STANDARDS FOR STATE CORRECTIONAL FACILITIES 6 VAC 15-31

Board of Corrections Adopted: November 19, 1997 Effective: September 17, 2000

PART I. GENERAL PROVISIONS.

6 VAC 15-31-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

"Automatic smoke detection system" means a hard wired smoke alarm.

"Control center" means a manned secure post which has responsibility for observing and controlling entrance and exit traffic, and may include monitoring alarm and detection systems, operating communications systems, and controlling inmate movement and counts.

"Department" means the Department of Corrections.

"Department head" means the individual, or his designee, who is responsible for an overall functional area of the institution.

"Director" means the Director of the Virginia Department of Corrections.

"Duty Officer" means the designated ranking administrative employee at a institution who must provide direction and supervision to staff in the event of an unusual situation, serious incident or other emergency.

"Furnishings in inmate living areas" means any item authorized by the department to be placed in inmate living areas.

"General detention" means special purpose bed assignments utilized under proper administrative process for the immediate secure confinement of inmates pending review for an appropriate assignment.

"Hazardous material" means a substance, other than a common household product, that will cause death, severe illness, or injury if used in an unsafe manner.

"Indigent inmate" means any inmate who has no more than \$5.00 in the inmate account to spend at the inmate's discretion during a calendar month, has no job, and has no other source of income; or any inmate who is newly received into an institution and has no available funds and no hygiene items.

"Inmate living area" means cells, rooms, dormitories, and day rooms.

"Institution" means major institutions, field units, and work release centers, but does not necessarily include work centers. Standards which are audited for work centers are indicated with an asterisk (*) beside the standard.

"Institutional chaplains" means chaplains as designated by Chaplain Service of the Churches of Virginia, Inc., or other chaplains designated by the warden/superintendent.

"Intra-system" means any state correctional facility within the Virginia Department of Corrections.

"Isolation" means special purpose bed assignments utilized under proper administrative process for the disciplinary management of inmates.

"Organized system of information storage" means a method for the storage and retrieval of information.

"Policy and procedure manuals" means any of the following documents: Department of Corrections Policy and Procedure Manual, division directives/procedures, or the Institution Operating Procedures Manual.

"Pre-hearing detention" means special purpose bed assignments utilized under proper administrative process for the immediate confinement of inmates who have been charged with an offense, are awaiting a disciplinary hearing, and are considered to be a potential threat to persons or property or for escape.

"Qualified mental health professional" means a psychiatrist, psychologist, social worker, or nurse who is qualified by virtue of appropriate training and experience to render mental health services within their discipline.

"Segregation" means special purpose bed assignments operated under maximum security regulations and procedures and utilized under proper administrative process for the protective custody or custodial management of inmates.

"State Correctional Facility" means a state-operated prison, field unit, work center, and reception center.

"Warden/Superintendent" means the individual responsible for the overall management and operation of an institution, or the individual's designee.

6 VAC 15-31-20. Legal Standard.

Nothing contained in this chapter shall be construed as setting a legal standard for the management or operation of any facility for purposes of litigation by inmates.

6 VAC 15-31-30. Responsibility; enforcement.

- A. The Warden/Superintendent shall be responsible for ensuring that the requirements described in these standards are implemented.
- B. This chapter shall be enforced through the Board of Corrections' regulation, 6 VAC 15-20-10 et seq., Regulations Governing Certification and Inspection.

6 VAC 15-31-40. (Reserved).

PART II. GENERAL ADMINISTRATION AND MANAGEMENT

6 VAC 15-31-50. General administration.

- A. The mission of the institution within the context of the Department of Corrections' mission shall be stated in writing and shall be supported by written annual goals and objectives.
- B. The institution shall be headed by a Warden/Superintendent who is responsible for, and has the authority to manage and direct, all activities of the institution established by law, department, or division directives or procedures.
- C. The institution shall develop, if necessary, and maintain written agreements between the institution or the department with other public agencies or private operators and providers which define their roles, responsibilities, and relationships to the institution.
- D. The institution shall maintain an organizational chart showing the formal organizational structure of the institution.

6 VAC 15-31-60. Communication.

- * A. Written procedure and practice shall provide that regular meetings are held between the Warden/Superintendent and all department heads. Such meetings shall be documented. There shall be a system of two-way communication between all levels of staff and inmates.
- * B. Written procedure and practice shall require that the Warden/Superintendent visit the institution's living and activity areas at least weekly. If a designee conducts the visit, that designee shall be an Assistant Warden or Duty Officer. Visits shall be documented.
- C. Institutions shall maintain written procedure and practice which coordinate a public information program with the public, the media, and other agencies in accordance with departmental procedures.
- *D. Institutions shall develop written operational procedures, maintain such procedures in a manual, and review these procedures at least every 12 months, or within such timeframes which may be required by other departmental directive. Such procedures, as well as division directives or procedures, shall be made available to all employees. All reviews of procedures shall be documented.

6 VAC 15-31-70. Fiscal management.

- A. Consistent with applicable policies and procedures, the Warden/Superintendent shall be responsible for fiscal policy, management, and control. Management of fiscal operations may be delegated to a designated staff person.
- B. All institutional financial, budgetary, and accounting practices and procedures shall be in accordance with the <u>Code of Virginia</u>, the Commonwealth Accounting and Reporting System, and other state and departmental policy and financial systems, to include petty cash, internal controls, and signature control on checks or other moneys.
- * C. The institution shall comply with applicable state and departmental policies and procedures governing inventory control, requisition, and purchase of supplies, equipment, and insurance.
- D. The institution shall comply with applicable state and departmental policies and procedures governing the operation of inmate accounts, commissary, and other inmate funds.

