL INCLUDE BUT NOT BE LIMITED TO:
 - (1) THE KIND AND AMOUNT OF MEDICATION ADMINISTERED AND/OR MEDICAL SUPPLIES USED.
 - (2) THE TIME AND BY WHOM SUCH MEDICATIONS ARE ADMINISTERED AND SUPPLIES USED.
- (J) MEDICATIONS SHALL ONLY BE ADMINISTERED IN THE DOSAGE, FORM, AND AT THE TIME PRESCRIBED BY THE PHYSICIAN TREATING THE PRISONER.
- (K) HYPODERMIC NEEDLES, SYRINGES, AND OTHER SUPPLIES SUBJECT TO ABUSE SHALL BE MADE SECURE AND DESTROYED AFTER USE.
- (L) PRISONER MEDICATIONS, MEDICAL SUPPLIES, AND RECORDS SHALL BE STORED IN SECURE LOCKED CABINETS AND/OR STORAGE ROOMS AS REQUIRED BY SECTION 3719.172 OF THE REVISED CODE.
- (M) MEDICATIONS, SUPPLIES, AND RECORDS SHALL BE INACCESSIBLE TO UNAUTHORIZED PERSONS AT ALL TIMES.

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- (N) NO PRISONER SHALL BE DENIED MEDICAL ATTENTION FOR DISCIPLINARY REASONS OR ON THE BASIS OF HIS CLASSIFICATION STATUS.
- (O) ALL PRISONERS SHALL BE PROVIDED PROFESSIONAL DENTAL TREATMENT OF AN EMERGENCY NATURE, AS REQUIRED.
- (P) ALL PRISONERS EVIDENCING SIGNS OF SERIOUS MENTAL DISORDER SHALL BE REFERRED TO A PHYSICIAN WHO SHALL ARRANGE APPROPRIATE PSYCHIATRIC SERVICES OR OTHER COURSES OF TREATMENT AS HE MAY DEEM NECESSARY.
- (Q) EQUIPMENT AND SUPPLIES TO ADMINISTER FIRST AID TREATMENT SHALL BE READILY AVAILABLE AT ALL TIMES.

5120:1-10-10. FOOD SERVICE - SEVENTY-TWO-HOUR FACILITY

- (A) EACH FACILITY SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING THE FOOD SERVICE OPERATION INCLUDING BUT NOT LIMITED TO:
- (1) ALL PRISONERS, INCLUDING THOSE IN DISCIPLINARY CONFINEMENT, SHALL BE SERVED A MINIMUM OF THREE MEALS A DAY AT REGULARLY SCHEDULED INTERVALS, NO SPAN TO EXCEED FOURTEEN HOURS BETWEEN MEALS.
 - (2) MENUS SHALL BE EVALUATED AND APPROVED BY A QUALIFIED DIETICIAN.
 - (3) PERMANENT RECORDS OF MEALS SERVED SHALL BE MAINTAINED ON FILE.
 - (4) MODIFIED DIETS SHALL BE PREPARED FOR PRISONERS WHEN REQUESTED BY A PHYSICIAN'S ORDER; AND ALL REASONABLE EFFORTS SHALL BE MADE TO ACCOMMODATE PRISONERS WITH RELIGIOUS DIETARY NEEDS.
 - (5) FOOD SHALL BE SERVED AT OPTIMUM TEMPERATURES--HOT FOODS HOT--COLD FOODS COLD--FRESH AND IN REASONABLE VARIETY.
 - (6) EACH JAIL SHALL PROVIDE ADEQUATE TABLES AND SEATS AND NECESSARY EATING UTENSILS TO ACCOMMODATE THE FEEDING OF PRISONERS.
- (B) ALL FOOD PREPARATION, SERVING AREAS, AND METHODS SHALL MEET SANITARY STANDARDS CONSISTENT WITH CHAPTER 3701-21 OF THE ADMINISTRATIVE CODE AND CHAPTERS 3707. AND 3709. OF THE REVISED CODE.

