

Board of Local and Regional Jails Annual Death Review Report

**Jail Death Review
Committee
December 2020**



Roles and Responsibilities of the Board2

Purpose of Report3

Introduction: Data Sources4

Organization of Report.....5

Part I: Jail Death Review.....6

Part II: Inmate Deaths in Virginia Statistics and Cause.....9

Part III: Death Review Findings Demographics.....10

Common Violations.....13

Corrective Actions.....13

Board Actions.....14

Part IV: Jail Audits and Inspections.....15

Part V: Legislative History.....20

Summary.....22

Appendix: Board of Corrections Compliance Documentation for Jails

Roles and Responsibilities of the Board

The Board of Local and Regional Jails is made up of nine members who are appointed by the Governor. The Board is responsible for developing and establishing standards governing the construction and operation of local, regional, and community correctional facilities and for the review of inmate deaths that occur in these facilities. The Board is also responsible for the development of programs to educate citizens and bring about public support for the activities of the Virginia Department of Corrections.



Purpose of Report

Virginia Code § 53.1.69.1

E. The Board shall publish an annual report summarizing the reviews conducted by the Board within that year. Such report shall include any trends or similarities among the deaths of inmates in local correctional facilities and present recommendations on policy changes to reduce the number of deaths in local correctional facilities. The Board shall publish such report on its website and submit the report to the Governor, the Chairmen of the Senate Committee on Rehabilitation and Social Services and the House Committee on Public Safety, the Chair of the House Committee for Courts of Justice, the Speaker of the House of Delegates, and the President pro tempore of the Senate.

Pursuant to Virginia Code § 53.1.69.1, the Board of Local and Regional Jails' report provides a summary of the results of death reviews, trends identified in these reviews, and potential policy and regulatory changes that would reduce the number of inmates that die in jail custody.

This report summarizes jail audit and inspection results in inmate death cases to include the following:

- Any violation of jail standards.
- The frequency of any violations of jail standards.
- Follow-up and verification of Plans of Action to improve jail compliance with violated standards.
- Any recommendation for new or amended standards.

Introduction

Data Sources

The information provided in this report comes from three sources:

- Facility reports
- Investigative Reports
- Audits and inspections

The facility provides an initial report regarding the death of an inmate in its custody.

The investigative analyst obtains additional information and records during the death review to include:

- Intake Records
- Medical/Mental Health Records
- Inmate Requests, Complaints, Grievances
- Inspection Notes
- Jail Reports, Records, Logs
- Inmate Records
- Video Footage
- Medical Examiner Reports
- Staff Interviews
- Witness Interviews
- Autopsy reports
- Compliance, Certification and Accreditation Certification Audits, Inspections

Organization of Report

This report is organized into four parts:

- **Part I** describes the process of the review of inmate deaths in local and regional correctional facilities, which includes, notification and initial review of inmate deaths, death reviews, and Board action.
- **Part II** provides statistical data on inmate deaths in Virginia to include demographics and causes.
- **Part III** presents death review findings, identified trends and proposed changes to policies and standards.
- **Part IV** summarizes jail audit and inspection results to include violations, frequency of these violations, and recommendations for training or other plans of actions.
- **Part V** presents a legislative history of bills impacting the Board of Local and Regional Jails and a final report summary.

PART I

Board of Local and Regional Jails Responsibility

The Board of Local and Regional Jails has the responsibility to review the death of any inmate who was incarcerated in a local or regional correctional facility at the time of death or cause of death in order to determine the circumstances surrounding the inmate's death, including identifying any act or omission by the facility or any employee or agent thereof that may have directly or indirectly contributed to the inmate's death, and whether the facility and employee(s) or agent(s) were acting or operating in compliance with the regulations promulgated by the Board.

In 2017, the Virginia Board of Local and Regional Jails was granted the power to conduct inmate in-custody death reviews pursuant to Virginia Code § 53.1.69.1.

Virginia Code § 53.1.69.1

A. The Board shall have the power to review the death of any inmate who was incarcerated in a local correctional facility at the time of his death in order to determine (i) the circumstances surrounding the inmate's death, including identifying any act or omission by the facility or any employee or agent thereof that may have directly or indirectly contributed to the inmate's death, and (ii) whether the facility was in compliance with the regulations promulgated by the Board.

B. Any review conducted pursuant to this section shall be conducted in accordance with the policies and procedures for such review developed and implemented by the Board in accordance with subdivision 5 of § 53.1-5. In conducting a review pursuant to this section, the Board may exercise its power under § 53.1-6 to hold and conduct hearings, issue subpoenas, and administer oaths and take testimony thereunder. If the Board determines that it cannot adequately conduct any particular review pursuant to this section because of the conduct by the Board of another ongoing review, the Board may request that the Department assist in the conduct of such review. Department staff conducting a review pursuant to this section shall be considered agents of the Board.

C. If the Board determines during the conduct of any review pursuant to this section that it is necessary to review the operation of an entity other than the local correctional facility in order to complete the review, the Board shall request that the Office of the State Inspector General review the operation of such entity if such entity falls within the authority vested in the Office of the State Inspector General pursuant to Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2. Nothing in this section shall limit the authority

of the Office of the State Inspector General to exercise any of the powers and duties set forth in Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2.

D. Upon completion of any review conducted pursuant to this section, the Board shall prepare a detailed report of the findings of any review, which shall be submitted to the Governor, the Speaker of the House of Delegates, and the President pro tempore of the Senate. Such report may contain recommendations for changes to the minimum standards for the construction, equipment, administration, and operation of local correctional facilities in order to prevent problems, abuses, and deficiencies in and improve the effectiveness of such facilities. In addition, the Board may issue any order authorized under § 53.1-69 to correct any failure by the facility to comply with the Board's regulations. Except as otherwise required by law, the Board shall maintain the confidentiality of any confidential records or information obtained from a facility during the course of a review in accordance with state and federal law.

E. The Board shall publish an annual report summarizing the reviews conducted by the Board within that year. Such report shall include any trends or similarities among the deaths of inmates in local correctional facilities and present recommendations on policy changes to reduce the number of deaths in local correctional facilities. The Board shall publish such report on its website and submit the report to the Governor, the Chairmen of the Senate Committee on Rehabilitation and Social Services and the House Committee on Public Safety, the Chair of the House Committee for Courts of Justice, the Speaker of the House of Delegates, and the President pro tempore of the Senate.

Jail Death Review Process

1. Notification of death to the Certification Manager of the Compliance and Accreditation Unit, Department of Corrections (DOC) Investigative Process for Jail Death Review. Inmate deaths must be reported using the *Report of Inmate Death* form.
2. Upon receiving notification of an inmate death, the Certification Manager or designee forwards the report to the Jail Review Unit Investigative Analyst.
3. The Investigative Analyst requests an Autopsy Report via the Special Investigations Unit.
4. The Investigative Analyst contacts the facility head to request any relevant information to include the following:
 - a. Intake Records
 - b. Medical/Mental Health Records
 - c. Inmate Requests, Complaints, Grievances
 - d. Visitor Logs
 - e. Phone Calls and any other Electronic Communications

- f. Inspection Notes
 - g. Jail Reports, Records, Logs
 - h. Inmate Records
 - i. Video Footage
 - j. Medical Examiner Reports
 - k. Staff Interviews
 - l. Witness Interviews
 - m. Court Records
 - n. Any other relevant records, reports, or interviews.
5. The facility notifies the investigative analyst when the documentation has been compiled.
 6. The investigative analyst retrieves the information from the facility.
 7. The investigative analyst reviews all information provided.
 8. During the death review, Jail Review Unit staff may find it necessary to review the operations of an entity other than the local correctional facility in order to complete the review.
 9. Jail Review Unit staff will communicate with the Jail Review Committee to decide whether to recommend that the Board request the Office of the State Inspector General to review the operation of the entity if the entity falls within the authority vested in the Office of the State Inspector General pursuant to Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2.
 10. Upon completion of a death review and action by the Jail Review Committee, Jail Review Unit staff prepares a detailed report of the findings of the review for the Jail Review Committee Chairman. This report is then submitted to the Board of Local and Regional Jails Chairman who schedules it for Board action.
 11. Jail Review Unit staff make a summary report for each Board of Local and Regional Jails meeting to include reported deaths since the last meeting, reviews completed since the previous meeting, and reviews currently active.
 12. The Board evaluates each death review report to determine its adequacy and appropriateness under Board policies and procedures. The Board determines whether there is any need to change to the minimum standards for the construction, equipment, administration, and operation of local and regional correctional facilities in order to prevent problems, abuses, and deficiencies and improve the effectiveness of such facilities in preventing such deaths.
 13. The Board issues an order authorized under §53.1-69 to correct any failure by employees, agents or the facilities to comply with the Board's regulations.

14. The Board evaluates the report and votes to either close or continue the case with a request for further information. If the case is closed, the Jail Review Unit staff shall prepare a letter detailing the findings of any review. The letter is then reviewed and signed by the Chairman of the Board. The Jail Review Unit submits the signed letter to the Governor, the Speaker of the House of Delegates, and the President pro tempore of the Senate. The letter may contain intended changes to the minimum standards for the construction, equipment, administration, and operation of local correctional facilities in order to prevent problems, abuses, and deficiencies in and improve the effectiveness of such facilities in preventing avoidable deaths in custody.
15. Any changes needed to the minimum standards for the construction, equipment, administration, and operation of local correctional facilities are communicated by the Board of Local and Regional Jails to the Regulatory Coordinator for the changes to be drafted, approved by the Board and initiated through the Administrative Process Act.