6 VAC 15-31-80. Personnel.

- A. The institution shall make accessible to all employees the Department of Personnel and Training Policies and Procedures Manual and the Department of Corrections Policy and Procedures Manual.
- B. All institution personnel procedures shall be in accordance with applicable state and departmental personnel policies and procedures.
- C. The Warden/Superintendent shall review, at least every 24 months or sooner if required, the staffing requirements for all categories of personnel to ensure inmate access to staff, programs, and services. Such reviews shall be documented.
- D. A background investigation shall be conducted on departmental employees in accordance with applicable departmental procedures. Such investigations shall be documented.

6 VAC 15-31-90. Training and staff development.

- A. Major institutions shall maintain written procedure and practice which ensure that the facility's training programs are overseen by a qualified supervisory employee. All applicable training programs shall meet standards set by the Department of Criminal Justice Services (DCJS), and the qualified supervisory employee shall be a certified DCJS instructor.
- B. If the facility has full-time training personnel, these personnel shall have completed at least an appropriate train-the-trainer course approved by DCJS.
- C. Major institutions shall provide for ongoing evaluation of all orientation, in-service, and specialized training programs and shall provide for documentation for such assessments.
- D. All new employees shall receive the department's orientation no more than 180 days after initially reporting to work.

- E. Corrections officers shall be employed on the condition that they satisfactorily complete required corrections officer training within the first 12 months of employment and any other departmental mandated training.
- F. Staff employed in the corrections officer series, and other employees with mandated in-service training, shall successfully complete the in-service training required by DCJS. Other employees shall meet in-service training requirements as determined by the Department of Corrections.
- G. Written procedure and practice shall ensure that all personnel authorized to use firearms, chemical agents, non-deadly weapons, and deadly force receive appropriate training before being assigned to a post involving the possible use of such weapons. Competency in firearms shall be demonstrated in accordance with departmental timeframes.
- H. All non-custodial employees designated by the Director to carry a firearm in an emergency situation shall satisfactorily complete non-custodial firearm training before carrying the weapon.
- I. Staff and inmates using hazardous materials or chemicals shall be informed of the hazards and shall be instructed in their proper use and in emergency procedures. The procedures utilized to train staff and inmates shall be adequately documented and records shall be maintained for future reference.
- J. Written procedure and practice shall require that medical and security personnel shall be trained in the handling of infectious material.
- K. Individuals in supervisory and management positions shall successfully complete supervisory or management training at least every 24 months.
- L. Treatment staff shall receive appropriate training for the services they deliver, such as specialized programs of substance abuse or sex offender treatment. Mental health services staff shall receive annually at least 16 hours of continuing education or training that is appropriate to their positions, as approved by their supervisor.

6 VAC 15-31-100. Records.

- * A. The institution shall utilize an organized system of information storage, retrieval, review, security, and documentation, which shall be in accordance with departmental procedures.
- B. Staff having access to management information shall be trained in and responsive to the security and confidentiality requirements of this system. Inmates shall not have access to management information systems and confidential management information.
- C. Written procedures and practice governing the establishment, utilization, content, privacy, security, and accuracy of the institutional criminal record folders and institutional medical folders shall be in conformance with department and division directives or procedures.

- D. When an inmate is permanently transferred from one institution to another, the institutional criminal records folder and institution medical folder shall be simultaneously transferred to the receiving institution.
- * E. There shall be at least one master index identifying the housing, bed, and work assignments of all inmates. The institution shall maintain a daily written report of inmate population movement as required by department and division directives or procedures.

PART III. PHYSICAL PLANT.

6 VAC 15-31-110. Physical plant.

- *A. Inmate living areas shall have sanitation facilities to include access to:
 - 1. A toilet above floor level which is available for use without staff assistance 24 hours a day;
 - 2. A wash basin with potable water, and hot and cold water;
 - 3. A bed above floor level;
 - 4. Enclosable storage space or locker; and
 - 5. Natural lighting.

Special housing requirements may be altered to ensure safety and security.

- *B. Space separate from the cell or bed areas shall be provided for inmate exercise and leisure time activities.
- * C. Space shall be provided for an inmate commissary or canteen, or provisions shall be made for a commissary service.
- * D. Space shall be provided for a visiting room or area for contact visiting and, if required, non-contact visiting. There shall be a designated space to permit screening and searching of both inmates and visitors.
- E. Disabled inmates shall be housed in a manner that provides for their safety and security. Rooms, cells, or housing units used by the disabled shall be designed for their use and shall provide for integration with the general population. Appropriate programs and activities shall be accessible to disabled inmates confined in the facility.
- * F. Space shall be provided at the institution to store and issue clothing, bedding, cleaning supplies, inmates' property, and other items required for daily operations.

- *G. Adequate space shall be provided for administrative, security, professional, and clerical staff. This space shall include conference rooms, storage room for records, and toilet facilities. Adequate space shall be provided for janitorial closets accessible to the living and activity areas.
 - * H. Separate and adequate space shall be provided for mechanical and electrical equipment.
- * I. Written procedure and practice shall specify a preventive maintenance program for the physical plant. The program shall include documentation of work performed, provisions for emergency repairs or replacement in life-threatening situations and provisions for capital repairs.
- * J. Lighting in inmate rooms or cells shall be at least 20 foot-candles at desk level in living areas and in personal grooming areas and shall be documented. Circulation shall be at least seven cubic feet per minute of outside air or re-circulated air containing no less than 25% outside air per minute per occupant. Inspection of air circulation/re-circulation equipment shall be documented.
 - * K. Inmates shall have access to shower areas with hot and cold water.

PART IV. SAFETY AND EMERGENCY PROCEDURES.