5120:1-10-11. RECREATION/PROGRAMMING - SEVENTY-TWO-HOUR FACILITY

- (A) EACH JAIL SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES FOR THE DEVELOPMENT AND IMPLEMENTATION OF CORRECTIONAL SERVICES AND RECREATION PROGRAMS INCLUDING BUT NOT LIMITED TO:
- (1) A PROGRAM FOR LEISURE TIME ACTIVITIES SHALL BE DEVELOPED TO INCLUDE TABLE GAMES (E.G., CARDS, CHECKERS, DOMINOS).
 - (2) ALL JAILS SHALL ARRANGE FOR PROFESSIONAL INTERVENTION, WHEN APPROPRIATE, IN THE AREAS OF: ALCOHOLISM, DRUG ABUSE, PSYCHOLOGICAL/SOCIAL SERVICES, AND OTHER COMMUNITY SERVICES.
 - (3) ALL JAILS SHALL PROVIDE PRISONERS ACCESS TO A VARIETY OF READING MATERIALS TO INCLUDE: LEGAL REFERENCES, WHEN PRISONERS ARE NOT REPRESENTED BY COUNSEL; AND OTHER PRINTED MATERIALS APPROVED BY THE FACILITY ADMINISTRATOR.
- (B) ALL JAILS SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES TO PERMIT PRISONERS TO PRACTICE THEIR RELIGION, SUBJECT ONLY TO THE LIMITATIONS NECESSARY TO MAINTAIN SECURITY AND ORDER.

5120:1-10-12. DISCIPLINE - SEVENTY-TWO-HOUR FACILITY

- (A) EACH FACILITY SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING ALL DISCIPLINARY AND ADMINISTRATIVE ACTIONS.
- (B) JAIL RULES GOVERNING PRISONER CONDUCT SHALL CLEARLY DEFINE VIOLATIONS.
 - (1) THE RULES SHALL ALSO LIST PENALTIES WHICH MAY BE IMPOSED ON PRISONERS FOUND GUILTY OF A RULE VIOLATION(S).
 - (2) THE RULES SHALL BE POSTED IN A CONSPICUOUS PLACE WITHIN THE CONFINEMENT AREA IF NOT ISSUED TO PRISONERS IN PRINTED FORM.
- (C) CORPORAL PUNISHMENT SHALL BE PROHIBITED.
- (D) UNDER NO CIRCUMSTANCES SHALL DISCIPLINE BE ADMINISTERED BY PRISONERS THROUGH THE USE OF PROCEEDINGS OR ENFORCERS COMMONLY REFERRED TO AS "KANGAROO COURT", "TANK JUDGE", "BARN BOSS", "SANITATION COMMITTEE", OR OTHER SUCH DEVICES.
- (E) CRIMINAL MISCONDUCT BY A PRISONER(S) SHALL BE REFERRED TO THE APPROPRIATE PROSECUTING AUTHORITY.

5120:1-10-13. VIOLATIONS AND PENALTIES - SEVENTY-TWO-HOUR FACILITY

RULES SHALL BE DIVIDED INTO TWO DISTINCT CATEGORIES ACCORDING TO THE NATURE OF THE VIOLATION.

(A) MINOR VIOLATIONS

MINOR VIOLATIONS SHALL INCLUDE ACTS WHICH DO NOT CONSTITUTE A PRESENT AND IMMEDIATE THREAT TO THE SECURITY OF THE FACILITY, ITS STAFF, PRISONERS, VISITORS, OR THE PRISONER WHO COMMITTED THE VIOLATION (E. G., "HORSEPLAYING", EXCESSIVE NOISE, DIRTY CLOTHING OR LIVING QUARTERS, POOR PERSONAL HYGIENE).

(B) MAJOR VIOLATIONS

MAJOR VIOLATIONS SHALL INCLUDE PERSISTENT MINOR RULE INFRACTIONS OR VIOLATIONS WHICH CANNOT BE CONSIDERED MINOR BUT DO NOT CONSTITUTE A VIOLATION OF STATUTORY LAW.