PART II

Inmate Deaths in Virginia

Statistical Data:

2017 Case Statistics

26	-	Natural Causes
10	-	Suicides
2	-	Accidental Drug Overdoses
2	-	<u>Homicides</u>
40	-	Total Cases (7/1/17 – 12/31/17)

2018 Case Statistics

28	-	Natural Causes
9	-	Suicides
6	-	Accidental Drug Overdoses
1	-	<u>Injuries from Automobile Accident</u>
44	-	Total Cases (1/1/18 – 12/31/18)

2019 Case Statistics

27	-	Natural Causes
10	-	Suicides
2	-	Accidental Drug Overdoses
2	-	<u>Undetermined Causes</u>
41	-	Total Cases (1/1/19 – 12/31/19)

2019 Cases Pending Final Board Action

3	-	Pending Final Board Action
14	-	Completed/Pending Presentation to Board
17	-	Total Pending Board Presentation/Action

Cases under Review

1	-	Remaining 2018 cases
25	-	2019 cases (14) (awaiting Autopsy Reports)
26	-	Total under Review

Overall Summary since Inception on July 1, 2017

- 125 Total Cases
- 17 Pending Final Board Action
- 26 Investigations in Progress (14 on hold awaiting Autopsy Reports)

PART III

Death Review Findings

Demographics 2019

Gender	Number of individuals	Death within 30 days of incarceration
Female	5	3
Male	36	27

2019 Death Totals by Facility

Facility	Total Deaths
Accomack County Jail	0
Albemarle/Charlottesville Regional Jail	1
Alexandria Detention Center	0
Alleghany/Covington Regional Jail	1

Amherst County Adult Detention Center	1
Appomattox County Jail	0
Arlington County Detention Center	1
Blue Ridge Reg. Jail (BRRJ) - Amherst	1
Blue Ridge Reg. Jail (BRRJ) -	0

Bedford	
Blue Ridge Reg. Jail (BRRJ) - Campbell	0
Blue Ridge Reg. Jail (BRRJ) - Halifax	0
Blue Ridge Reg. Jail (BRRJ) - Lynchburg	0
Blue Ridge Reg. Jail (BRRJ) - Moneta	0
Botetourt County Jail	0
Bristol City Jail	0
Bristol Sheriff's Office	1
Brunswick County Jail	0
Central Virginia Regional Jail	0
Charlotte County Jail	0
Chesapeake City Jail	1
Chesterfield County Jail	1
Culpeper County Jail	1
Danville City Jail	1
Danville City Farm	0
Danville Sheriff's Office	1
Dinwiddie County Jail	0
Eastern Shore Regional Jail	1
Fairfax County ADC	0
Franklin County Jail	0
Gloucester County Jail	0

Hampton City Jail	0
Hampton Roads Regional Jail	2
Hampton Sheriff's Office	1
Henrico County Jail East	1
Henrico County Jail West	5
Henry County Jail	0
Lancaster County Correctional Facility	0
Loudoun County Jail	0
Martinsville City Jail and Annex	0
Mecklenburg County Jail	0
Meherrin River Regional Jail	0
Middle Peninsula Regional Security Center	0
Middle River Regional Jail	0
Montgomery County Jail	0
New River Valley Regional Jail	0
Newport News City Jail	1
Newport News Sheriff's Office	1
Norfolk City Jail	3
Northampton County Jail	0
Northern Neck Regional Jail	0
Northwestern Regional ADC	1
Page County Jail	0
Pamunkey Regional Jail	1

Patrick County Jail	0
Peumansend Creek Regional Jail	0
Piedmont Regional Jail	1
Pittsylvania County Jail	0
Portsmouth Sheriff's Office	0
Prince William/Manassas Regional ADC	1
Rappahannock County Jail	0
Rappahannock Regional Jail	2
Richmond City Jail	1
Riverside Regional Jail	1
Roanoke City Jail	1
Roanoke Sheriff's Office	1
Rockbridge Regional Jail	0
Rockingham/Harrisonburg Regional Jail	0
Shenandoah County Jail	0
Southampton County Jail and	0

Annex	
Southside Regional Jail	0
Southwest Virginia Reg. Jail - Abingdon	2
Southwest Virginia Reg. Jail - Duffield	0
Southwest Virginia Reg. Jail - Haysi	0
Southwest Virginia Reg. Jail - Tazewell	0
Sussex County Jail	0
Virginia Beach Correctional Center	1
Virginia Beach Sheriff's Office	2
Virginia Peninsula Regional Jail	0
Warren County RSW Regional Jail	0
Western Tidewater Regional Jail	0
Western Virginia Regional Jail	1

Common Violations:

6VAC15-40-360 - Twenty-Four-Hour Medical/Mental Health Care

Written policy, procedure, and practice shall provide 24-hour emergency medical and mental health care availability.

6VAC15-40-370 - Receiving and Medical Screening of Inmate

Written policy, procedure, and practice shall provide that receiving and medical screening be performed on all inmates upon admission to the facility. The medical screening shall:

1. Specify screening for current illnesses, health problems and conditions, and past history of communicable diseases;
2. Specify screening for current symptoms regarding the inmate's mental health, dental problems, allergies, present medications, special dietary requirements, and symptoms of venereal disease;
3. Include inquiry into past and present drug and alcohol abuse, mental health status, depression, suicidal tendencies, and skin condition;
4. For female inmates, include inquiry into possible pregnancy or gynecological problems; and
5. All inmates shall receive a tuberculosis (TB) skin test within seven days of admission to the facility.

6VAC15-40-380 - Inmate Access to Medical Services

Written policy, procedure, and practice shall be developed whereby inmates shall be informed, at the time of admission to the facility, of the procedures for gaining access to medical services.

6VAC15-40-1045 - Inmate housing areas shall be inspected a minimum of twice per hour at random intervals.

All inmate housing areas shall be inspected a minimum of twice per hour at random intervals between inspections. All inspections and unusual incidents shall be documented. No obstructions shall be placed in the bars or windows that would prevent the ability of staff to view inmates or the entire housing area.

Corrective Actions Taken by Facilities:

- Enhanced policies and procedures, revised to address violations (e.g., expedite processes for calling 911 in case of a medical emergency).
- Additional training for staff (e.g., formal re-training of staff on safety procedures).

- Additional security staff to monitor inmates in mental health.
- Enhanced supervision (e.g., additional staff to observe inmates, additional checks for those with mental illnesses)
- Accountability of staff and administration.
- Enhanced medical care (e.g., hiring additional nurses).
- Adequate assessment of offender medical and behavioral health needs (e.g., hiring additional mental health professionals to ensure proper screening, evaluations, and treatment).
- Administrative and clinical mortality reviews.
- Continuous Quality Improvement Program.

Board Actions:

In cases where supplemental information or corrective action provided by a facility is deemed inadequate to address violations, the Board of Local and Regional Jails may order one or all of the following actions.

1. Pursuant to 6 VAC 15-20-100 (B) (3), a probationary certification for a period of 12 months from the date of the Order.
2. If a facility does not meet the requirements for certification at the conclusion of this period, the Board may issue a letter of decertification.
3. The facility shall provide written updates on measures taken to come into compliance with the Board's regulations at least quarterly during the probationary period.
4. Pursuant to Virginia Code § 53.1-68, the Virginia Department of Corrections Compliance and Accreditation Unit conducts focused inspections quarterly regarding medical pathways and decisions, access to physicians and medical care, protocols and practices for escalating care, and triage protocols.
5. The Board reserves the right to pursue any and all other remedies at its disposal, including but not limited to, filing a complaint to withhold the salary of a facility manager pursuant to Virginia Code § 53.1-125.

PART IV

Jail Audit and Inspections

Currently, there are two full time jail certification analysts. These analysts conduct annual inspections and certification audits of local jails, lockups, community residential programs and probation and parole to ensure compliance with Board of Local and Regional Jails Standards. The analysts address deficiencies, verify plans of action for facility triennial audits, and review corrective actions for annual inspections.

Audit and Inspections Results

Below is a table, which details the jail audit and inspection results, and follow up action. Please note the deficiencies column identifies compliance violations (e.g., 6VAC15-40-400 is listed as 400 in the table). The full Board of Local and Regional Jails Compliance Documentation for Jails is included in Appendix A and offers a comprehensive explanation of violations.

2019 Jail/Lockup Audits

FACILITY NAME	MONTH OF AUDIT	DEFICIENCIES	FOLLOW-UP DATE	RESULTS OF FOLLOW-UP
Virginia Peninsula Regional Jail	January	<ul style="list-style-type: none"> • 130 • 400 • 440 • 985 	September	Plan of Action Verified
Greene County Lock Up (LU)	February	100% compliance	N/A	N/A
Portsmouth City Jail	February	100% compliance	N/A	N/A
Culpeper ADC	February	100% compliance	N/A	N/A
Prince William ADC	February	<ul style="list-style-type: none"> • 60 • 130 • 180 • 520 • 985 	N/A	Plan of Action Verified
Rockbridge Regional Jail	March	<ul style="list-style-type: none"> • 390 • 405 • 540 • 985 	April	Plan of Action Verified
Bristol City Jail	March	<ul style="list-style-type: none"> • 30 • 40 	N/A	Plan of Action Verified

Fluvanna County LU	March	<ul style="list-style-type: none"> • 1240 • 1315 	N/A	<ul style="list-style-type: none"> • 1240 • 1315
RSW Regional Jail	April	<ul style="list-style-type: none"> • 30 • 40 	N/A	Plan of Action Verified
VA Beach LU #3	April	100%	N/a	N/A
Galax LU	May	100%	N/A	N/A
SWVRJA - Tazewell	May	<ul style="list-style-type: none"> • 393 • 450 • 1080 	August	Plan of Action Verified
Lynchburg ADC –BRRJA	May	<ul style="list-style-type: none"> • 900 • 1050 • 1140 • 1160 	August	Plan of Action Verified
Fauquier ADC	June	100%	N/A	N/A
Norfolk City Jail	June	100%	N/A	N/A
VA Beach LU #2	June	<ul style="list-style-type: none"> • 1230 • 1260 • 1380 	July	Plan of Action Verified
Surry County LU	July	<ul style="list-style-type: none"> • 1250 • 1260 • 1315 	August	Plan of Action Verified
Meherrin River Regional Jail- Alberta	July	<ul style="list-style-type: none"> • 30 • 130 	October	Plan of Action Verified
Grayson County LU	August	100% compliance	N/A	N/A
Southside Regional Jail	August	100% compliance	N/A	N/A
Essex County LU	August	<ul style="list-style-type: none"> • 1380 	NA	1380
Rockingham-Harrisonburg Regional Jail	September	<ul style="list-style-type: none"> • 400 • 450 	November	Plan of Action Verified
VA Beach LU #4	September	<ul style="list-style-type: none"> • 1240 • 1380 	N/A	<ul style="list-style-type: none"> • 1240 • 1380
Virginia Beach Correctional Center	October	100% compliance	N/A	N/A

Floyd County LU	October	100% compliance	N/A	N/A
Madison County LU	October	100% compliance	N/A	N/A
Blackstone LU	December	100% compliance	N/A	N/A
Smithfield LU	December	100% compliance	N/A	N/A

2019 Jail/Lockup Inspections

FACILITY NAME	DATE OF INSPECTION	DEFICIENCIES	FOLLOW-UP INSPECTION	RESULTS OF INSPECTION
Pamunkey Regional Jail	March	100% compliance	N/A	N/A
Sussex County Jail	March	100% compliance	N/A	N/A
Rockbridge Regional Jail	April	100% compliance	N/A	N/A
Southampton County Jail/Annex	April	100% compliance	N/A	N/A
Highland County Lockup	May	100% compliance	N/A	N/A
Western Tidewater Regional Jail	May	<ul style="list-style-type: none"> • 390 • 405 	N/A	Corrective Action Approved
Gar-Field District Lockup	Decommissioned 6/13/2019	N/A	N/A	N/A
BRRJA – Campbell Co. ADC	June	100% compliance	N/A	N/A
BRRJA – Halifax ADC	June	100% compliance	N/A	N/A
Richmond City Jail	July	100% compliance	N/A	N/A
Alexandria City Jail	July	100% compliance	N/A	N/A

