

# JULY 2014 JAIL ACCREDITATION STANDARDS



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## Preface to Accreditation Standards Manual

This Standards Manual is the cornerstone publication of the Washington Association of Sheriffs and Police Chiefs law enforcement accreditation program. The standards are dynamic, that is they are constantly being reviewed, updated, added to, or deleted as necessary to ensure contemporary standards and practices.

It is the intent of the Washington Association of Sheriffs and Police Chiefs that the standards in this manual speak to the “what” should be done and leaves the “how” to be done to the agencies as they prepare for accreditation. The manual consists of standards that are designed to provide flexibility to all law enforcement agencies, regardless of type, size or structure.

Other publications are under development that will outline the accreditation process, provide information on how to successfully negotiate the self-assessment phase, and outline the roles and responsibilities of accreditation assessors. Additional information on law enforcement accreditation in Washington State can be accessed on the web site for the Washington Association of Sheriffs and Police Chiefs at [www.waspc.org](http://www.waspc.org).

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## SECTION I—ADMINISTRATIVE STANDARDS

### Chapter 1—Goals and Objectives

- 1.1 The agency has written vision and mission statements that defines the agency's role.
- 1.2 The agency has written goals and objectives that are reviewed and updated at least annually and are available to all personnel.

### Chapter 2—Role and Authority

- 2.1 The agency requires all Corrections personnel to take and abide by an Oath of Office to support, obey and defend the Constitution of the United States and the Washington Constitution and the laws of Washington and the governmental subdivisions.

**Purpose:** *To ensure that all sworn Corrections personnel take an oath of office and that a part of the oath includes either the IACP adopted Canons of Ethics or Law Enforcement Code of Ethics, or NSA adopted Code of Ethics of the Office of Sheriff.*

- 2.2 Statutory authorization for the agency to perform correctional services is identified by the laws of the state of Washington and/or local ordinance.
- 2.3 The agency has policies specifying legal requirements and procedures for any physical arrest completed with or without an authorized warrant.

**Purpose:** *To ensure arrests are made in compliance with all statutory and constitutional requirements.*

- 2.4 The agency has policies assuring compliance with all applicable constitutional requirements for in-custody situations including:

- Interviews and interrogations
- Access to counsel

**Purpose:** *Interviews and interrogations, questioning, or any other term used to describe in-custody verbal examinations requiring constitutional rights. These constitutional requirements, federal and state, are vital to the role and function of corrections officers in a free society. By complying with these constitutional requirements, corrections officers and agencies ensure fair, legal, and equitable treatment of all people.*

## Chapter 3—Use of Force

- 3.1 The agency has a policy directing personnel to only utilize that force necessary to effect lawful objectives and authorizing use of force options and their appropriate application. The policy outlines that the use of restraint devices beyond compliant cuffing is a use of force. (RCW 9A.16)

***Purpose:** To establish policies and procedures for the necessary, reasonable, and legal use of force that ensures those decisions to use force are made in a professional, impartial, and safe manner, and that there is an understanding and appreciation for the limitations on the authority to use force.*

- 3.2 The agency has a policy stating corrections officers shall only utilize deadly force when necessary and justified to effect lawful objectives. (RCW 9A.16.040)

- 3.3 The agency has a policy governing the use of warning shots.

***Purpose:** If the corrections agency permits the use of firearm “warning shots” by agency personnel, the agency shall have a written directive governing their use. Otherwise, the agency shall have a written directive prohibiting the discharge of “warning shots” by agency personnel.*

- 3.4 The agency has a policy governing the use of less lethal weapons.

***Purpose:** To establish consistent procedures for the authorization and training by a certified instructor in the use of less-than-lethal weapons and control devices.*

- 3.5 The agency has a policy requiring the request for appropriate medical aid after the use of force by personnel when an injury is known, suspected, or is alleged.

***Purpose:** This standard should reduce the severity of injury resulting from law enforcement action by requiring medical aid and attention for an injured individual. Appropriate medical attention may be as basic as keeping the person under observation to immediately having the person treated by medical professionals.*

- 3.6 The agency has a policy requiring personnel to submit a use of force report to the agency chief executive officer or designee, whenever personnel use any use of force as defined by the agency.

***Purpose:** To ensure that any force used that is capable of causing injury is recorded and that a formal review process is established to review use of force incidents for compliance with existing policy and law. The collection of use of force incidents should be analyzed to determine if there are training*

*issues, equipment issues, or policy issues that should be addressed.*

- 3.7 The agency has procedures for establishing a formal process in response to the investigation of and review of any incident where an officer discharges a firearm with the intent to use deadly force, or has some other discharge that causes injury or death. Policy and procedure should include at least the following:

- Investigation responsibility and jurisdiction
- Types of investigations and investigative processes
- Supervisory and management responsibilities
- Relief from duty of involved officer(s) pending formal review
- Civil liability
- Notifications
- Media relations

***Purpose:*** *To ensure the agency has in place a formal response, review and investigative process for officer involved shootings that result in injury or loss of life, in order to protect interests, rights, and mental health of involved officers.*

- 3.8 The agency has a policy that addresses only authorized weapons and ammunition shall be carried and/or used on-duty. The requirement includes less lethal weapons.