(C) PRIVILEGES WHICH MAY BE SUSPENDED:

- (1) ENTERTAINMENT (I. E., RADIO, T.V., MOVIES, GAMES).
- (2) VISITS BY FRIENDS.
- (3) PHONE CALLS TO FRIENDS AND FAMILY.
- (4) DESSERTS, SNACKS.

(D) QUALIFIED RIGHTS WHICH MAY BE SUSPENDED:

- (1) VISIT BY FAMILY.
- (2) CLOTHING, BED, BEDDING, USE OF TOILET, LAVATORY, AND SHOWER. (REVIEW DAILY FOR REINSTATEMENT.)
 - (a) THE QUALIFIED RIGHTS PROVIDED IN PARAGRAPHS (D) (1) AND (D) (2) OF THIS RULE MAY BE SUSPENDED ONLY (i) WHEN THE PRACTICE IN A PARTICULAR CASE POSES A SERIOUS THREAT TO SECURITY OR (ii) WHEN THE JAIL OR JAIL PROPERTY ISSUED IS SERIOUSLY ABUSED.

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(b) THE INCIDENT(S) LEADING TO THE QUALIFIED RIGHTS OF A PRISONER BEING SUSPENDED SHALL BE THOROUGHLY DOCUMENTED.

(E) FUNDAMENTAL RIGHTS WHICH CANNOT BE SUSPENDED:

(1) VISITS BY ATTORNEYS.

(2) VISITS BY CLERGY AS APPROVED BY PROBATE COURT.

(3) PHONE CALLS TO ATTORNEYS OR CLERGY.

(4) ADEQUATE FOOD (NUTRITIONAL DIET).

(5) ADEQUATE LIGHT, VENTILATION, TEMPERATURE CONTROL, AND SANITATION.

(6) MEDICAL CARE.

(F) THE FACILITY ADMINISTRATOR OR HIS DESIGNEE MUST APPROVE THE PENALTIES FOR PRISONER MISCONDUCT.

5120:1-10-15. ADMINISTRATIVE SEGREGATION - SEVENTY-TWO-HOUR FACILITY

(A) ADMINISTRATIVE SEGREGATION SHALL BE EMPLOYED TO SEPARATE FROM THE GENERAL POPULATION THOSE PRISONERS WHO:

(1) PRESENT A CHRONIC INABILITY TO ADJUST IN THE GENERAL POPULATION.

(2) THOSE WHO POSE A MAJOR THREAT TO THEMSELVES, OTHERS, OR THE SECURITY OF THE FACILITY.

(3) THOSE PRESENTING A VALID NEED FOR PROTECTION AS DETERMINED BY THE FACILITY ADMINISTRATOR.

(B) ADMINISTRATIVE SEGREGATION MAY BE EMPLOYED TO ISOLATE PRISONERS HAVING A COMMUNICABLE DISEASE.

(C) PRISONERS PLACED IN ADMINISTRATIVE SEGREGATION DURING TREATMENT FOR MINOR MEDICAL OR PSYCHIATRIC PROBLEMS SHALL BE CHECKED DAILY BY MEDICAL AND JAIL PERSONNEL TO REVIEW THE NEED FOR CONTINUED ADMINISTRATIVE SEGREGATION.

(D) PRISONERS PLACED IN ADMINISTRATIVE SEGREGATION SHALL RECEIVE ALL REGULAR PRIVILEGES AND RIGHTS UNLESS THEY POSE A SERIOUS THREAT TO THE SECURITY OF THE FACILITY OR THE HEALTH AND WELFARE OF THE INDIVIDUAL.

(E) UNDER NO CIRCUMSTANCES SHALL ADMINISTRATIVE SEGREGATION BE USED AS A PENALTY.

(F) IT IS ESSENTIAL THAT PRISONERS TRANSFERRED TO ADMINISTRATIVE SEGREGATION FULLY UNDERSTAND THEIR NEW STATUS.

5120:1-10-16. GRIEVANCE PROCEDURE - SEVENTY-TWO-HOUR FACILITY.