6 VAC 15-31-120. Safety and emergency procedures.

- * A. There shall be written emergency plans which outline duties of staff, procedures, and evacuation routes. Emergency plans shall include responses in the event of fire, chemical release, power, water, heat loss, natural disaster, taking of hostages, riots, disturbances, escape, bomb threats, and adverse job actions. There shall be a posted floor plan in each building and housing area showing fire evacuation routes. The fire plan shall be reviewed annually by the Office of the State Fire Marshal.
- * B. Fire drills shall be performed in accordance with the fire emergency plan and shall include evacuation of inmates (except where security would be jeopardized). Fire drills shall be held, documented, and evaluated for effectiveness at least every three months.
- * C. There shall be documentation that, through annual site visits, the local fire department is familiar with the available equipment, physical layout, and emergency procedures of the institution. Additional site visits shall be required in cases of structural changes or additions to the facility.
- * D. The institution shall have the equipment necessary to maintain essential lights, power, and communications in an emergency. Testing shall be performed weekly and shall be documented.
- * E. The institution shall have a fire inspection every 12 months by an outside, qualified organization approved by the Department of Corrections. Action plans shall be written and submitted through designated departmental channels, and a copy to the individual responsible for institutional safety.

- * F. There shall be a weekly fire, safety, and sanitation inspection of the facility by a qualified departmental staff member. In conjunction with the individual responsible for institutional safety, action plans to correct deficiencies shall be written. These action plans shall be directed to the Warden/Superintendent.
- *G. The institution shall have a manual fire alarm or an automatic smoke detection system or an automatic fire suppression system in all industrial, sleeping, and living areas, and action plans shall be written and submitted for all areas of deficiency. Other areas of the institution shall also have fire detection and suppression equipment as required by the Office of the State Fire Marshal.
- * H. Written procedure and practice shall specify the institution's fire protection equipment type, use, and testing, including:
 - 1. Availability of the equipment at appropriate locations throughout the institution;
 - 2. Training on the use of the equipment;
 - 3. Inspection of extinguishers at least monthly;
 - 4. Inspecting range hoods at least every six months, and cleaned as necessary. Inspections shall be performed by trained and qualified personnel;
 - 5. Inspecting detection and suppression systems at least every three months; and
 - 6. Quarterly testing of fire alarms for function.
- * I. Furnishings in inmate living areas shall be selected based on known fire safety performance characteristics and in conformance with departmental procedures.
- J. Written procedure and practice shall provide for a safety awareness program that is to be coordinated, designed, implemented, and documented by the individual responsible for institutional safety.

PART V. SECURITY AND USE OF FORCE.

6 VAC 15-31-130. Security management.

- *A. There shall be a manual containing all procedures for institutional security and control with detailed instructions for implementing these procedures.
- *B. There shall be a written post order for each security post and a requirement for corrections officers to read and be familiar with the order each time they assume a new post. Supervising personnel shall document that the post order has been discussed with the officer. Post orders shall be reviewed at least every 12 months, and such reviews shall be documented.

- *C. Written procedure and practice shall require that a post log is maintained for each permanent post and other areas deemed necessary by the Warden/Superintendent. Written procedure and practice shall also require that supervisors prepare shift reports that record routine information, emergency situations, and unusual incidents.
- * D. Written procedure and practice shall provide a system of accountability for all security equipment.
- E. Written procedure and practice shall govern perimeter control, such that appropriate means are utilized to ensure that inmates remain within the perimeter and to prevent unauthorized access by the general public.
- F. Written procedure and practice shall ensure that the institution maintains a control center which is staffed 24 hours a day.
- G. The facility shall have a communication system between a control center and inmate living areas.
- *H. Written procedure and practice shall govern a system for physically counting inmates. The system shall include strict accountability for approved temporary absences of inmates.
 - *I. Written procedure and practice shall provide that staff regulate inmate movement.
- *J. Written procedure and practice shall provide for searches of facilities, staff, inmates, visitors, mail, and other property to control contraband and provide for disposition of the contraband pursuant to state law. Written procedure and practice shall also govern disposition of personal property, and security provisions involved in such disposition, in the event of an inmate death or escape.
- *K. Written procedure and practice shall govern the operation and use of official and personal vehicles to include provisions for parking in areas designated by the Warden/Superintendent and for ensuring that such vehicles are left locked with the windows rolled up when not in use and that weapons and ammunition are removed from the vehicles.
- *L. Written procedure and practice shall govern the use of force, firearms, non-lethal weapons, chemical agents, and security equipment.
 - 1. Officers shall be authorized to use non-deadly force only where it is reasonable to do so. Force shall be limited to the amount of force that the officer reasonably believes is necessary in the given situation, including force that is reasonably required to:
 - a. Prevent an escape, or the commission of a felony or misdemeanor;
 - b. Defend himself or others against physical assault;
 - c. Prevent serious damage to property;

- d. Enforce facility regulations and order;
- e. Prevent or quell a riot or rebellion; and
- f. Prevent serious self-injury to the inmate.
- 2. Properly trained and authorized employees may exercise their authority and use deadly force in accordance with Section 53.1-29 of the <u>Code of Virginia</u> to:
 - a. Prevent escapes;
 - b. Suppress rebellion; and
 - c. Defend or protect self or others in the course of assigned duties;
- *M. Written procedure and practice shall require that the chief security officer or designee conduct at least weekly inspections of all security systems. The results of inspections shall be reported in writing to the unit head. Documentation of corrective action shall be required.
- *N. Written procedure and practice shall govern the distribution, use, and control of keys within the institution.
- *O. Written procedure and practice shall govern the maintenance, storage, and use of all tools, culinary equipment, and hazardous materials, including flammable, toxic, and caustic materials, as well as weapons and security equipment.
- P. Written procedure and practice shall provide for the preservation, control, and disposition of all physical evidence obtained in connection with a violation of law or established procedure. At a minimum, the procedures shall address the following:
 - 1. Chain of custody;
 - 2. Evidence handling; and
 - 3. Location and storage requirements.

PART VI.

SPECIAL HOUSING AND DISCIPLINARY PROCESS FOR DAMAGED PROPERTY.