***Purpose:*** *To ensure the agency establishes rules for the possession and storage of firearms and ammunition approved for on-duty use or sanctioned for off-duty use. Consideration should also be given to regulations related to flying while armed and possession of concealed firearms outside of Washington State.*

## Chapter 4—Management, Staffing, Organization, and Utilization of Personnel

- 4.1 The agency has procedures for situations including the following:

- Absence of the chief executive officer
- Exceptional situations
- Situations involving personnel of different functions engaged in a single operation
- Routine, day-to-day operations.

***Purpose:*** *There is always a need to have a member of the agency designated as being responsible for the operation of the agency. This process provides continuity of command and allows agency personnel to know who has been designated to manage, lead, and administer the agency.*

4.2 The agency has a policy that requires personnel to obey any lawful order of a superior officer and also addresses conflicting or unlawful orders.

4.3 The agency has a policy that requires the management review of:

- Use of force events
- Internal investigations

***Purpose:** It is the intent that agencies require ongoing first level supervisory and administrative review of these incidents. Additionally, an annual overall review and analysis of all incidents shall be conducted and can be used as an early warning system. Agencies should address identified policy, procedure, training and/or personnel issues that are identified. Final reports will be reviewed and approved by the agency's chief executive officer.*

4.4 The agency has a system of written directives that includes:

- Authority, responsibility and procedures for issuing, modifying or approving directives
- Methods of reviewing directives prior to issuance
- Methods for tracking changes and archiving prior versions of policies
- Methods for dissemination
- Receipt of directives by affected personnel

***Purpose:** To ensure the agency has a consistent and current policy and procedures manual that provides clear employee performance expectation and constraints. A system of written directives provides command direction to the agency and its personnel relating to their duties and responsibilities. That system should allow for quick access and retrieval of agency policies, procedures, rules, and regulations.*

## Chapter 5—Records Management

5.1 The agency has a policy to outline a uniform records management system.

***Purpose:** This standard requires a uniform records management system for the corrections agency. This will ensure that the agency has a consistent process to record corrections incidents and activities such as report writing, property management, and inmate tracking.*

5.2 The agency has policies governing its compliance with all rules for ACCESS participation, to include:

- The agency can show 100% compliance or has made corrections to comply with any ACCESS/CJIS findings from the



- previous triennial audit and/or FBI audit
- The agency can show that all personnel have been trained and certified

**Purpose:** *To insure compliance with ACCESS regulations and operates ACCESS terminal(s) in a secure, professional and legal manner. The agency should provide the documentation from their previous triennial audit by WSP/ACCESS or the FBI. Any compliance issues must have been addressed and documentation should be provided to show that the agency has corrected any noted deficiencies.*

5.3 The agency has a policy to physically protect the privacy and security of agency records in a manner that assures that only authorized personnel with the appropriate need and right to know can access those records.

5.4 The agency has a policy that complies with Washington State law governing dissemination of records.

**Purpose:** *To ensure that the agency is in compliance with the Washington State Public Records Act, RCW 42.56. Policy governing compliance as well as common practice should be demonstrated.*

5.5 The agency has a policy which complies with Washington State law governing preservation and destruction of records.

**Purpose:** *To ensure that the agency is in compliance the Preservation and Destruction of Public Records Act, RCW 40.14. Policy governing compliance as well as common practice should be demonstrated.*

5.6 The agency has guidelines to address the release of public information to the media.

**Purpose:** *Agencies should clearly identify who is authorized to release public information and what type of information the agency is comfortable with releasing through a public information officer or other means.*

## Chapter 6—Information Technology

6.1 The agency has policies that ensure access to the agency's computer system is secure with restricted access to those who are authorized and who have passed background investigation.

6.2 The agency has policies governing appropriate use of agency technology.

**Purpose:** *Agencies need policies to address appropriate use of technology to define what acceptable practice for that agency is.*

- 6.3 The agency has a policy to ensure each workstation has an up-to-date copy of agency- approved, security software installed and running while the equipment is in use.

***Purpose:** Agencies should attempt to secure and protect their data from potential harm from outside sources with security such as anti-virus, anti-malware, antispyware, firewalls, etc.*

- 6.4 The agency has a policy that electronic information is routinely backed-up at least once per week and that back-up data is kept in secure storage and is completely destroyed when no longer needed.