Eastern Shore Regional Jail	July	<ul style="list-style-type: none"> • 440 	N/A	Corrective Action Approved
Accomack County Jail	July	<ul style="list-style-type: none"> • 395 • 1100 	N/A	Corrective Action Approved
Wythe County Lockup	August	100% compliance	N/A	N/A
SWVJA-Tazewell	August	100% compliance	N/A	N/A
SWVRJA-Duffield	August	<ul style="list-style-type: none"> • 545 	N/A	Corrective Action Approved
SWVRJA - Haysi	August	100% compliance	N/A	N/A
BRRJA – Lynchburg ADC	August	<ul style="list-style-type: none"> • 900 • 1140 • 1160 • 1050 	N/A	Corrective Action Received Incomplete
BRRJA – Amherst ADC	August	100% compliance	N/A	N/A
Mecklenburg	August	100% compliance	N/A	N/A
Carroll County Lockup	August	100% compliance	N/A	N/A
Martinsville City Jail/Annex	August	100% compliance	N/A	N/A
Patrick County Jail	August	<ul style="list-style-type: none"> • 545 • 100 	N/A	Corrective Action Approved
Essex County Lockup	August	<ul style="list-style-type: none"> • 1380 	N/A	Corrective Action Approved
SWVRJA - Abingdon	August	100% compliance	N/A	N/A
Mt. Vernon District Lockup	September	<ul style="list-style-type: none"> • 1240 • 1315 • 1380 	N/A	Corrective Action Approved
Fairfax Co. Jail	September	<ul style="list-style-type: none"> • 545 • 1100 	N/A	Corrective Action Approved
BRRJA-Bedford Co. ADC	September	100% compliance	N/A	N/A

Prince William ADC	September	<ul style="list-style-type: none"> • 1030 	N/A	Corrective Action Approved
Page County Jail	September	100% compliance	N/A	N/A
VA Peninsula Regional Jail	September	100% compliance	N/A	N/A
Northwestern Adult Detention Center	September	<ul style="list-style-type: none"> • 545 	N/A	Corrective Action Approved
New River Valley Regional Jail	October	<ul style="list-style-type: none"> • 950 • 1030 • 1100 	N/A	Corrective Action Approved
Rappahannock Regional Jail	October	100% compliance	N/A	N/A
Roanoke Co. Jail	October	<ul style="list-style-type: none"> • 400 	N/A	Corrective Action Approved
Western VA Regional Jail	October	100% compliance	N/A	N/A
Madison County Lockup	October	100% compliance	N/A	N/A
Rockingham-Harrisonburg Regional Jail	November	100% compliance	N/A	N/A
Piedmont Regional Jail	December	<ul style="list-style-type: none"> • 1030 	N/A	Corrective Action Approved
VA Beach Lockup #2	December	100% compliance	N/A	N/A

PART V

Legislative History

During the 2019 General Assembly Session, Delegate Robert Bell sponsored House Bill 1942, which was approved by both chambers and was signed into law on April 3, 2019. HB 1942 amended Virginia Code §53.1-68, minimum standards for local correctional facilities and lock-ups; health inspections, behavioral health services inspections, and personnel. Specifically HB 1942 requires the Board of Local and Regional Jails to establish minimum standards for behavioral health services in local and regional correctional facilities. The Board is also responsible for establishing procedures to enforce such minimum standards, with the advice of and guidance from the Commissioner of Behavioral Health and Developmental Services and the State Inspector General. HB 1942 lays out some minimum components, which the standards must address to include at least one unannounced annual inspection of each local and regional correctional facility.

Finally, HB 1942 required the Chairman of the Board of Local and Regional Jails to convene a work group composed of sheriffs, superintendents of regional correctional facilities, and representatives from community services boards, the Department of Behavioral Health and Developmental Services, the Department of Medical Assistance Services, the Virginia Association of Counties, the Virginia Municipal League, and other stakeholders as appropriate to determine the cost of implementing the provisions of this Act.

The work group is to report its findings and conclusions to the Governor and the Chairmen of the House Committee on Appropriations, the House Committee for Courts of Justice, the House Committee on Health, Welfare and Institutions, the Senate Committee on Finance, the Senate Committee for Courts of Justice, the Senate Committee on Education and Health, and the Senate Committee on Rehabilitation and Social Services.

The following are the recommendations from the advisory panel to the Board on the minimum standards for behavioral healthcare in jails:

1. Access to care - Inmates have access to care that meets their mental health needs.
2. Policies and Procedures - The facility has a manual or compilation of policies and procedures regarding mental health care services which may be part of a larger health care manual.
3. Communication of Inmates' Needs - Communication occurs between the facility administration and treating mental health care professionals regarding inmates' mental health needs.

4. Mental Health Training for Correctional Officers – All correctional officers who work with inmates receive training established or approved by the responsible health authority and in cooperation with the facility administration.
5. Medication Services - Medication services are clinically appropriate and provided in a timely, safe and sufficient manner.
6. Mental Health Screening - Mental health screenings are performed on all inmates on arrival at the intake facility to ensure that emergent and urgent mental health needs are met.
7. Mental Health Assessment - All inmates receive mental health screening; inmates with positive screens receive a mental health assessment.
8. Emergency Services - The facility provides 24-hour emergency mental health services.
9. Restrictive Housing - When an inmate is held in restrictive housing, staff monitors his or her mental health.
10. Continuity and Coordination of Health Care during Incarceration - All aspects of health care are coordinated and monitored from admission to discharge.
11. Discharge Planning - Discharge planning is provided for inmates with mental health needs whose release is imminent.
12. Primary Mental Health Services - Mental health services are available for all inmates who suffer from serious mental illness.
13. Suicide Prevention Program - The facility identifies suicidal inmates and intervenes appropriately.
14. Identification and Treatment of Substance Use Disorders – Inmates are screened for substance use disorders and provides treatment based on the individual’s needs, amenability to treatment, and availability of resources.
15. Management of Intoxication, Withdrawal, and Overdose – Protocols exist for managing and responding to inmates under the influence, experiencing withdrawal, or showing signs of overdose.

HB 1942 instructed the work group to determine the cost of implementing provisions of the Act. The workgroup constructed a self-assessment survey to be filled out by all jails. The survey inquired about the jails’ ability to meet the proposed standards. In cases where jail leadership did not feel they could meet the standard with current resources, they were asked to identify what additional resources or assistance would be needed in order to be able to meet the standards. These standards are currently under review.

The Board of Local and Regional Jails was granted the authority to hire a Director through legislation in the 2020 regular session. The Director shall have oversight to manage staff, ensure completed jail inspections, and recommend jail certifications and reviews of inmate deaths as recommended in the Joint Legislative Audit and Review Commission (JLARC) report on State Oversight of Local and Regional Jails. This position will be responsible for reviewing and applying legal, regulatory, and administrative policies and procedures to include carrying out any other duties as designated by the Board.

Summary

The Board of Local and Regional Jails (the Board) is responsible for creating standards that govern the facilities and the offenders it oversees. There are certain regulations that require all correctional programs and facilities to operate at standards that are designed to guarantee the health, safety, and welfare of staff and offenders within a correctional setting. In 2019, common violations included issues related to medical care, mental health care, and supervision of inmates. At this time, the Board continues to support newly developed behavioral health standards for jails. The Department of Criminal Justice Services, the Virginia Compensation Board, and the Board are developing a report to assess the fiscal impact of implementing the new behavioral health standards for local and regional jails across the Commonwealth. The Board is dedicated to the safe operation of local, regional, and community correctional facilities and continues to hold facilities accountable for non-compliance with standards.

Appendix: Board of Corrections Compliance Documentation for Jails

6VAC15-40-5. Compliance Documentation – The elements listed in the compliance documentation shall be interpreted as part of the standard. If facility policy exceeds the requirement of the standard, the facility will be held to the content of such policy.

6VAC15-40-10. Definitions – See Definitions document.

6VAC15-40-20. Responsibility – The primary responsibility for application of these standards shall be with the sheriff or chief executive officer of the jail or lockup.

6VAC15-40-30. Requirement for Written Statement – The facility shall have a written statement and policy discussing its philosophy, goals and objectives. The written statement shall be reviewed every 12 months by administrative staff.

Compliance Documentation:

- Review written statement and policy
- Review documentation of 12 month administrative staff review
- Interview staff

Further Information: Refer to definition of twelve months.

6VAC15-40-40. Policy and Procedures Manual – Written policy and procedures shall be maintained and available 24 hours a day to all staff. The facility's policies and procedures shall be reviewed every 12 months by administrative staff and updated to keep current with changes.

Compliance Documentation:

- Review policy and procedures manual
- Review documentation of availability to staff
- Review documentation of 12 month administrative staff review
- Interview staff

Further Information: Refer to definition of twelve months.

6VAC15-40-50. Chief Executive Officer – Written policy shall provide that each facility shall be headed by a single chief executive officer to whom all employees and functional units are responsible.

Compliance Documentation:

- Review written policy
 - Review organizational chart
 - Interview staff
-

6VAC15-40-60. Annual Report – A written annual report of the availability of services and programs to inmates shall be reviewed by the facility administrator and provided to the sentencing courts and may be provided to relevant community agencies.

Compliance Documentation:

- Review annual report
- Review documentation of facility administrator's review
- Review documentation of distribution to courts and community agencies
- Interview staff

Further Information: Refer to definition of annual.

6VAC15-40-70. Release of Information – Written policies and procedures covering the release of information shall be developed in accordance with the Regulations Relating to Criminal History Record Information Use and Security (6VAC20-120-10 et seq.) as promulgated by the Criminal Justice Services Board.

Compliance Documentation:

- Review written policy and procedure
- Review dissemination log; Regulations require the following fields: a) Date of inquiry; (b) Requesting agency name and address; (c) Identifying name and number (either FBI or state identification number of record subject, or notification of “no record found”); (d) Name of requester within the agency requesting criminal history record information; and (e) Name of disseminator (officer or civilian who provides the criminal history record information to the requester)
- Interview staff

Further Information: Refer to definition of correctional status information. This information is not considered criminal record information and does not need to be recorded in a log. Refer to definition of criminal history record information.

6VAC15-40-80. Current and Accurate Inmate Records – Written policy, procedure, and practice shall ensure that inmate records are current and accurate.

Compliance Documentation:

- Review written policy and procedures

- Review inmate records (see 6VAC15-40-90 for number of records to be reviewed)
-

6VAC15-40-90. Content of Personal Inmate Records – Personal records shall be maintained on all inmates committed or assigned to the facility. Inmate records shall be kept confidential, securely maintained, and in good order to facilitate timely access by staff. Inmate records shall contain, but not be limited to:

1. Inmate data form;
2. Commitment form or court order, or both;
3. Records developed as a result of classification;
4. All disciplinary actions, or unusual incidents;
5. Work record and program involvement;
6. Copies of inmates' property expenditure records and receipts; and
7. Victim notification, if applicable.

Compliance Documentation:

- Review inmate records (can be paper files or automated records) –

Population	Records Reviewed
1-35	5 minimum
36-99	10 minimum
100-299	15 minimum
300-499	20 minimum
500 +	25 minimum
 - Observe records storage
 - Interview staff
-

6VAC15-40-100. Daily Logs – The facility shall maintain a daily log(s) that records the following information:

1. Inmate count and location, to be verified with a minimum of one formal count per shift, observing flesh and movement;
2. Intake and release of inmates;
3. Entries and exits of physicians, attorneys, ministers, and other nonfacility personnel; and
4. Any unusual incidents that result in physical harm to, or threaten the safety of, any person or the security of the facility.