6 VAC 15-31-140. Special housing assignments.

- A. Written procedure and practice shall provide that an inmate may be placed in isolation for a rule violation only after a disciplinary hearing.
- B. Inmates may be assigned to isolation for a maximum period of 30 days. Continuous confinement in isolation for more than 30 days shall require the review and approval of the deputy

director and appropriate health authority. Inmates held in isolation for periods exceeding 60 days shall be provided the same privileges as inmates in segregation.

- C. Written procedure and practice shall govern assignments and review of assignments to special housing. Such procedure and practice shall include a review of segregation status at least every 90 days by a classification review process.
- D. General and pre-hearing detention shall be administrative assignments for the immediate secure confinement of inmates pending investigation or disciplinary hearing or review by a classification review process.
- E. Except in emergencies, the number of inmates confined to each cell or room shall not exceed the number for which it is designed. Should an emergency create an excess in occupancy, the Warden/Superintendent shall provide temporary written approval and immediately proceed to alleviate the situation as promptly as possible by making other arrangements for the inmates so confined.
- F. Special housing cells or units shall be well ventilated, adequately lighted, appropriately heated, and maintained in sanitary conditions at all times. A general log shall be kept and the temperature shall be recorded at least once each shift. Inmates shall be housed in an environment in which the temperature does not fall below 65°F and when the temperature exceeds 85°F, mechanical air circulation shall be provided.
 - G. Inmates in special housing shall dress in state-issued clothing and shall be furnished:
 - 1. Underwear;
 - 2. Shower shoes;
 - 3. One mattress;
 - 4. One pillow;
 - 5. One pillow case;
 - 6. Two sheets;
 - 7. Blankets as needed;
 - 8. One towel; and
 - 9. One washcloth.

In isolation cases only, the bedding may be removed during the daytime hours. For safety and security reasons, all items may be removed from the cell.

- H. Written procedure and practice shall provide that inmates in special housing shall be permitted to shower and shave not less than twice per week. Clothing and underwear shall be changed not less than twice per week.
- I. Written procedure and practice shall provide that inmates in special housing can write and receive letters on the same basis as inmates in the general population, except inmates in isolation may not receive the contents of their packages until approved by the Warden/ Superintendent.
- J. Written procedure and practice shall provide that inmates in special housing have access to federal and state courts through access to a court appointed or private attorney, or an appropriate law library, or a combination thereof.
- K. Inmates in isolation shall forfeit the privileges of receiving visits from family, relatives, or friends; however, under exceptional circumstances, permission may be obtained from the Warden/Superintendent of the institution for such visits. Attorney visits to an inmate in isolation may not be restricted by the Warden/Superintendent, and attorneys shall be allowed access to the inmate during normal work hours.
- L. Written procedure and practice shall provide that inmates in isolation will be allowed to keep only the following:
 - 1. Legal materials;
 - 2. Religious materials; and
 - 3. Personal hygiene items defined exactly as:
 - a. Toothbrush:
 - b. Toothpaste;
 - c. Soap;
 - d. Plastic comb; and
 - e. Feminine hygiene products (for female inmates).

If the offender does not have the items listed in this subsection, and is indigent, the institution shall furnish them. All other items of inmate personal property shall be stored upon assignment to isolation. Inmate personal property shall be inventoried by either an officer and the inmate, or by two corrections officers. The inmate shall be given a receipt for all personal property upon assignment to isolation. Inmates serving isolation sentences may purchase postage stamps, writing materials, and over-the-counter medications.

M. Written procedures shall specify the personal property that an inmate may retain while in segregation status.

- N. Written procedure and practice shall provide that a visitation schedule for segregated inmates shall be established by the Warden/Superintendent.
- O. Written procedure and practice shall provide that inmates in segregation are allowed a minimum of one hour of exercise three separate days per week. This exercise shall be outdoors unless weather does not permit it.
- P. Written procedure and practice shall provide inmates in segregation access to the commissary. Commissary purchases may be restricted only for security and medical reasons. No item of a hazardous nature shall be allowed.
- Q. In addition to supervision provided by the unit officers, the special housing unit shall be visited daily by the shift supervisor or higher authority. Each inmate in special housing shall be checked no less than once per hour at staggered times by a corrections officer. Such visits and checks shall be documented.
- R. A permanent individual log shall be maintained in the special housing unit for each inmate. This log shall contain:
 - 1. Inmate name and number;
 - 2. Date and time of admission/release;
 - 3. Weight of the inmate upon entering and leaving and the recording officer's name;
 - 4. Name, date, and time of the corrections officer making the required hourly check;
 - 5. Medical requests and visits;
 - 6. Medications administered or refused:
 - 7. Meals refused; and
 - 8. Other pertinent information.
- S. Written procedure and practice shall provide for reasonable access to medical, dental, and mental health services while in special housing status. Health assessments of inmates in special housing shall be conducted as required by departmental procedures.

6 VAC 15-31-150. Inmate payment for damaged property.

Written procedure and practice shall require that a program be developed for inmate payment of damaged property pursuant to Section 53.1-228.1 of the <u>Code of Virginia</u>. Such a program shall be in accordance with departmental procedures and shall require:

- 1. Procedures for recovering from an inmate the cost of replacing or repairing any facility-owned or facility-issued property which is proven to have been intentionally damaged or destroyed by the inmate. At a minimum, the procedures shall specify the following information:
 - a. Fee amounts;
 - b. Payment procedures; and
 - c. Written notification to inmates of proposed fee changes.
- 2. The inmate shall be notified in writing of damaged property charges to the inmate account.
- 3. A separate account or accounting process shall be established and used exclusively for the deposit and disbursal of damaged property reimbursements. Fee collections and disbursements shall be governed by generally accepted accounting principles.
- 4. Due process shall be afforded for each inmate charged with responsibility for damaged property.
- 5. Inmates shall be advised of the damaged property program at the time of admission or orientation.

PART VII. FOOD SERVICE AND SANITATION.