***Purpose:** Agencies should protect their data. Backing up a system on a regular basis is recommended. Proper data destruction so that it doesn't become available to unauthorized users is required.*

## Chapter 7—Health and Safety

- 7.1 The agency has written guidelines that inform employees of the threats and hazards associated with airborne and blood borne pathogens and other communicable diseases (RCW 70.48.480).

- 7.2 The agency provides personal protective equipment to minimize exposure to potentially infectious material including sharps.

- 7.3 The agency provides soft body armor and requires its use while assigned to field duties.

***Purpose:** The agency is responsible for ensuring that personnel engaged in uniformed field duties, high-risk situations, or when carrying a firearm are wearing necessary protective equipment.*

- 7.4 The agency provides reflective clothing and requires its use while assigned to field duties.

***Purpose:** The agency provides OSHA approved reflective vests to increase the visibility of employees while exposed to traffic hazards. Use of reflective vests is mandated for personnel while directing traffic, or at the scene of a traffic accident (ANSI Class II – 2009).*

- 7.5 The agency has a policy for disposal and decontamination when there is an event or contact involving biohazard material including blood or bodily fluids.

- 7.6 The agency has a policy for post-exposure reporting and follow-up after suspected or actual exposure to infectious diseases.

## Chapter 8—Fiscal Management

- 8.1 The agency has a policy outlining the chief executive officer's authority to spend funds in the approved budget for day-to-day operation of the agency. It should also include:
- The Chief Executive Officer makes regular reviews of the agency budget.
  - The agency has a system for review and approval of expenditure by designees.
- 8.2 The agency has a policy which governs the conduct of payroll activities, to include:
- Requiring supervisory approval of all overtime.
  - Requiring non-exempt employees to complete a timesheet listing the number of hours worked during the pay period.
  - Requiring timesheets to be approved by a supervisor prior to payment.
- 8.3 The agency has a system to document and record the use of cash funds that include receipts, supervisory approval, and periodic audit.
- 8.4 The agency has a policy covering the financial method of maintenance, disbursement, and transfer of inmate trust funds for applicable transactions.
- Purpose:** To ensure that control measures are in place for all cash activities in the agency, specifically the common areas of petty cash, cash received in records, and investigative funds.*
- 8.5 The agency has policies covering generally accepted accounting and inventory procedures for all items and monies as required by the city/county auditor.

## Chapter 9—Recruitment and Selection

- 9.1 The agency has policies covering the standards and hiring criteria for sworn and non-sworn employees and, if applicable, reserve, part-time, and limited commission personnel.
- Purpose:** To create a professional, fair and equitable recruitment and selection process that attracts qualified candidates meeting minimum requirements as established by state training standards and applicable laws, and that employment standards are created for each job classification that, at a minimum, includes required special training, abilities, knowledge and skills.*

- 9.2 The agency has a policy that requires that background investigations be conducted on each candidate prior to appointment, and requires that proof is submitted to the Washington State Criminal Justice Training Commission.

**Purpose:** *The critical and important nature of law enforcement employment require that only the most qualified people are hired to work as corrections officers. One of the most important aspects of the selection process is the background investigation. A comprehensive background investigation, conducted by competent investigators is very beneficial in determining the most qualified candidates for selection.*

- 9.3 The agency has a policy that requires a medical examination, including drug screening, be performed by licensed medical personnel for each candidate prior to appointment.

**Purpose:** *A full and complete medical examination is necessary to ensure the health and physical condition of candidates for employment. The physical examination shall include a drug screening.*

- 9.4 The agency has a policy that requires that a licensed psychologist or psychiatrist shall conduct a psychological fitness examination for each candidate prior to appointment.

**Purpose:** *The mental and psychological health of a corrections officer is essential. This is important to the officer candidate and to the law enforcement agency. The Washington State Criminal Justice Training Commission's psychological testing requirements satisfy this accreditation standard.*

- 9.5 The agency has a policy that requires a truth verification (polygraph or computer voice stress analysis CVSA) examination be administered by qualified examiner for each candidate prior to appointment.

- 9.6 The agency has a policy that requires applicant files to be secured and available only to those who are authorized to participate in the selection process.

- 9.7 The agency has a policy that requires employee personnel files to be kept separate and secure from other files. Medical tests, psychological evaluations and polygraph results are kept separate from personnel files in secure locations.

**Purpose:** *To ensure that records related to agency personnel are legally maintained and purged as needed, and that dissemination criteria are established and confidentiality is maintained as allowed.*

## Chapter 10—Training

- 10.1 The agency has a policy which requires all full-time and part time corrections officers to successfully complete the Washington State Criminal Justice Training Commission Corrections Officers' Academy and requires that they begin attending the academy within six months from their date of hire.