- (A) EACH FACILITY SHALL ESTABLISH A PROCEDURE WHEREBY A PRISONER MAY EXPRESS HIS GRIEVANCE TO THE FACILITY ADMINISTRATOR.
- (B) ALL PRISONERS SHALL BE NOTIFIED IN WRITING OR THROUGH THE POSTING OF THE GRIEVANCE PROCEDURE.

5120:1-10-17. STAFF - SEVENTY-TWO-HOUR FACILITY.

- (A) EACH JAIL SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING JAIL PERSONNEL REQUIREMENTS.
- (B) THE OFFICIAL CHARGED WITH RESPONSIBILITY FOR OPERATING A JAIL SHALL FUNCTION AS THE JAIL MANAGER OR, IF NOT QUALIFIED TO DO SO, SHALL DESIGNATE A JAIL MANAGER WHO IS QUALIFIED BY TRAINING AND/OR EXPERIENCE TO SUPERVISE AND CONTROL PRISONERS.
- (C) PRIOR TO EMPLOYMENT, ALL EMPLOYEES OF A CONFINEMENT FACILITY SHALL BE SUBJECT TO A THOROUGH BACKGROUND INVESTIGATION SUCH AS CRIMINAL, MEDICAL, AND PSYCHIATRIC HISTORY.
- (D) A WRITTEN STANDARDIZED INDIVIDUAL PERFORMANCE EVALUATION SHALL BE CONDUCTED AT LEAST ANNUALLY.
- (E) JAIL PERSONNEL SHALL RECEIVE SALARIES EQUAL TO OTHER EMPLOYEES WITH COMPARABLE QUALIFICATIONS AND SENIORITY WITHIN THE AGENCY.
- (F) ALL JAILS SHALL HAVE STAFF AVAILABLE TO FULFILL THE RESPONSIBILITIES INCLUDED IN BUT NOT LIMITED TO THOSE FOUND IN PARAGRAPHS (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), (O), (P), (T), (V), (X), AND (Y) OF RULE 5120:1-10-01 OF THE ADMINISTRATIVE CODE; PARAGRAPHS (A), (B), AND (E) OF RULE 5120:1-10-02 OF THE ADMINISTRATIVE CODE; PARAGRAPHS (B), (C), (E), (F), (L), (R) AND (X) OF RULE 5120:1-10-03 OF THE ADMINISTRATIVE CODE; PARAGRAPH (D) OF RULE 5120:1-10-07 OF THE ADMINISTRATIVE CODE; PARAGRAPH (D) OF RULE 5120:1-10-09; PARAGRAPH (A) (1) OF RULE 5120:1-10-10 OF THE ADMINISTRATIVE CODE; PARAGRAPHS (A) (1), (A) (2) AND (A) (3) OF RULE 5120:1-10-11 OF THE ADMINISTRATIVE CODE; AND PARAGRAPHS (B), (F) (1), (G) AND (H) OF THIS RULE.
 - (1) A SECOND STAFF PERSON SHALL PROVIDE BACK-UP WHEN MULTIPLE OCCUPANCY CELLS OR DORMS ARE ENTERED BY STAFF.
 - (2) WHEN APPLICABLE, THE JAIL SHALL PROVIDE SUFFICIENT STAFF TO CONDUCT PRISONER TRANSPORTATION AND COURT ESCORT WITHOUT DISRUPTING ROUTINE JAIL OPERATIONS.

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- (G) EACH JAIL SHALL ESTABLISH A SUFFICIENT NUMBER OF SECURITY POSTS BASED ON PRISONER SECURITY CLASSIFICATIONS, FACILITY DESIGN, AND PRISONER SERVICES (E. G., VISITATION, PROGRAMMING).
- (H) EACH JAIL SHALL EMPLOY A SUFFICIENT NUMBER OF FEMALE STAFF TO BE AVAILABLE TO PERFORM ALL SENSITIVE RECEPTION AND RELEASE PROCEDURES FOR FEMALE PRISONERS (E. G., SEARCHES, SHOWERS).