6 VAC 15-31-160. Food service.

- A. Food service operations shall be supervised by a full-time staff member who is experienced in food service management.
- * B. All menus shall meet or exceed the dietary allowances stated in the Recommended Dietary Allowances, National Academy of Sciences.
- C. Written procedure and practice shall require that accurate records are maintained of all meals served and that meals are planned in advance to assure proper food flavor, temperature, and appearance.
- D. Written procedure and practice shall provide for special diets as prescribed by responsible medical or dental personnel and monitored by medical personnel.
- E. Written procedure and practice shall provide for reasonable accommodation for inmates whose religious beliefs require adherence to religious dietary laws.

- *F. Written procedure and practice shall provide that meals are served under conditions that minimize regimentation except when security or safety conditions dictate otherwise. All meals shall be served under direct supervision of staff members.
- *G. Written procedure and practice shall require that at least three meals (including two hot meals) are provided at regular meal times during each 24-hour period, with no more than 14 hours between the beginning of the evening meal and the beginning of breakfast. Variations may be allowed based on weekend and holiday food service demands and security needs provided basic nutritional goals are met.
- *H. Food service personnel, including inmates, shall receive a pre-assignment medical examination by medical personnel and an examination at least every 12 months thereafter to ensure freedom from diarrhea, skin infections, and other illnesses transmissible by food or utensils. Inmates and other persons working in food service shall be monitored continuously for health and cleanliness by the food service manager or designee.
- *I. Written procedure and practice shall require weekly inspections of all food service areas, including dining and food preparation areas and equipment, by the person supervising food service operations or his designee.
- *J. Shelf goods shall be maintained properly and safely. Refrigerated foods shall be maintained at 45° F or below, and frozen foods shall be maintained at 0° F or below. Refrigeration and dishwater temperature shall be checked daily and documented.

6 VAC 15-31-170. Sanitation and hygiene.

- A. The institution shall comply with the requirements of appropriate regulatory agencies with regard to the potable water supply, control of vermin and pests, emissions, and waste disposal systems.
- *B. Written housekeeping procedure and practice for all areas of the facility's physical plant shall provide for daily housekeeping and regular maintenance by assigning specific duties and responsibilities to staff and inmates.
- * C. Toilet, shower, and bathing facilities shall be operational and sufficient to ensure basic health and basic hygiene. The opportunity for at least three showers per week shall be made available to the general population.
- * D. Written procedure and practice shall provide for the issue of clean, suitable clothing to inmates. Special clothing shall be provided to inmates assigned to food service, hospital, sanitation, and other special work details, as needed. Protective clothing and safety equipment shall be provided when appropriate.
 - * E. Written procedure and practice shall provide for, at a minimum:
 - 1. Clean bedding;

- 2. Towels;
- 3. Blankets; and
- 4. Washcloths.
- * F. Written procedure and practice shall provide for the weekly laundering of all state-issued linens and state-issued clothing.
- G. Written procedure and practice shall provide that hair care services that comply with applicable health requirements are available to inmates.
- * H. Written procedure and practice shall require that articles necessary for maintaining proper and personal hygiene are available to all inmates through the unit commissary. Indigent inmates shall be issued necessary personal hygiene articles.

PART VIII. HEALTH SERVICES AND COPAY REQUIREMENTS.

6 VAC 15-31-180. General health care procedures.

- *A. Written procedure and practice shall provide that the Warden/Superintendent, in conjunction with the health authority, ensures that inmates are provided with health care services and that the institution's medical unit is operated in accordance with applicable laws and regulations.
- *B. Written procedures and practice shall provide access to adequate health care, and for a system for processing complaints about health care, and that these procedures are communicated orally and in writing to inmates upon arrival at the facility in language which can be clearly understood by each inmate.
- *C. Written procedure and practice shall provide for continuity of health care from admission to discharge or transfer.
- D. The Office of Health Services shall conduct a documented quality assurance review for each institution every other year. Action plans shall be written for all areas of deficiency.
- E. Written procedure and practice shall govern the use of restraints for clinical purposes and shall identify the authorization needed, as well as when, where, and how restraints may be used and for what duration of time.

6 VAC 15-31-190. Responsible health authority.

Written procedure and practice shall require that:

1. The Warden/Superintendent ensures the appointment of a designated health authority who, at a minimum, may be a physician, head nurse, or a health

administrator who is responsible for the health care of the inmates pursuant to a written agreement or contract or job description.

- 2. All medical, psychiatric, dental, and nursing matters involving medical judgment are the sole province of the responsible physician, dentist, and nurse, respectively.
- 3. The health authority meets with the Warden/Superintendent at least every three months and submits reports of the health care delivery system and health environment of the institution.
- 4. The health authority submits monthly activity reports to the Office of Health Services.
- 5. The health authority reports to the Warden/Superintendent and Office of Health Services immediately any serious health threat that may affect staff and inmate health and safety.
- 6. The health authority reviews each health care policy, procedure, and program at least every 12 months and revises them as needed. All health care staff shall review procedures every 12 months. Each review and revision shall bear the date and signature of the reviewer.

6 VAC 15-31-200. Health services facilities and equipment.

Written procedure and practice shall require the following:

- * 1. The Warden/Superintendent shall provide adequate space, equipment, supplies, and materials for the delivery of health care as determined by the health authority in accordance with the level of care provided by the institution.
- * 2. First aid kits and emergency medical supplies shall be available in areas determined by the health authority in conjunction with the Warden/Superintendent.
- * 3. Health services staff shall be responsible for ensuring all medical equipment is maintained according to manufacturers' recommendations and is in good working condition at all times. Medical equipment shall be safeguarded from inmate access.
 - 4. Institutionally-owned ambulances (Class B) shall be operated in accordance with regulations promulgated by the Board of Health, Office of Emergency Medical Services (EMS), operated by certified drivers, accompanied by a certified emergency medical technician, or certified attendant-in-charge approved by the Commissioner of Health acting under protocol from the sending medical facility.