Compliance Documentation:

- Review daily count sheets
- Review intake and release records
- Review professional log
- Review incident reports/logs
- Interview staff

Further Information: The definition of shift will be at the discretion of each facility, e.g. 8, 10, 12 hours.

6VAC15-40-110. Serious Incident Reports – A report setting forth in detail the pertinent facts of deaths, discharging of firearms, erroneous releases, escapes, fires requiring evacuation of inmates, hostage situations, and recapture of escapees shall be reported to the Local Facilities Supervisor of the Compliance and Accreditation Unit, Department of Corrections (DOC), or designee. The initial report shall be made within 24 hours and a full report submitted at the end of the investigation.

Compliance Documentation:

- Review serious incident reports
 - Review documentation verifying initial report made within 24 hours to the Local Facilities Supervisor
 - Interview staff or Local Facilities Supervisor
-

6VAC15-40-120. Classification –

A. Written policy, procedure, and practice shall ensure the following:

1. Classification of inmates as to level of housing assignment and participation in correctional programs;
2. Separate living quarters for males, females and juveniles;
3. Inmates are not segregated by race, color, creed or national origin;
4. Security permitting, equal access to all programs and activities, through separate scheduling, or other utilization of combined programs under supervision; and
5. Any exception to the above is documented.

B. If the facility is using objective classification, then the provisions of this subsection shall be followed:

1. Classification is conducted upon intake and prior to final housing assignment;
2. Classification determines the custody level and housing assignment;
3. Classification is conducted through inmate interviews and the use of data collection instruments or forms, which are maintained on file;
4. Classification instruments enable objective evaluation and/or scoring of:
 - a. Current offenses.
 - b. Prior convictions.
 - c. History of assaultive behavior.
 - d. Escape history.
 - e. Prior institutional adjustment.
 - f. Court status and pending charges.
 - g. Mental health or medical treatment history or needs.
 - h. Identified stability factors.
5. The classification system includes administrative review of decisions and periodic reclassification and override procedures that are documented and maintained on file.
6. The classification system addresses both the potential security risks posed and treatment needs of the inmate.
7. Separate living quarters for males, females, and juveniles.

8. Inmates are not segregated by race, color, creed, or national origin.

Compliance Documentation:

- Review written policy and procedures
 - Review classification documents
 - Review eligibility requirements for Work Force (see §53.1- 128 - §53.1-131 of the Code of Virginia) and inmate worker program participants
 - Review any exceptions to the above
 - Observation of housing units
 - Interview staff/inmates
-

6VAC15-40-130. Written Grievance Procedure – A written grievance procedure shall be developed and made available to all inmates with the following:

1. Inmates shall be given a grievance form after exhausting all prerequisites of the grievance procedure. Prerequisites shall be documented.
2. Grievances shall be responded to within nine work days of receipt.
3. Written responses, including the reason for the decision, shall be made to all grievances.
4. A review shall be made by a staff member not directly involved in the grievance.
5. All inmates shall have access to the grievance procedure with guaranty against reprisal.
6. All inmates shall be afforded the opportunity to appeal the decision.

Compliance Documentation:

- Review written procedure (all 6 elements must be included in the procedure)
 - Review documentation of prerequisites
 - Review grievances
 - Review appeals
 - Review inmate handbook
 - Interview staff/inmates
-

6VAC15-40-140. Awareness of Programs – The facility administrator or designee shall make each inmate aware of available programs.

Compliance Documentation:

- Review inmate handbook/orientation/program schedule
 - Interview staff/inmates
-

6VAC15-40-150. Inmate Exercise – Written policy, procedure, and practice shall provide that all inmates have access to physical exercise. Facilities with specified exercise areas shall provide inmate exercise a minimum of one hour per week. Facilities without specified exercise areas shall provide equipment or an area within the dayroom for inmates to exercise large muscle groups on a

daily basis. Shortage of staff shall not hinder inmate access to physical exercise. Exceptions for inclement weather or risk to security shall be documented. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review exercise documentation
 - Review documentation of exceptions (disciplinary segregation inmates are exempt)
 - Observation
 - Interview staff/inmates
-

6VAC15-40-155. Access to Recreational Activities – Written policy, procedure, and practice shall provide inmates access to recreational activities.

Compliance Documentation:

- Review written policy and procedures
 - Observation
 - Interview staff/inmates
-

6VAC15-40-160. Written Procedures for Release Program Eligibility Criteria – Written procedures outlining the eligibility criteria for participation in a work release, educational release, electronic monitoring, or rehabilitation release program shall be developed by each facility with a work release, educational release, electronic monitoring, or rehabilitation release program. Inmates shall meet the established eligibility requirements prior to being released to participate in the program.

Compliance Documentation (if applicable):

- Review written eligibility criteria/court order
 - Review court notification documentation
 - Review non-court ordered placement documentation (the court or commonwealth's attorney shall be notified in writing in accordance with §53.1-131 of the Code of Virginia)
 - Review work release, educational release, rehabilitation release (Code of Virginia §53.1-131) and electronic monitoring (Code of Virginia §53.1-131.2) case files
 - Regional jails must provide documentation of sheriff's delegation of authority for work release assignment or sheriff's approval
 - Interview staff
-

6VAC15-40-170. Written Procedures for Accountability of Inmate Participants – Written procedures shall ensure the accountability of inmate participants and provide for supervision in the community. Such procedures shall include, at a minimum:

1. Provisions for a daily inmate count;

2. Methods for determining and identifying inmates who are authorized to leave the facility;
3. Provisions for a controlled sign-out and sign-in process; and
4. Provisions that require a minimum of one staff-initiated telephone contact per calendar week and a minimum of one random field visit per month or GPS monitoring shall be used to verify the inmate's location within the community.

Compliance Documentation (if applicable):

- Review written accountability/supervision procedures
 - Review sign-out/in logs
 - Review documentation of telephone contacts and random field visits/GPS monitoring
 - Interview staff
-

6VAC15-40-180. Conditions for Inmate Participation in a Work Release Program- Inmate participation in a work release program shall conform to the following specific conditions unless ordered otherwise by an appropriate court:

1. Participation by the inmate shall be on a voluntary basis.
2. The following conditions shall be met where the employer has a federal contract.
 - a. Representatives of local union central bodies or similar labor union organizations shall have been consulted;
 - b. Employment shall not result in the displacement of employed workers, or be applied in skills, crafts or trades in which there is a surplus of available gainful labor in the locality, or impair existing contracts for services; and
 - c. Rates of pay and other conditions of employment shall not be less than those paid or provided for work of a similar nature in the locality in which the work is being performed.

Compliance Documentation (if applicable):

- Review documentation to determine whether an employer has a federal contract
- Review court order (if applicable)
- Interview staff/inmates

Further Information: Many facilities include the provisions in #2 within the employer agreement to ensure compliance with this standard.

6VAC15-40-190. Conditions for Inmate Participation in Educational Release or Rehabilitation Release Programs – Inmate participation in an educational release or rehabilitation release program shall conform to the following specific conditions unless ordered otherwise by an appropriate court:

1. Participation by the inmate may be voluntary or court ordered;
2. Meetings or classes shall be on a regularly scheduled basis; and

3. Other conditions shall not be more restrictive on the inmate than those required by other participants.

Compliance Documentation (if applicable):

- Review court order, records and/or correspondence
 - Review inmate records
 - Interview staff
-

6VAC15-40-200. Furlough – Inmate participants in a work release, educational release, or rehabilitation release program may be considered for furlough, as prescribed by the facility policy, not to exceed three days in length at any one time. Written procedures shall govern the granting of furloughs in accordance with the provisions of §53.1-132 of the Code of Virginia.

Compliance Documentation (if applicable):

- Review written policy and procedures
- Review facility records/logs
- Interview staff/inmates

Further Information: This standard does not apply to furloughs granted by the sentencing court for other reasons such as medical or funeral.

6VAC15-40-210. Earnings – Written procedures shall be developed to ensure the accountability of all earnings received, disbursed, to whom and reason on behalf of the inmate participant. Procedures shall be in accordance with §53.1-131 of the Code of Virginia.

Compliance Documentation (if applicable):

- Review written accountability procedures
 - Interview staff/inmates
-

6VAC15-40-220. Removing Inmate Participants from Program – Written procedures shall establish the criteria and process for removing inmate participants from the program.

1. Procedures shall include provisions for an impartial hearing for the inmate participants.
2. Procedures shall include provisions for appealing the removal.
3. Documentation shall reflect that this information was explained to all inmate participants upon assignment to the program.

Compliance Documentation (if applicable):

- Review written procedures (all 3 elements must be included in the procedure)
- Review documentation of removal/court order
- Interview staff/inmates

6VAC15-40-230. Written Agreement with Director – Each facility having a work release, educational release, or rehabilitation release program that includes state offenders as defined in §53.1-20 of the Code of Virginia shall have a written agreement with the director, or his designee.

Compliance Documentation (if applicable):

- Review written agreement
- Interview staff

6VAC15-40-240. Offender Participation in Compliance with Appropriate Criteria and Approval – State offenders assigned to a work release, educational release, or rehabilitation release program shall meet the appropriate criteria set forth by the Department of Corrections (DOC), be approved by the DOC Central Classification Services and the management review process pursuant to a written agreement as provided in accordance with §53.1-131 of the Code of Virginia.

Compliance Documentation (if applicable):

- Review letter of approval from Central Classification Services and/or facility's letter requesting inmate assignment to work release
- Review court order (if applicable)

6VAC15-40-250. Participation in Religious Services or Counseling – Written policy, procedure, and practice shall allow inmates to participate voluntarily in available religious services or counseling of their choice during scheduled hours within the facility. The constitutional right to pursue any lawful and legitimate religious practice shall be guaranteed to all inmates consistent with maintaining the order and security of the facility.

Compliance Documentation:

- Review written policy and procedures
- Review schedule/logs
- Observation
- Interview staff/inmates

6VAC15-40-260. Social Services and Volunteer Programs – Where volunteers provide direct services to inmates in the facility, written policies and procedure shall describe each available service or program. The facility shall secure and support available social services and volunteer programs from the community.

Compliance Documentation:

- Review written policy and procedures
- Review schedule/logs

- Interview staff/inmates
-

6VAC15-40-270. Coordination of Volunteer Program – The volunteer program shall be coordinated and administered in accordance with written policies and procedures. Each volunteer shall sign a statement agreeing to abide by facility rules and regulations.

Compliance Documentation:

- Review written policy and procedures
 - Review signed volunteer statements
-

6VAC15-40-280. Availability and Administration of Educational Services – Written policy, procedure, and practice shall govern the availability and administration of educational services for inmates, including a written agreement with the local school authority for the provision of special education. The facility administrator shall coordinate with local authorities for the provision of community services and resources utilized for this purpose, where available.