» 5120:1-10-17. STAFF - SEVENTY-TWO-HOUR FACILITY.

- (A) EACH JAIL SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES GOVERNING JAIL PERSONNEL REQUIREMENTS.
- (B) THE OFFICIAL CHARGED WITH RESPONSIBILITY FOR OPERATING A JAIL SHALL FUNCTION AS THE JAIL MANAGER OR, IF NOT QUALIFIED TO DO SO, SHALL DESIGNATE A JAIL MANAGER WHO IS QUALIFIED BY TRAINING AND/OR EXPERIENCE TO SUPERVISE AND CONTROL PRISONERS.
- (C) PRIOR TO EMPLOYMENT, ALL EMPLOYEES OF A CONFINEMENT FACILITY SHALL BE SUBJECT TO A THOROUGH BACKGROUND INVESTIGATION SUCH AS CRIMINAL, MEDICAL, AND PSYCHIATRIC HISTORY.
- (D) A WRITTEN STANDARDIZED INDIVIDUAL PERFORMANCE EVALUATION SHALL BE CONDUCTED AT LEAST ANNUALLY.
- (E) JAIL PERSONNEL SHALL RECEIVE SALARIES EQUAL TO OTHER EMPLOYEES WITH COMPARABLE QUALIFICATIONS AND SENIORITY WITHIN THE AGENCY.
- (F) ALL JAILS SHALL HAVE STAFF AVAILABLE TO FULFILL THE RESPONSIBILITIES INCLUDED IN BUT NOT LIMITED TO THOSE FOUND IN PARAGRAPHS (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), (O), (P), (T), (V), (X), AND (Y) OF RULE 5120:1-10-01 OF THE ADMINISTRATIVE CODE; PARAGRAPHS (A), (B), AND (E) OF RULE 5120:1-10-02 OF THE ADMINISTRATIVE CODE; PARAGRAPHS (B), (C), (E), (F), (L), (R) AND (X) OF RULE 5120:1-10-03 OF THE ADMINISTRATIVE CODE; PARAGRAPH (D) OF RULE 5120:1-10-07 OF THE ADMINISTRATIVE CODE; PARAGRAPH (D) OF RULE 5120:1-10-09; PARAGRAPH (A) (1) OF RULE 5120:1-10-10 OF THE ADMINISTRATIVE CODE; PARAGRAPHS (A) (1), (A) (2) AND (A) (3) OF RULE 5120:1-10-11 OF THE ADMINISTRATIVE CODE; AND PARAGRAPHS (B), (F) (1), (G) AND (H) OF THIS RULE.
- (1) A SECOND STAFF PERSON SHALL PROVIDE BACK-UP WHEN MULTIPLE OCCUPANCY CELLS OR DORMS ARE ENTERED BY STAFF.
- (2) WHEN APPLICABLE, THE JAIL SHALL PROVIDE SUFFICIENT STAFF TO CONDUCT PRISONER TRANSPORTATION AND COURT ESCORT WITHOUT DISRUPTING ROUTINE JAIL OPERATIONS.

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- (G) EACH JAIL SHALL ESTABLISH A SUFFICIENT NUMBER OF SECURITY POSTS BASED ON PRISONER SECURITY CLASSIFICATIONS, FACILITY DESIGN, AND PRISONER SERVICES (E. G., VISITATION, PROGRAMMING).
- (H) EACH JAIL SHALL EMPLOY A SUFFICIENT NUMBER OF FEMALE STAFF TO BE AVAILABLE TO PERFORM ALL SENSITIVE RECEPTION AND RELEASE PROCEDURES FOR FEMALE PRISONERS (E. G., SEARCHES, SHOWERS).

5120:1-10-18. STAFF TRAINING - SEVENTY-TWO-HOUR FACILITY.