6 VAC 15-31-210. Health care personnel.

Written procedure and practice shall require the following:

- 1. All health care personnel who provide health care services to inmates shall meet state licensure, certification, and health services registration requirements, and verification of current credentials and licenses will be on file in the facility.
- 2. Duties and responsibilities of health care personnel shall be governed by written job descriptions approved by the health authority, kept on file at the facility, and a copy given to the employee.
- 3. Treatment by health care personnel, other than a physician, physician extender, dentist or other independent provider, should be performed pursuant to written procedures or medical orders.
- *4. Non-medical personnel involved in the distribution and/or administration of non-over-the-counter medications or in providing other medical services shall be trained according to the department's Office of Health Services' procedures using an approved course by the Virginia Board of Nursing.
- * 5. On-site emergency first aid, CPR, and crisis intervention shall be administered appropriately. In addition, direct care and custodial staff shall be trained to recognize signs and symptoms of mental illness and chemical dependency.
- 6. Inmates shall not be used for the following duties:
 - a. Performing direct patient care services, with the exception of assisting in feeding and movement by wheelchair, stretcher, and turning patient over in bed;
 - b. Scheduling health care appointments;
 - c. Determining access of other inmates to health care services;
 - d. Handling or having access to surgical instruments, needles, medications, and health records; or
 - e. Operating diagnostic and therapeutic instruments.
- 7. Health care staff shall have access to professional books, publications, and reference materials on current and advances in health care.
- 8. Health care personnel shall be provided opportunities for orientation, training, and continuing education.

6 VAC 15-31-220. Health care programs in which inmates pay a portion of the costs.

An inmate co-pay program for health care services shall be administered in accordance with Section 53.1-32 of the <u>Code</u> of <u>Virginia</u> and with departmental procedures and shall require the following elements:

- 1. Written procedures shall govern the health care co-pay program and, at a minimum, specify the following information:
 - a. Health care services which are subject to fees;
 - b. Fee amounts:
 - c. Payment procedures;
 - d. Health care services which are provided at no cost;
 - e. Fee application to medical emergencies, chronic care, and preexisting conditions; and
 - f. Written notification to inmates of proposed fee changes.
- 2. Inmate payment for medical services shall be in accordance with set fees based upon only a portion of the costs of these services.
- 3. Inmates shall be advised of health care services and payment procedures at the time of admission or orientation. Such orientation shall be acknowledged in writing.
- 4. Written procedure and practice shall provide that no inmate will be denied access to medically necessary services based upon ability to pay.
- 5. A separate account or accounting process shall be established and used exclusively for the deposit and disbursal of health service fees. Fee collections and disbursements shall be governed by generally accepted accounting principles.

6 VAC 15-31-230. Health screenings and examinations.

Written procedure and practice shall require the following:

- 1. All newly incarcerated inmates shall undergo medical, dental, and mental health screening by health-trained or qualified personnel to include a complete medical history, physical examination, screening laboratory tests, and other tests as ordered by the responsible physician or dentist. All findings shall be recorded on forms approved by the Office of Health Services, and a medical and mental health classification and location code shall be assigned to each inmate.
- * 2. All inmates undergoing intra-system transfers shall undergo a health review by health-trained or qualified personnel upon arrival at the institution or no later than one working day thereafter if the facility does not have 24-hour medical coverage.

3. Identification and management of tuberculosis and other communicable diseases shall be addressed, and these procedures shall be updated as new information becomes available.

6 VAC 15-31-240. Mental health services.

- A. Each institution with mental health services staff shall have written procedure and practice which establish the provision of mental health services to inmates and which address at least the following:
 - 1. A description of the mental health services provided at the facility, including levels of care;
 - 2. Initial and on-going assessment of the mental health status and treatment needs of the inmates;
 - 3. Crisis intervention;
 - 4. Individual or group therapy or both;
 - 5. Transfer of inmates requiring mental health services beyond an institution's resources; and
 - 6. A system for continuity of care and follow-up procedures, including discharge planning.
- B. Written procedures and practice shall ensure individualized treatment planning by mental health services staff for inmates assigned to designated mental health units. Such planning shall be documented.
- C. Written procedure and practice shall ensure documentation and record-keeping of all mental health services provided at the institution.
- D. Written procedure and practice shall ensure the limits of confidentiality regarding mental health services provided in a correctional setting, including the means by which inmates are informed of these limits and under what circumstances information may be released.
- *E. Written procedure and practice shall ensure a suicide prevention and intervention plan. The plan shall address the identification and assessment of potentially suicidal inmates and the housing, monitoring, and referral of these inmates.
- F. Written procedure and practice shall ensure a written mental health training program provided to employees (non-mental health services staff) assigned to work in designated housing units (i.e., mental health units; segregation, isolation, and detention units; and parole violator units). This training program shall be developed, reviewed, and provided by mental health services staff. Employees assigned to any one of these designated housing units shall complete their training as soon as possible and no later than nine months after their assignment to the unit. Following

completion of the training, employees assigned to any of these units shall complete a minimum of one day of in-service training every two years related to mental health issues.

6 VAC 15-31-250. Levels of care.

Written procedure and practice shall require the following:

- * 1. Treatment of an inmate's health problems shall not be limited by the resources available within the institution. Hospital care shall be available for acute illness or surgery at a facility outside the institution.
- * 2. The Warden/Superintendent, in conjunction with the health authority, shall make available all levels of health care to include self-care, first aid, 24-hour emergency care, 24-hour infirmary care, hospital care, and chronic and convalescent care, as required by the inmate's condition.
- * 3. Qualified health care personnel shall conduct regularly scheduled sick call, which shall be available to all inmates.
 - 4. The Warden/Superintendent, in conjunction with the Office of Health Services, shall contract the services of medical, dental, or mental health specialists, in accordance with procedures approved by the Director.
 - 5. Inmates shall be prohibited from choosing their own health care provider. Documentation shall be made of refusal to accept treatment.
 - 6. Written informed consent for inmate health care shall be obtained where required and documented. When health care is rendered against the patient's will, it shall be in accord with state and federal laws and regulations.