Compliance Documentation:

- Review written policy and procedures
 - Review written agreement for special educational services
 - Review written agreement with local authorities (if available)
 - Review educational program schedule
 - Interview staff/inmates
-

6VAC15-40-290. Provisions of Reading Materials – The facility shall provide reading materials that include current periodicals.

Compliance Documentation:

- Review list of available periodicals (2 minimum: This can be newspapers, magazines or a combination of both)
 - Review inmate handbook/schedule
 - Observation
 - Interview staff/inmates
-

6VAC15-40-300. Permission of Reading Materials – Reading materials, including newspapers, magazines and books, shall be permitted in the facility unless the material poses a threat to security or is not in compliance with other facility restrictions or guidelines.

Compliance Documentation:

- Review reading material
- Review documentation of denials (if applicable)
- Interview staff/inmates

Further Information: Facilities may impose restrictions as to obtaining material through such sources as publishers, book clubs or bookstores.

6VAC15-40-310. Commissary Services – The facility shall make available to inmates commissary services where they may purchase from an approved list of items at a minimum of one time per week. Written policy and procedure shall describe the circumstances and duration under which inmates may be restricted from this privilege.

Compliance Documentation:

- Review written policy and procedures
- Review commissary list
- Review weekly commissary receipts
- Interview staff/inmates

Further Information: The commissary list should include, at a minimum, hygiene and food items. The authority for establishing stores in local correctional facilities operated by a sheriff is in §53.1-127.1 of the Code of Virginia, and the authority for regional jail administrators is in §53.1-115.2 of the Code of Virginia.

6VAC15-40-320. Licensed Physician – A licensed physician shall supervise the facility’s medical and health care services. Facilities that contract with private medical facilities or vendors shall maintain a current copy of the agreement, unless employed by the facility. **LHS**

Compliance Documentation:

- Review current license
- Review current copy of agreement (if applicable)
- Interview staff

Further Information: Refer to definition of current.

6VAC15-40-330. Restrictions on Physician – No restrictions shall be imposed by the facility in the practice of medicine. However, administrative and security regulations applicable to facility personnel shall apply to medical personnel as well.

Compliance Documentation:

- Interview staff
-

6VAC15-40-340. Health Care Provider and Licensing, Certification and Qualification of Health Care Personnel – Each facility shall have a minimum of one licensed or qualified health care provider who is accessible to inmates a

minimum of one time per week. Health care personnel shall meet appropriate and current licensing, certification, or qualification requirements. **LHS**

Compliance Documentation:

- Review current licensing/qualifications for health care provider
- Review schedule/documentation of accessibility to inmates
- Review current licensing/certification/qualification for in-house health care personnel
- Interview staff/inmates

Further Information: Refer to definition of current.

6VAC15-40-350. Private Examination and Treatment of Inmates – Where in-house medical and health care services are provided, there shall be space for the private examination and treatment of inmates.

Compliance Documentation (if applicable):

- Observe medical examination and treatment area
 - Interview staff
-

6VAC15-40-360. Twenty-Four Hour Emergency Medical and Mental Health Care – Written policy, procedure, and practice shall provide 24-hour emergency medical and mental health care availability. **LHS**

Compliance Documentation:

- Review written policy and procedure
 - Review incident reports (if applicable)
 - Interview staff
-

6VAC15-40-370. Receiving and Medical Screening of Inmates – Written policy, procedure, and practice shall provide that receiving and medical screening be performed on all inmates upon admission to the facility. The medical screening shall:

1. Specify screening for current illnesses, health problems and conditions, and past history of communicable diseases;
2. Specify screening for current symptoms regarding the inmate's mental health, dental problems, allergies, present medications, special dietary requirements, and symptoms of venereal disease;
3. Include inquiry into past and present drug and alcohol abuse, mental health status, depression, suicidal tendencies, and skin condition;
4. For female inmates, include inquiry into possible pregnancy or gynecological problems; and
5. All inmates shall receive a tuberculosis (TB) skin test within seven days of admission to the facility unless it can be documented that the inmate has received a TB skin test within the past 12 months or has tested positive to the

TB skin test at any time in the past. In such cases, the facility's physician shall determine what actions, if any, are necessary to safeguard against the spread of the disease. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review medical screening form (all 5 elements must be included on the form)
- Interview staff

Further Information: Refer to definition of medical screening. The screening may be conducted by the booking officer or health care personnel.

6VAC15-40-380. Inmate Access to Medical Services – Written policy, procedure, and practice shall be developed whereby inmates shall be informed, at the time of admission to the facility, of the procedures for gaining access to medical services. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review inmate handbook/orientation
 - Interview staff/inmates
-

6VAC15-40-390. Training and Competency of Staff – All security staff shall be trained and competent in rendering basic first aid and CPR by a recognized certifying agency. All training shall be documented. **LHS**

Compliance Documentation:

- Review current official training records (can be first aid/CPR cards, class roster or basic/in-service training curriculum)
- Interview staff

Further Information: Refer to definition of current.

6VAC15-40-393. Universal Precautions – All staff who have contact with inmates shall be trained, competent, and knowledgeable in the use of universal precautions. All training shall be documented and completed every 12 months. **LHS**

Compliance Documentation:

- Review training records
- Interview staff

Further Information: Refer to definition of twelve months.

6VAC15-40-395. Management of Sharps – Written policy, procedure, and practice shall govern the control, storage, and use of sharps including, at a minimum, needles, scalpels, lancets, and dental tools. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review inventory sheets
 - Observe storage area
 - Interview staff
-

6VAC15-40-400. Management of Pharmaceuticals – Written procedures for the management of pharmaceuticals shall be established and approved by the medical authority or pharmacist, if applicable. Written policy, procedure, and practice shall provide for the proper management of pharmaceuticals, including receipt, storage, dispensing and distribution of drugs. These procedures shall be reviewed every 12 months by the medical authority or pharmacist. Such reviews shall be documented. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review medication administration records
- Review records for disposal of unused or expired medications
- Review medical authority 12 month review
- Observe storage area
- Interview staff

Further Information: Refer to definition of medical authority. Refer to definition of twelve months. The Virginia Board of Pharmacy Regulations address the requirements for handling of prescription drugs (18VAC110-20-590, Drugs in Correctional Institutions), and the return or exchange of prescription drugs (18VAC110-20-400, Returning of Drugs and Devices).

6VAC15-40-405. Automated External Defibrillator (AED) – There shall be a minimum of one AED unit available in the facility. All security staff shall receive training in the operation of the unit. **LHS**

Compliance Documentation:

- Review current official training records
- Observation

Further Information: Refer to definition of current.

6VAC15-40-410. Inmate Medical Records – The medical record for each inmate shall be kept separate from other facility records and shall include the following:

1. The completed screening form; and
2. All findings, diagnoses, treatments, dispositions, prescriptions, and administration of medication.

Compliance Documentation:

- Review inmate medical records (see 6VAC15-40-90 for number of records to be reviewed)
 - Observe inmate medical records storage
-

6VAC15-40-420. Transfer of Summaries of Medical Record – Medical record summaries shall be transferred to the same facility to which the inmate is being transferred. Required information shall include: vital signs, current medications, current medical/dental problems, mental health screening, mental health problems, TB skin test date and results, special inmate needs/accommodations, pending medical appointments, medical dispositions, overall comments, health care provider/personnel signature and date, and any additional pertinent medical information such as lab work, x-rays, etc. **LHS**

Compliance Documentation:

- Review medical record summary sheets
-

6VAC15-40-430. Medical or Pharmaceutical Testing for Experimental or Research Purposes – Written policy and practice shall prohibit medical or pharmaceutical testing for experimental or research purposes. **LHS**

Compliance Documentation:

- Review written policy
 - Interview staff/inmates
-

6VAC15-40-440. Medical Care Provided by Personnel Other than Physician – Medical care provided by personnel other than a physician shall be pursuant to a written protocol or order. Protocols or orders shall be reviewed and signed by the supervising physician every 12 months. **LHS**

Compliance Documentation:

- Review written protocol or order
- Review documentation of 12 month review and approval by physician
- Interview staff

Further Information: Refer to definition of twelve months. The protocol or order may be for an individual inmate.

6VAC15-40-450. Suicide Prevention and Intervention Plan – There shall be a written suicide prevention and intervention plan. These procedures shall be

reviewed and documented by an appropriate medical or mental health authority prior to implementation and every three years thereafter. These procedures shall be reviewed every 12 months by staff having contact with inmates. Such reviews shall be documented. **LHS**

Compliance Documentation:

- Review written suicide prevention and intervention plan
- Review approval by medical or mental health authority
- Review documentation of 12 month staff review
- Interview staff

Further Information: Refer to definition of twelve months.

6VAC15-40-470. Medical Co-Payment – Jail medical treatment programs, wherein inmates pay a portion of the costs for medical services, shall be governed by written policy and procedure.

Compliance Documentation:

- Review written policy and procedures

Further Information: The Board of Corrections developed a model plan to serve as a guide for establishment of a medical treatment program per §53.1-133.01 of the Code of Virginia. This plan is available through the DOC Local Facilities Supervisor.

6VAC15-40-480. Set Fees Required – Inmate payment for medical services shall be up to, but shall not exceed, those fees established by the Board of Corrections in the Model Plan for Jail Prisoner Medical Treatment Programs per §53.1-133.1 of the Code of Virginia.

Compliance Documentation:

- Review fee schedule
 - Interview staff/inmates
-

6VAC15-40-490. Policy and Procedure Information – Written policy and procedure shall specify, at a minimum, the following information:

1. Medical services that are subject to fees;
2. Fee amounts;
3. Payment procedures;
4. Medical services that are provided at no cost;
5. Fee application to medical emergencies, chronic care and pre-existing conditions; and
6. Written notification to inmates of proposed fee changes.

Compliance Documentation:

- Review written policy and procedures
 - Interview staff
-

6VAC15-40-500. Inmates Advised of Procedures – Inmates shall be advised of medical services fees and payment procedures at the time of admission/orientation.

Compliance Documentation:

- Review inmate handbook/orientation
 - Interview staff/inmates
-

6VAC15-40-510. Ability to Pay – Written policy, procedure, and practice shall ensure that no inmate will be denied access to medically necessary services based upon ability to pay.

Compliance Documentation:

- Review written policy and procedures
 - Review inmate records
 - Interview staff/inmates
-

6VAC-40-520. Acknowledgement in Writing – Medical services fee debits to inmate accounts shall be acknowledged by the inmate in writing. The acknowledgement shall be signed by a witness if the inmate refuses to sign.

Compliance Documentation:

- Review inmate records
 - Interview staff/inmates
-

6VAC15-40-530. Accounting Procedures – A separate bank account or accounting process shall be established and used exclusively for the deposit and disbursement of medical services fees. Fee collection and disbursement shall be governed by generally accepted accounting principles.

Compliance Documentation:

- Review accounting process
 - Review inmate records
 - Review audit report (if available)
 - Interview staff
-

6VAC15-40-540. Standards for Food Service Equipment and Personnel – Written policy, procedure, and practice shall ensure that the facility's food service equipment and personnel meet the established safety and protection standards and requirements as set forth by the State Board of Health's Food Regulations.