- (A) EACH JAIL SHALL DEVELOP WRITTEN POLICIES AND PROCEDURES FOR THE TRAINING OF PERSONNEL ASSIGNED TO JAIL DUTY.
- (B) ALL STAFF ASSIGNED TO JAIL DUTY SHALL RECEIVE TRAINING WITHIN THE PRESCRIBED TIME PERIOD COMMENCING WITH DATE OF EMPLOYMENT, INCLUDING:
 - (1) READING AND UNDERSTANDING ALL RULES, REGULATIONS, POLICIES, AND PROCEDURES GOVERNING THE OPERATION OF THE FACILITY (ONE WEEK).
 - (2) FAMILIARIZATION WITH THE "MINIMUM STANDARDS FOR JAILS IN OHIO" AS ESTABLISHED BY THE BUREAU OF ADULT DETENTION FACILITIES AND SERVICES AND THE RULES, REGULATIONS, AND OTHER DIRECTIVES OF THE GOVERNING AUTHORITY (ONE MONTH).
 - (3) LEGAL ASPECTS OF CORRECTIONS (ONE MONTH).
 - (4) APPROPRIATE TRAINING IN SELF-DEFENSE AND RESTRAINING TECHNIQUES (THREE MONTHS).
 - (5) "AMERICAN RED CROSS" OR EQUIVALENT TRAINING IN EMERGENCY FIRST-AID AND LIFE-SAVING TECHNIQUES (SIX MONTHS).

(A) EMPLOYEES SHALL NOT:

- (1) EXCHANGE PERSONAL GIFTS OR FAVORS WITH PRISONERS, THEIR FAMILY, OR FRIENDS.
- (2) ACCEPT ANY FORM OF BRIBE OR UNLAWFUL INDUCEMENT.
- (3) PERFORM DUTIES UNDER THE INFLUENCE OF INTOXICANTS OR CONSUME INTOXICANTS WHILE ON DUTY.
- (4) VIOLATE OR DISOBEY ESTABLISHED RULES, REGULATIONS, OR LAWFUL ORDERS FROM A SUPERIOR.
- (5) DISCRIMINATE AGAINST ANY PRISONER ON THE BASIS OF RACE, RELIGION, CREED, GENDER, NATIONAL ORIGIN, OR OTHER INDIVIDUAL CHARACTERISTICS.
- (6) EMPLOY CORPORAL PUNISHMENT OR UNNECESSARY PHYSICAL FORCE.
- (7) SUBJECT PRISONERS TO ANY FORM OF UNWARRANTED PHYSICAL OR MENTAL ABUSE.
- (8) INTENTIONALLY DEMEAN OR HUMILIATE PRISONERS.
- (9) BRING ANY TYPE OF WEAPON OR ITEM(S) DECLARED AS CONTRABAND INTO THE FACILITY WITHOUT PROPER AUTHORIZATION.
- (10) ENGAGE IN CRITICAL DISCUSSION OF STAFF MEMBERS OR PRISONERS IN THE PRESENCE OF PRISONERS.
- (11) DIVULGE CONFIDENTIAL INFORMATION WITHOUT PROPER AUTHORIZATION.
- (12) WITHHOLD INFORMATION WHICH, IN SO DOING, THREATENS THE SECURITY OF THE FACILITY, ITS STAFF, PRISONERS, VISITORS, OR THE COMMUNITY.
- (13) THROUGH NEGLIGENCE OR NEGLECT, ENDANGER THE WELL-BEING OF SELF OR OTHERS.

(14) ENGAGE IN ANY FORM OF BUSINESS OR PROFITABLE ENTERPRISE WITH PRISONERS.

(15) INQUIRE ABOUT, DISCLOSE, OR DISCUSS DETAILS OF A PRISONER'S CRIME(S) OTHER THAN AS MAY BE ABSOLUTELY NECESSARY IN PERFORMING OFFICIAL DUTIES.

(B) EMPLOYEES SHALL:

(1) COMPLY TO ALL ESTABLISHED RULES, REGULATIONS, AND LAWFUL ORDERS FROM SUPERIORS.

(2) TREAT ALL PRISONERS IN A FAIR, IMPARTIAL MANNER.