6 VAC 15-31-260. Specialized health care programs.

Written procedure and practice shall require the following:

- 1. A program of health education shall be available to all inmates of an institution.
- 2. Special treatment programs shall be available for inmates requiring close medical supervision as determined by the responsible physician, dentist, or qualified mental health professional.
- 3. Management of chemically dependent inmates shall be made under the supervision of a qualified health care practitioner.
- 4. Medical and dental prostheses, subject to co-payment, shall be provided when the health of the inmate would otherwise be affected, as determined by the responsible physician or dentist.

- 5. A system shall be established whereby pregnant inmates may obtain obstetrical, medical, and social services.
- 6. Special diets shall be prescribed as needed and monitored by health care and food service staff as appropriate.

6 VAC 15-31-270. Health records.

Written procedure and practice shall require the following:

- 1. Institutions shall document that copies of the health records of all inmates transferred from a jail are transferred to the custody of medical personnel at the receiving institution, and that confidentiality of the records is preserved during the transfer.
- *2. A complete health record for each inmate shall be created, organized, maintained, and stored according to procedures, and shall document all the health services rendered during the entire period of incarceration.
 - 3. The principle of confidentiality of the health record shall be upheld and shall support the following requirements:
 - a. The health record shall be maintained separately from the institutional record;
 - b. Access to the health record shall be controlled by the health authority and shall be granted only to those who require it under departmental procedures and applicable law; and
 - c. The health authority shall share with the Warden/Superintendent information regarding security and the inmates' medical management, transfer, and ability to participate in programs.
- *4. Appropriate documentation shall accompany the inmate to all departmental facilities whether for intra-system transfer or for medical consultations and that the confidentiality of the record is strictly maintained during such transfer.
 - 5. Inactive health record files shall be retained as permanent records in compliance with departmental procedures and state and federal laws and regulations.

6 VAC 15-31-280. Medication Management.

A. Written procedure and practice shall require that pharmacy services and medication management for an institution are in strict compliance with state and federal laws, applicable pharmacy regulations, and departmental procedures.

- B. Written procedure and practice shall provide for the proper management of pharmaceuticals and address the following:
 - 1. A formulary specifically developed for the department.
 - 2. Prescribing practices, including requirements that:
 - a. Psychotropic medications are prescribed only when clinically indicated and not for disciplinary reasons;
 - b. "Stop order" time periods are required for all medications;
 - c. The prescribing provider reevaluates a prescription prior to its renewal.
 - *3. Procedure for the receipt, storage, dispensing, and administration or distribution of medications.
 - *4. Maximum security storage and periodic inventory of all controlled substances, syringes, and needles, in accordance with departmental procedures.
 - 5. Administration of medication by persons properly trained and under the supervision of the health authority and Warden/Superintendent.
 - *6. Accountability, including documentation, for administering or distributing medications in a timely manner, according to physician orders.
 - 7. Disposal of needles, syringes, and discontinued, outdated or confiscated medications or supplies.

6 VAC 15-31-290. Serious illness and death.

Written procedure and practice shall specify and govern the following:

- 1. The process by which those individuals designated by the inmate are notified in case of serious illness, injury, or death.
- 2. The actions to be taken in the event of an inmate death, including notification to the medical examiner, management of records, and transportation of the body.

PART IX. LEGAL AND PROGRAMMATIC RIGHTS.

6 VAC 15-31-300. Legal and programmatic rights of inmates.

Written procedure and practice shall require the following:

- *1. Inmates shall have access to federal and state courts through access to a court-appointed or private attorney, or an appropriate law library, or a combination thereof.
- *2. Program access, work assignments, and administrative decisions shall be made without regard to inmates' race, religion, national origin, sex, disability, or political views. Inmates shall be protected from personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.
- * 3. Inmates shall have access to the mass communications media, subject to departmental procedures.
- * 4. An inmate grievance procedure shall be available to all inmates and includes at least one level of review and specific time limits.

PART X. RULES AND DISCIPLINE.

6 VAC 15-31-310. Inmate rules and discipline.

- * A. Written rules of inmate conduct shall specify prohibited acts and penalties which may be imposed for violations. A copy of all rules and disciplinary procedures and penalties shall be made available to all inmates and employees. Signed acknowledgment of receipt of the rulebook shall be maintained in the inmate's file. Institutional rules shall be reviewed annually and revised as necessary.
 - B. Written procedure and practice shall provide an inmate disciplinary procedure that is available to all inmates and includes:
 - 1. Written reports of alleged offenses;
 - 2. Notification of hearings;
 - 3. The availability of staff or inmate advisors appointed by the institution;
 - 4. Ability to question the reporting officer;
 - 5. Specific time limits;
 - 6. Written findings and reasons for decisions;
 - 7. At least one level of review and appeal; and
 - 8. Provisions for expungement.

PART XI. MAIL, TELEPHONE, AND VISITING.

6 VAC 15-31-320. Mail, telephone, and visiting.

Written procedure and practice shall govern the following:

- * 1. Inmate correspondence.
 - *a. Incoming mail. In accordance with Postal regulations and Department procedures, inmate general correspondence mail may be opened, searched and possibly read, if the inmate consents in writing to receive mail at the institution. Without written consent by the inmate the mail will be returned to the Post Office unopened.
 - * b. Outgoing letters. Inmates may send letters to specified classes of persons and organizations, as designated in departmental procedures.
 - * c. Incoming and outgoing letters. Incoming and outgoing letters shall be held for no more than 24 hours, excluding weekends and holidays.
 - 2. Postage allowance. Provisions shall be made for indigent inmates to correspond by mail in order to maintain community ties.
- * 3. Inmate access to publications.
- * 4. Telephone privileges.
- * 5. Visiting privileges. Procedures shall specify the time, screening, frequency, and number of visitors, as well as provisions for special visits.