The facility shall have a Virginia Department of Health (VDH) inspection conducted every 12 months. Written reports of the VDH inspections shall be on file with the facility administrator. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review VDH inspection reports
- Review license/permit

Further Information: Refer to definition of twelve months.

6VAC15-40-545. Standards for Inmate Food Service Workers – Written policy, procedure, and practice shall ensure that a visual medical examination of each inmate assigned to food service occurs no more than 30 days prior to assignment and quarterly thereafter. Each inmate shall be given a TB skin test prior to food service assignment. Such tests shall be documented. If an inmate tests positive for TB, that inmate shall not be granted assignment to food service. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of visual medical examination and TB skin test of inmates assigned to food service
-

6VAC15-40-550. Food Service Program – Written policy, procedure, and practice shall ensure a food service program that meets the following:

1. The menu meets the dietary allowances as stated in the Recommended Dietary Allowances (RDA), National Academy of Sciences;
2. There is at least a one-week advance menu preparation;
3. Modifications in menus are based on inmates' medical or reasonable religious requirements. Medical or dental diets shall be prescribed by the facility's medical authority;
4. RDA evaluation of facility menus shall be completed by an independent registered dietitian or certified nutritionist every three years; and
5. Additional evaluations shall be completed when a substantive change in the menu or food service provider occurs. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review all menus
- Review menu modifications for medical and religious diets (if applicable)
- Review RDA evaluation of facility menus
- Review license/certification of dietician or nutritionist
- Review additional menu evaluations (if applicable)
- Interview staff

Further Information: DOC institutional menus may be used by the facility in lieu of RDA evaluations.

6VAC15-40-560. Meals Prepared, Delivered, and Served Under Direct Supervision of Staff – Written policy, procedure, and practice shall ensure meals are prepared, delivered, and served under the direct supervision of staff. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Observation
 - Interview staff
-

6VAC15-40-570. Records of Meals Served – Written policy, procedure, and practice shall ensure the records of meals served are kept a minimum of three years.

Compliance Documentation:

- Review written policy and procedures
 - Review menus
-

6VAC15-40-580. Food Services Program Not a Disciplinary Measure – Written policy, procedure, and practice shall ensure food is not used as disciplinary measure. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of alternate meal usage (if applicable)
 - Interview staff/inmates
-

6VAC15-40-590. Number and Spacing of Meals – Written policy, procedure, and practice shall provide for at least three meals daily with no more than 14 hours between evening meal and breakfast, and a minimum of two hot meals within every 24 hours.

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of times meals are served
 - Interview staff/inmates
-

6VAC15-40-600. Correspondence Privileges – Written policy, procedure, and practice shall ensure that all inmates, regardless of their jail status, shall be afforded the same correspondence privileges. Correspondence privileges shall not be withdrawn as punishment.

Compliance Documentation:

- Review written policy and procedures
 - Interview staff/inmates
-

6VAC15-40-610. Volume and Content of Inmate Mail – Written policy, procedure, and practice shall ensure that there is no limit on the volume of mail an inmate may send or receive, or on the length, language, content, or source of such mail, except where there is clear and convincing evidence to justify such limitations.

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of exceptions (if applicable)
 - Interview staff/inmates
-

6VAC15-40-620. Postage Allowance – Written policy, procedure, and practice shall make available a postage allowance of at least five first class rate (one ounce) letters per week, including legal mail, to indigent inmates. An indigent inmate shall be defined as an inmate having less than the cost of five first class stamps in his account for 15 days.

Compliance Documentation:

- Review written policy and procedures
- Review definition of indigent inmate
- Review documentation verifying indigent inmates receive weekly postage allowance
- Interview staff/inmates

Further Information: Provisions can be made for reimbursement by the inmate upon accumulation of sufficient funds.

6VAC15-40-630. Outgoing and Incoming Mail – Written policy, procedure, and practice shall ensure that outgoing mail is collected and sent during normal United States Postal Service (USPS) days of operation. Incoming mail to inmates shall be delivered no later than 24 hours after arrival at the facility (contingent upon normal USPS days of operation), or shall be forwarded or returned to sender.

Compliance Documentation:

- Review written policy and procedures
 - Review documentation (if applicable)
 - Interview staff/inmates
-

6VAC15-40-640. General and Legal Correspondence – All general correspondence may be opened, examined, and censored by authorized personnel, as per the USPS Administrative Support Manual, Section 274.96. If searched, all legal correspondence shall be opened in the presence of the inmate.

Compliance Documentation:

- Review written policy and procedures
- Review documentation (if applicable)
- Interview staff/inmates

Further Information: The USPS Administrative Support Manual, Section 274.96, Mail Addressed to Prisoners, states: “Authorized personnel of prisons, jails, or other correctional institutions, under rules and regulations promulgated by the institution, may open, examine, and censor mail sent from, or addressed to, an inmate of the institution. An inmate may designate in writing an agent outside the institution to receive his or her mail, either through an authorized address of the agent, if the mail is so addressed, or at the delivery post office serving the institution, if the mail is addressed to the inmate at the institution.”

6VAC15-40-650. Notice of Seizure of Mail Contraband – Written policy, procedure, and practice shall ensure notice of the seizure of mail contraband is given to the inmate with the reason for the seizure in writing. The sender shall be allowed the opportunity to appeal the seizure to the facility administrator or a designee empowered to reverse seizure. Unless it is needed for criminal investigation or prosecution, property that can legally be possessed outside the facility shall be stored, returned to sender, if known, or destroyed.

Compliance Documentation:

- Review written policy and procedures
- Review written notification to inmate and sender
- Review seizure records and appeals (if applicable)
- Interview staff/inmates

Further Information: Seizure includes any item which the inmate cannot keep in his possession, including items placed in the inmate’s property to be returned upon his release.

6VAC15-40-660. Access to Telephone Facilities – Written policy, procedure, and practice shall ensure inmates have reasonable access to telephone facilities, except where safety and security considerations are documented.

Compliance Documentation:

- Review written policy and procedures
- Review inmate handbook
- Review schedule (if applicable)
- Observation

- Interview staff/inmates

Further Information: In the event of inmate abuse, telephone privileges may be restricted, suspended or revoked with appropriate documentation.

6VAC15-40-670. Delivery of Emergency Messages to Inmates – Written policy, procedure, and practice shall ensure that emergency messages to inmates are delivered promptly and documented.

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of calls received and delivered
 - Interview staff/inmates
-

6VAC15-40-680. Visiting Opportunities – Written policy, procedure, and practice shall ensure maximum visiting opportunities limited only by facility schedules, space, personnel constraints and inmate disciplinary status. Attorneys shall be permitted to have confidential visits with their clients.

Compliance Documentation:

- Review written policy and procedures
 - Review visitor logs/records
 - Observe visitation area
 - Interview staff/inmates
-

6VAC15-40-690. Approved Items Visitors May Bring into Facility – The facility shall have a posted list of approved items that visitors may bring into the facility. Items brought into the facility by visitors for inmates shall be subject to inspections and approval.

Compliance Documentation:

- Review list of approved items
 - Review inmate handbook
 - Observation
-

6VAC15-40-700. Requirements of Visitor Registration and Visitor Searches – Written policy, procedure, and practice shall specify requirements for visitor registration and the circumstances and methods under which visitors may be searched.

Compliance Documentation:

- Review written policy and procedures
- Review visitor registration records
- Review visitor search records (if applicable)

6VAC15-40-710. Admitting Individuals into Jail – Written policy, procedure, and practice for admitting individuals into the jail shall address the following:

1. Verification of commitment;
2. Complete search of the individual and his possessions;
3. Dispositions of clothing and personal possessions;
4. Interview for obtaining identifying data;
5. Photograph; and
6. Telephone calls.

Compliance Documentation:

- Review written policy and procedures
 - Review commitment records
 - Review property records
 - Review inmate records
 - Interview staff/inmates
-

6VAC15-40-720. Inmates Confined to Jail – Written policy, procedure, and practice for those inmates to be confined in the jail shall address the following:

1. Shower/search;
2. Issuance of clean clothing/hygiene items/linen;
3. Classification and housing assignment;
4. Orientation; and
5. Provision of mattresses.

Compliance Documentation:

- Review written policy and procedures
 - Review property issue records
 - Review classification documents
 - Review orientation process
 - Observation
 - Interview staff/inmates
-

6VAC15-40-730. Telephone Calls During the Booking Process – Written policy, procedure, and practice shall specify that newly admitted inmates who are physically capable are permitted to complete at least two local or long distance telephone calls during the booking process. Reasonable accommodations shall be made for non-English speaking inmates, as well as hearing impaired and visually impaired inmates.

Compliance Documentation:

- Review written policy and procedures
- Review phone logs
- Observation
- Interview staff/inmates

6VAC15-40-740. Requirements for Clothing, Linen and Towels – Written policy, procedure, and practice shall provide that a record is kept to show that clean linens and towels are supplied once a week, a clean change of clothing is provided twice per week, and inmates shall be held accountable for their use.

LHS

Compliance Documentation:

- Review written policy and procedures
- Review laundry records
- Interview staff/inmates

(Clothing must be offered on two separate days)

6VAC15-40-750. Issuance of Special and Protective Clothing – The facility shall provide for the issuance of special and protective clothing to inmates assigned to food service, farm, sanitation, mechanical services, and other special work functions.

Compliance Documentation:

- Observation
- Interview staff/inmates

Further Information: Special and protective clothing may include gloves, safety glasses, steel-toed boots, etc.

6VAC15-40-760. Bathing – There shall be sufficient hot and cold water for bathing. Each inmate shall be allowed to bathe twice a week.

Compliance Documentation:

- Observation
 - Interview staff/inmates
-

6VAC15-40-770. Provisions of Hygiene Items – The facility shall provide soap, a toothbrush and toothpaste or tooth powder to each inmate upon admission to the general population. Feminine hygiene items (as defined by facility policy) shall be provided upon reasonable request to each female inmate assigned to the general population. Notwithstanding security considerations, shaving equipment, including a mirror, and haircuts shall be made available and the hygiene needs of all inmates shall be met.

Compliance Documentation:

- Review property issue records
- Review definition of feminine hygiene items
- Interview staff/inmates

6VAC15-40-780. Items Inmates May Retain – Written policy and procedure shall state what items the inmate may retain in his possession.

Compliance Documentation:

- Review written policy and procedures
- Review inmate handbook/orientation
- Observation
- Interview staff/inmates

6VAC15-40-790. Inventory of Cash and Personal Property – A written itemized inventory of cash and personal property of each inmate shall be made at the time of initial booking. A copy signed by both staff and inmate shall be furnished to the inmate. Computerized officer identification shall not substitute for a signature.

Compliance Documentation:

- Review inventory sheets for both inmate and staff signature
- Review documentation for property released by inmate
- Interview staff/inmates

Further Information: Inmates refusing to sign should be documented.