PART XII. RECEPTION, ORIENTATION, AND CLASSIFICATION.

6 VAC 15-31-330. Reception and orientation.

Where applicable, written procedure and practice shall govern the following:

- 1. The admission of new inmates and parole violators to the system.
- 2. The preparation of a summary admission report for all new admissions. The report shall include the following information:
 - a. Legal aspects of the case;
 - b. Summary of criminal history, if any;

- c. Social history;
- d. Medical, dental, and mental health history;
- e. Occupational experience and interests;
- f. Educational status and interests:
- g. Vocational programming;
- h. Recreational preference and needs assessment;
- i. Psychological evaluation with staff recommendations; and
- j. Pre-institution assessment information.
- *3. New inmates shall receive written orientation materials. When a literacy or language problem exists, a staff member shall assist the inmate in understanding the material. Completion of orientation shall be documented by a statement signed and dated by the inmate. Inmates transferred from other institutions shall receive an orientation to the new institution.
- 4. For major institutions, excluding dormitory-style facilities, screening shall be conducted for double-celling in a room or cell for those inmates assigned to multiple bed areas.

6 VAC 15-31-340. Classification.

Written procedure and practice shall require an institutional classification program which provides the following:

- * 1. Consistency with division directives or procedures and provisions for staff and inmate participation in classification reviews;
- * 2. The review, evaluation, and approval of specific inmate program objectives, assignments to special housing, and assurance that inmates are afforded due process in classification reviews as necessary;
- * 3. Objectives and methods for achieving those objectives;
- * 4. Uniform procedures to determine inmate program needs;
- * 5. A monitoring and evaluation mechanism to determine whether the objectives are being met;
- * 6. Determination of appropriate security status; and

* 7. The review of each inmate's individual treatment plan at least every 12 months, and updates made as needed.

PART XIII. OTHER PROGRAMS.

6 VAC 15-31-350. Work programs.

- * A. Written procedure and practice shall provide for a work program for the general population inmates which takes into account the inmate's level of risk to staff and the general public, as well as the institution's needs. Procedures shall provide that work performance is evaluated and the results considered in awarding incentives.
- * B. Employees shall be trained in inmate work supervision and other areas related to that work assignment prior to independent functioning as work supervisor.

6 VAC 15-31-360. Educational services.

- A. The institution shall provide space and maintain facilities for academic, vocational, and library programs offered by the Department of Correctional Education.
- B. The Warden/Superintendent shall coordinate the scheduling of activities with the principal/supervisor of the educational program.

6 VAC 15-31-370. Inmate recreation and activities.

- * A. Written procedure and practice shall provide for a recreational program that includes leisure time activities and outdoor exercise.
- B. Every inmate (excluding isolation and pre-hearing detention) who is not employed in outdoor work should have the opportunity for at least one hour of exercise three separate days per week. This exercise shall be outdoors unless weather does not permit.
- C. At institutions with more than 400 inmates, the recreational program shall be supervised by a full-time, qualified person, and at institutions with less than 400 inmates, a member shall be designated on a part-time basis as a recreation officer.
- D. Adequate facilities and equipment for the planned recreation or exercise activities shall be available to the inmate population and shall be maintained in good condition.

6 VAC 15-31-380. Religious programs.

* A. Written procedure and practice shall provide for access to religious programs for all inmates on a voluntary basis. No preference shall be given to one religious denomination, faith, or sect over another.

- *B. Institutional chaplains shall have access to all areas of the institution to attend to the religious needs of the inmates.
- * C. The facility shall ensure that counseling by spiritual leaders is confidential and in accordance with departmental procedures.
 - * D. Adequate and appropriate space for worship shall be made available by the institution.

6 VAC 15-31-390. Institutional counseling and program services.

- A. Written procedure and practice shall provide for a system of core programs at each facility appropriate to the needs of inmates which shall include, at a minimum, life skills, substance abuse, and other counseling services as appropriate.
 - B. Core programs shall meet program standards and guidelines established by the department.
- * C. Written procedure and practice shall provide that each inmate is assigned a counselor. Staff shall be available to counsel inmates upon request, and provision shall be made for counseling and crisis intervention services.
- *D. Treatment and professional services shall be provided by persons qualified by either formal education or training required by the department, and written procedure and practice shall provide that persons providing treatment and professional services are certified or licensed as required by law or regulations.
- E. Written procedure and practice shall provide that institutional staff identify at least every 12 months the needs of the inmate population to ensure that the necessary programs and services are available, including programs and services to meet the needs of inmates with specific types of problems.

6 VAC 15-31-400. Release preparation and work release.

- A. Institutions shall provide that all inmates have access to a program of release preparation prior to their release to the community.
- B. Work release programs shall include written operational procedures. Written procedure and practice shall provide for rules of conduct and sanctions, a system of supervision to minimize inmate abuse of program activities, a complete record-keeping system, and efforts to obtain community cooperation and support.

6 VAC 15-31-410. Citizen involvement and volunteers.

A. Written procedure and practice shall specify the lines of authority, responsibility, and accountability for the institution's citizen involvement and volunteer services program.

- B. Written procedure and practice shall provide that each volunteer completes an appropriate, documented orientation or training program prior to assignment.
- C. Volunteers shall agree in writing to abide by all facility procedures, particularly those relating to the security and confidentiality of information.
- D. Volunteer services shall be provided by volunteers qualified by formal education, training, or experience to perform the services which they provide.
- E. Each institution shall be permitted to establish a Community Advisory Board, which serves as a link between the Institution and the Community.

These standards are full, true, correctly dated, adopted by the Board of Corrections on November 19, 1997 and effective on September 17, 2000.

Fred L Finkbeiner Chairman Board of Corrections