6VAC15-40-800. Accounting of Inmate Expenditures and Receipts of Money – Inmates personal funds held by the facility are controlled by accepted accounting procedures. The facility shall provide the inmate with a copy of his itemized account upon reasonable request.

Compliance Documentation:

- Review inmate requests
- Review documentation of facility response to requests
- Review audit reports (if available)
- Interview staff/inmates

6VAC15-40-810. Return of Inmate Property and Funds – Inmate property and funds shall be returned upon release or transfer and receipted for by the inmate in writing.

Compliance Documentation:

- Review property and account records acknowledged by the inmate in writing
- Interview staff

Further Information: It is expected that inmates will generally receive their funds at the time of transfer or discharge. However, circumstances may arise when this is not possible, such as bonding out at night, emergency transfers, etc.

6VAC15-40-820. Conduct – Written policy, procedure, and practice shall govern inmate discipline and shall include:

1. Rules of conduct, including sanctions for rule violations;
2. Procedures and provisions for pre-hearing disciplinary detention; and
3. Procedures for processing violators that may include plea agreements that may waive the inmates' right to appeal.

Compliance Documentation:

- Review written policy and procedures
 - Review misconduct reports/plea agreements
-

6VAC15-40-830. Inmate Handbook – Upon initial housing assignment and following intake and reception processing, each inmate shall be informed of, receive, and sign for:

1. A copy of the inmate rules of conduct, including sanctions; and
2. The policy and procedures governing inmate discipline.

Compliance Documentation:

- Review inmate handbook
- Review documentation of inmate acknowledgement
- Interview staff/inmates

Further Information: Reasonable accommodations should be made for inmates with language or comprehension problems.

6VAC15-40-831. Fee for Inmate Keep – If the facility has elected to establish a program to charge a fee for inmate keep, such fee shall be up to, but shall not exceed, the fee stated in the Board of Corrections Model Plan for Payment of Costs Associated With Inmate Keep per §53.1-131.3 of the Code of Virginia.

Written policy, procedure and practice shall include, at a minimum, the following:

1. Provisions requiring the facility to notify the inmate of such fee in writing upon admission/orientation;
2. Payment and refund procedures;
3. Accounting procedures;
4. Provisions designating which, if any, inmates are exempt;
5. If the release date and the date of arrival are within 24 hours, provisions to charge the inmate only the equivalent of one day's fee; and
6. Whenever an inmate has been charged the fee, provisions specifying that the deduction shall be reflected on the inmate's account.

Compliance Documentation (if applicable):

- Review written policy and procedures
 - Review inmate handbook/orientation
 - Review inmate account records
 - Interview staff/inmates
-

6VAC15-40-833. Discipline – Whenever an inmate may be deprived of good time or placed on disciplinary segregation the minimum procedural requirements shall include:

1. The accused inmate shall be given written notice of the charge and the factual basis for it at least 24 hours prior to hearing of the charge;
2. The charge shall be heard in the inmate's presence by an impartial officer or committee unless that right is waived in writing by the inmate or through the inmate's behavior. The accused inmate may be excluded during the testimony of any inmate whose testimony must be given in confidence. The reasons for the inmate's absence or exclusion shall be documented;
3. The accused inmate shall be given an opportunity to have the assistance of a staff member or fellow inmate in defending the charge;
4. The inmate shall be given a written statement by the fact finders as to the evidence relied upon and the reasons for the disciplinary action; and
5. The inmate shall be permitted to appeal any finding of guilt to the facility administrator or designee.

Compliance Documentation:

- Review written policy and procedures
 - Review disciplinary actions
 - Review status of inmates placed on disciplinary segregation
 - Interview staff/inmates
-

6VAC15-40-835. Sanctions – Whenever an inmate is punished, such as reprimands or loss of privileges, the minimum procedural requirements shall include:

1. The accused inmate shall have an opportunity to explain or deny the charge; and
2. The inmate shall have the opportunity to appeal any finding of guilt to the facility administrator or designee.

Compliance Documentation:

- Review written policy and procedures
 - Review disciplinary reports
 - Review signed inmate waivers (if applicable)
 - Interview staff/inmates
-

6VAC15-40-840. Post to Control Security of Jail – The facility shall maintain a designated post, staffed 24 hours a day, that controls activities and flow of

people in and out of the secure area of the jail. Main facility control posts may be staffed by civilian personnel who have been provided on-the-job training in facility security procedures, emergency plans, and communications. Such training shall be documented in writing with the same frequency as required by standards for all facility employees. Civilian personnel assigned to the control posts shall not be assigned to other posts requiring direct inmate contact and supervision. **LHS**

Compliance Documentation:

- Review training records for civilian personnel
 - Review post orders or job descriptions (refer to 6VAC15-40-960)
 - Review restrictions on inmate access to control centers
 - Observation
 - Interview staff
-

6VAC15-40-850. Security of Outside Recreation – The facility’s outside recreation area shall be secure so that inmates shall not have physical access to the general public without authorization.

Compliance Documentation (if applicable):

- Observation
-

6VAC15-40-860. Security of Entrances and Doors – Written policy, procedure, and practice shall require that all security perimeter entrances, control center doors, cell block doors and all doors opening into a corridor are kept locked except when used for admission or exit of employees, inmates or visitors, or in emergencies.

Compliance Documentation:

- Review written policy and procedures
 - Observation
 - Interview staff
-

6VAC15-40-870. Security and Storage of Security Devices – Written policy, procedure, and practice shall govern the security, storage, and use of firearms, ammunition, chemical agents, and related security devices that are stored in and assigned to the facility to ensure that: **LHS**

1. The facility shall provide secure storage for firearms, ammunition, chemical agents and related security devices accessible to authorized personnel only and located outside the security perimeter or the inmate housing and activity areas;
2. Personnel who carry firearms and ammunition are assigned positions that are inaccessible to inmates (with the exception of emergencies); and
3. Personnel who discharge firearms or use chemical agents other than for training purposes, submit written reports to the facility administrator or

designee no later than the conclusion of the shift during which same are discharged or used.

Compliance Documentation:

- Review written policy and procedures
 - Review training records pertaining to firearms and use of chemical agents
 - Review master inventory sheets
 - Review written reports (if applicable)
 - Observe storage areas (gun boxes, armory, etc.)
 - Interview staff
-

6VAC15-40-880. Officer Entry – Written policy and procedure shall specify the conditions under which an officer can enter a security cell or cellblock during an emergency situation.

Compliance Documentation:

- Review written policy and procedures
- Interview staff

Further Information: The policies and procedures of this standard are determined by the facility's design and philosophy of the facility administrator. The practice may vary depending on whether the facility is linear, direct, indirect or other style and should be determined with consideration given to ensuring security of both the staff and inmates. Appropriate practices can be identified in consultation with the Compliance and Accreditation Unit staff or your Local Facility Manager.

6VAC15-40-890. Mechanical Audio Communications Systems – The facility shall provide a mechanical audio communications system allowing staff to communicate with each other to facilitate staff supervision.

Compliance Documentation:

- Observation
-

6VAC15-40-900. Examination and Maintenance of Security Devices – Written policy, procedure, and practice shall specify that, at least once daily, a careful examination is made of security devices and that maintenance is routinely performed to ensure their proper operation. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review daily security device checks
- Review maintenance logs
- Interview staff

(Minimum requirements for security devices: locks, bars/doors, and windows)

6VAC15-40-910. Searches of Facility and Inmates – Written policy, procedure, and practice provide for searches of facilities and inmates to control contraband and provide for the disposition of contraband. A schedule of searches shall be developed to ensure all housing areas of the facility have been searched on a random, but at least quarterly, basis. These procedures are not made available to inmates. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of quarterly facility and inmate searches
 - Review disposition records
 - Interview staff
-

6VAC15-40-920. Contraband – The facility shall have a policy regarding the control of contraband. The policy shall be available to inmates via the inmate handbook or orientation.

Compliance Documentation:

- Review written policy
 - Review posting or method of availability (inmate handbook, orientation, etc.)
 - Interview staff/inmates
-

6VAC15-40-930. Key and Door Control – Written policy, procedure, and practice shall govern key and door control. Perimeter security door keys shall not be issued to staff unless authorized as per the approved emergency plans. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review master key inventory
 - Review issuance log
 - Observe set of emergency keys
 - Observe storage area and use
 - Interview staff
-

6VAC15-40-940. Culinary Items – Written policy, procedure, and practice shall govern the control and use of culinary items. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review master inventory sheet or shadow board
 - Review issuance log/accountability procedures
 - Observation
 - Interview staff
-

6VAC15-40-945. Tools – Written policy, procedure, and practice shall govern the control and use of tools. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review master inventory sheet or shadow board
 - Review issuance log/accountability procedures
 - Observation
 - Interview staff
-

6VAC15-40-950. Flammable, Toxic and Caustic Materials – Written policy, procedure, and practice shall specify the control and storage of cleaning equipment and use of all flammable, toxic, and caustic materials. Inmate access shall be limited and closely supervised. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review master inventory of all chemicals stored within the facility
 - Review Material Safety Data Sheets (MSDS) for all chemicals stored within the facility
 - Observe secure storage area
 - Observe flammable materials stored in an approved fire proof storage cabinet or outside the facility
 - Interview staff
-

6VAC15-40-960. Functions of Duty Post – Each duty post or position shall maintain a clear description of the functions of that duty post or position. A copy of the post orders shall be readily available.

Compliance Documentation:

- Review post orders/job descriptions
- Interview staff

Further Information: Refer to definition of post order. Emergency procedures should be included in post orders.

6VAC15-40-970. Restrictions of Physical Force – Written policy, procedure, and practice shall restrict the use of physical force to instances of justifiable self-defense, protection of others, protection of property, orderly operation of the facility and prevention of escapes. In no event is physical force justifiable as punishment. A written report shall be prepared following all such incidents described above and shall be submitted to the facility administrator, or designee, for review and justification. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review use of force reports
- Interview staff

Further Information: The least amount of force necessary to control the inmate shall be used.

6VAC15-40-980. Restraint Equipment – Written policy, procedure and practice shall govern the use of restraint equipment. A written protocol pertaining to the monitoring of inmates in restraint equipment shall be established and approved by the medical authority.

Compliance Documentation:

- Review written policy and procedures
 - Review approval and monitoring by medical personnel when restraint chair or 4 point restraints are used
 - Review approval from facility administrator, senior supervisor or designee
 - Review incident reports (if applicable)
-

6VAC15-40-985. Restraint of pregnant offenders -

A. This subsection is intended to apply to the transportation outside the secure perimeter such that inmates known to be pregnant shall be handcuffed only in front, unless an individualized determination is made that the inmate is a flight risk or danger to herself or others, or the totality of the circumstances creates a serious security risk.

1. If an individualized determination has been made, then such inmate will be restrained in the least restrictive method necessary for outside transport. Waist chains/belts shall not be used.

2. If it is deemed more restrictive restraints are needed during transport, security staff shall notify a supervisor as soon as reasonably possible and a use of force report indicating the reason for the use of restraints and type of restraints shall be submitted to a supervisor no later than the conclusion of the shift for review and justification.

B. No restraints will be used during labor and delivery unless an individualized determination has been made that the inmate is a flight risk or danger to herself or others, or the totality of the circumstances creates a serious security risk.

C. This subsection is intended to apply to labor and delivery such that if there is an individualized determination that restraints are needed, the least restrictive alternative will be used in consultation with the medical professional, but restraints shall be immediately removed upon the request of any doctor, nurse, or other health professional treating the inmate if the restraints present a threat to the health or life of the inmate or child. Waist chains/belts shall not be used.

D. If it is deemed more restrictive restraints are needed during labor and delivery, security staff shall notify a supervisor as soon as reasonably practical and a use of force report indicating the reason for the use of restraints and type of restraints shall be submitted to a supervisor no later than the conclusion of the shift for review and justification.

E. This subsection is intended to apply during postpartum recovery while the inmate is in the hospital such that after an individualized determination, an inmate shall be restrained in the least restrictive method (i.e., one ankle restraint or one arm restraint) that will allow for the mother's safe handling of her infant and mother-infant bonding, except where necessary when the inmate is a flight risk or danger to herself or others, or the totality of the circumstances creates a serious security risk. If it is deemed restraints more restrictive than one ankle restraint or one arm restraint are needed, security staff shall notify a supervisor as soon as reasonably practical and a use of force report indicating the reason for the use of restraints and type of restraints shall be submitted to a supervisor no later than the conclusion of the shift for review and justification.

F. All staff shall annually review policy related to restraining pregnant inmates.

G. This subsection is intended to apply to inmates known to be pregnant who are in a facility for medical treatment unrelated to labor and delivery. Such inmates will be restrained in the least restrictive method necessary in consultation with the medical professional. Waist chains/belts shall not be used.

Compliance Documentation:

- Review written policy and procedures
 - Review incident reports (if applicable)
 - Review documentation of annual staff reviews
-

6VAC15-40-990. Administrative Segregation – Written policy, procedure, and practice shall provide for administrative segregation of inmates who pose a security threat to the facility or other inmates, and for inmates requiring protective custody.

Compliance Documentation:

- Review written policy and procedures
 - Review inmate records
 - Observation
 - Interview staff/inmates
-

6VAC15-40-1000. Physical Living Conditions for Disciplinary Detention and Administrative Segregation – Written policy, procedure, and practice shall ensure that, inmate behavior permitting, the disciplinary detention and administrative segregation units provide physical living conditions that approximate those offered in the general population.

Compliance Documentation:

- Review written policy and procedure

- Observation
 - Interview staff
-

6VAC15-40-1010. Mental Health Inmates – Written policy, procedure, and practice shall specify the handling of mental health inmates, including a current agreement to utilize mental health services from either a private contractor or the community services board. **LHS**

Compliance Documentation:

- Review written policy and procedures
- Review current written agreement/contract
- Review inmate records (if applicable)
- Interview staff

Further Information: Refer to definition of current.

6VAC15-40-1020. Record of Activities in Disciplinary Detention and Administrative Segregation – Written policy, procedure, and practice shall ensure that a record is kept of scheduled activities in disciplinary detention and administrative segregation units. Documented activities shall include the following: admissions, visits, showers, exercise periods, meals, unusual behavior, mail, and release.

Compliance Documentation:

- Review written policy and procedures
 - Review record of activities
-

6VAC15-40-1030. Assessment of Inmates in Disciplinary Detention or Administrative Segregation – Written policy, procedure, and practice shall require that a documented assessment by medical personnel that shall include a personal interview and medical evaluation of vital signs, is conducted when an inmate remains in disciplinary detention or administrative segregation for 15 days and every 15 days thereafter. If an inmate refuses to be evaluated, such refusal shall be documented. **LHS**

Compliance Documentation:

- Review written policy and procedures
 - Review documented evaluation (not to exceed 15 days)
 - Review documented refusals (if applicable)
 - Interview staff
-

6VAC15-40-1040. Staff Training – The facility shall provide for 24-hour supervision of all inmates by trained personnel. **LHS**

Compliance Documentation:

- Review training records

Further Information: Refer to definition of trained.

6VAC15-40-1045. Supervision of Inmates – All inmate housing areas shall be inspected a minimum of twice per hour at random intervals between inspections. All inspections and unusual incidents shall be documented. No obstructions shall be placed in the bars or windows that would prevent the ability of staff to view inmates or the entire housing area. **LHS**

Compliance Documentation:

- Review documentation of random checks
 - Observation of housing areas (inspection means visual observance of all inmates in the housing area including linear, indirect and direct supervision facilities)
 - Interview staff/inmates
-

6VAC15-40-1050. Supervisory Inspection – Supervisory staff shall conduct a general, daily inspection of the facility. Such inspections shall be documented. Unusual findings shall be documented and submitted to the senior supervisor or designee on duty for review.

Compliance Documentation:

- Review documentation of daily inspections
 - Review incident reports/logs
 - Interview staff
-

6VAC15-40-1060. Movement of Inmates – Written policy, procedure, and practice shall regulate the movement of inmates within the facility.

Compliance Documentation:

- Review written policy and procedures
 - Review system utilized to track inmate movement
 - Observation
 - Interview staff
-

6VAC15-40-1070. Prohibition of Inmate Control Over Other Inmates – Written policy, procedure, and practice shall prohibit inmates from supervising, controlling, or exerting any authority over other inmates.

Compliance Documentation:

- Review written policy and procedure

- Interview staff/inmates
-

6VAC15-40-1080. Emergency Plans and Fire Drills – There shall be fire prevention practices and written emergency plans that outline duties of staff, procedures and evacuation routes. Emergency plans shall include responses in the event of fire, hazardous material release, loss of utilities, natural disaster, hostage situations, riots, disturbances, escapes, bomb threats and mass arrest. Emergency plans shall be reviewed every 12 months by all staff. These reviews shall be documented. Each facility shall conduct and document quarterly fire drills. **LHS**

Compliance Documentation:

- Review fire prevention practices (maintenance of smoke detection equipment, fire extinguishers serviced, ensuring living areas are kept free of clutter, and proper storage of combustible materials)
- Review staff duties
- Review emergency plans
- Review documentation of 12 month staff review
- Review documentation of quarterly fire drills
- Observe posted evacuation routes
- Interview staff

Further Information: Refer to definition of twelve months.

6VAC15-40-1090. Release of Inmates – Written policy, procedure, and practice shall require that, prior to the release of an inmate, positive identification is made of the releasee, authority for release is verified, and a check for holds in other jurisdictions is completed.

Compliance Documentation:

- Review written policy and procedures
 - Review documentation of NCIC/CCRE checks
 - Interview staff
-

6VAC15-40-1100. Fire Safety Inspection – The facility shall have a state or local fire safety inspections conducted every 12 months. Localities that do not enforce the Virginia Statewide Fire Prevention Code shall have the inspection performed by the State Fire Marshal’s Office. Written reports of the fire safety inspection shall be on file with the facility administrator. **LHS**

Compliance Documentation:

- Review fire safety inspection reports
- Review plan of action for all violations and documentation of approval by the State Fire Marshal’s Office or local approved fire marshal
- Interview staff

Further Information: Refer to definition of twelve months.

6VAC15-40-1111. Self-Contained Breathing Apparatus – If the facility is equipped with one or more self-contained breathing apparatus, security staff shall be trained and quarterly drills shall be conducted and documented in the use of this equipment.

Compliance Documentation (if applicable):

- Review training records
 - Review documentation of quarterly drills
 - Observation
-

6VAC15-40-1120. Mattresses, Pillows and Trash Receptacles – Mattresses, pillows and trash receptacles present in the secured housing shall be of fire retardant materials. **LHS**

Compliance Documentation:

- Review documentation of mattresses, pillows, and trash receptacles for fire retardant material
 - Observation
-

6VAC15-40-1140. Cleanliness – The facility floors, halls, corridors and other walkway areas shall be maintained in a clean, dry, hazard-free manner. **LHS**

Compliance Documentation:

- Observation (includes cracks/rust in shower stalls and cracks in floors which can result in the build-up of water/dirt that is inaccessible for cleaning, therefore, resulting in unsanitary conditions)
- (Floor areas include dayroom areas and individual cells)
-

6VAC15-40-1150. Vermin and Pest Control – The facility shall control vermin and pests and shall be serviced at least quarterly by a licensed pest control business or personnel certified by the Virginia Department of Agriculture and Consumer Services. **LHS**

Compliance Documentation:

- Review contract or license for pest control business/personnel
 - Review quarterly service records
 - Observation
 - Interview staff/inmates
-

6VAC15-40-1160. Appropriate Lighting and Heating –

- A. All housing and activity areas shall provide for appropriate lighting and heating.
- B. Appropriate lighting shall be at least 20 footcandles at desk level and in personal grooming areas.
- C. Heat shall be evenly distributed in all rooms so that a temperature no less than 65° F is maintained. Air conditioning or mechanical ventilation systems, such as electric fans, shall be provided when the temperature exceeds 85° F. **LHS**

Compliance Documentation:

- Light meter readings
 - Observation
 - Interview staff/inmates
-

6VAC15-40-1170. Water Utilities – All housing areas shall have toilets, showers, drinking water and washbasins with hot and cold running water accessible to inmates. **LHS**

Compliance Documentation:

- Observation
 - Interview staff/inmates
-

6VAC-15-40-1180. Special Purpose Area – The facility shall have a special purpose area to provide for the temporary detention and care of persons under the influence of alcohol or narcotics, who are uncontrollably violent or self-destructive, or those requiring medical supervision.

Compliance Documentation:

- Observation
 - Interview staff
-

6VAC15-40-1190. Housing of Juveniles – Those facilities which, on occasion, house juveniles, shall be certified by the Board of Corrections for the express purpose of holding juveniles.

Compliance Documentation (if applicable):

- Review Board of Corrections certificate
-

6VAC15-40-1193. Separation of Juveniles – Juveniles shall be so housed as to be separated by a wall or other barrier that would result in preventing visual contact and normal verbal communication with adult inmates.

Compliance Documentation (if applicable):

- Observation of housing and juvenile movement patterns

- Interview staff

Further Information: Separation of juveniles from adult inmates can be accomplished architecturally or procedurally in all secure areas of the facility. Brief, accidental or inadvertent contact of juveniles with adult inmates will not be construed as a basis for a finding of non-compliance.

6VAC15-40-1195. Contact with Juveniles – The facility shall have one or more employees on duty at all times responsible for auditory and visual contact with each juvenile at least every 30 minutes. Contact shall be at least every 15 minutes when juveniles exhibit self-destructive or violent behavior. **LHS**

Compliance Documentation (if applicable):

- Review supervision logs
 - Observation
 - Interview staff
-

6VAC15-40-1200. Isolation and Segregation of Juveniles – Isolation cells or segregation within a cellblock shall be utilized only as a protective or disciplinary measure. **LHS**

Compliance Documentation (if applicable):

- Review isolation/segregation logs
 - Observation
-