**Purpose:** *All newly hired officers shall comply with all requirements of the Washington State Criminal Justice Training Commission.*

- 10.2 The agency has a policy establishing a formal on-the-job or field training program for all newly appointed officers that includes:

- Assigned officers who are responsible to administer the training
- Regular documentation of the progress of the student officer

**Purpose:** *To ensure that new officers complete a training and evaluation program that complies with requirements and provides officers with actual and critical corrections experience prior to regular assignment. A well-designed program must be planned, managed, and assessed in a careful manner. This program provides the new officer with a structured initial exposure to the role and functions of the corrections occupation. It is also important because it incorporates a basic training program with practical application of training in actual corrections situations.*

- 10.3 The agency has a policy for the maintenance and updating of training records for all employees.

**Purpose:** *It is important to the law enforcement agency and to its employees to record all training programs and courses that agency personnel attend. The information should be recorded for each employee and should include the type of training, the date(s) of the training, any certificates received, and any available test scores.*

- 10.4 The agency has a policy requiring the documentation of all formal training it conducts, to include:

- Course content/lesson plans
- Name of all attendees
- Performance of the attendees, if measured
- Credentials of the presenter or instructor
- Copies of any test results.

**Purpose:** *This standard deals with the training programs that the law agency conducts. In addition to the listed minimum requirements, the*

*agency may consider including information for personnel consideration and possible legal needs in the future.*

- 10.5 The agency has a policy that requires all members to successfully complete annual in-service training as required by the Agency and/or the Washington State Criminal Justice Training Commission.

***Purpose:*** *To ensure the agency is providing necessary and required training to all personnel.*

- 10.6 The agency has a policy requiring all personnel to demonstrate satisfactory skill and proficiency with agency authorized weapons before being approved to carry and/or use such weapons.

***Purpose:*** *Corrections officers who carry and use agency-authorized weapons shall be required to demonstrate proficiency with the weapons. The officers should also be trained about the authorized use of force options, their appropriate applications and the legal requirements on the justified use of force and deadly force.*

- 10.7 The agency has a policy requiring staff members who are designated as full-time supervisors or managers have earned the appropriate certification by the Washington State Criminal Justice Training Commission. (RCW 43.101.350)

- 10.8 The agency has a policy requiring that all personnel receive in-service training on the agency's use of force and deadly force policies at least annually. In-service training for less-than lethal weapons shall occur at least once every two years.

***Purpose:*** *All agency personnel who are authorized to carry weapons shall receive in-service training on the use of force and deadly force policies annually. Biennial in-service training is required for agency personnel who are authorized to carry and use less-than-lethal weapons.*

## Chapter 11—Performance Evaluation

- 11.1 The agency has a policy that requires formal written review of the work performance of each employee and is conducted at least annually.

- 11.2 The agency has a policy that requires the evaluation the performance of all probationary employees periodically through their probationary period.

***Purpose:*** *To ensure that regular evaluations of employee performance take place that includes identification of levels of performance, supervisory responsibility, and disposition of completed evaluations.*

## Chapter 12—Code of Conduct

12.1 The agency has a code of conduct that outlines specific conditions of work that apply to all agency personnel that include, but are not limited to the following:

- Personal appearance standards
- Uniform regulations
- Tobacco use policy
- Alcohol and drug use policy
- Reporting employee convictions
- Outside employment

***Purpose:** To establish professional guidelines for all employees that provide consistency and conformity of appearance and operation, minimize or eliminate conflict of interest, and comply with legal mandates.*

12.2 The agency has a policy prohibiting sexual and/or any other forms of unlawful or improper harassment or discrimination in the workplace. The policy provides guidelines for:

- Reporting unlawful or improper conduct, including how to report if the offending party is in the complainant's chain of command.
- The policy includes "whistleblower" protection.

***Purpose:** To prevent discriminatory and/or harassing practices and ensure conformance with Title VII of the Civil Rights Act of 1964.*

12.3 The agency has written policy and procedure for responding to and investigating allegations of domestic violence involving employees.

***Purpose:** To establish clear procedures, protocols and actions for reporting and responding to domestic violence involving agency employees and to thereby discourage and reduce acts of domestic violence by personnel.*

12.4 The agency requires all personnel to use safety restraint/seat belts while operating all agency vehicles.

## Chapter 13—Internal Affairs

13.1 The agency has a policy that requires the documentation and investigation of all complaints of misconduct or illegal behavior against the agency or its members.

13.2 The agency has a policy that identifies which complaints are investigated

by supervisors and which types are investigated by an internal affairs function.

- 13.3 The agency has a policy and procedures for relieving a member from duty during an internal investigation.
- 13.4 The agency has a policy regarding providing complainants with written notification concerning the conclusion of fact and disposition of their complaint.
- 13.5 The agency requires that records of complaints and dispositions be maintained.

***Purpose:** To establish procedures for the reporting, investigation, and disposition of complaints received against the agency or any employee of the agency.*

<b>Chapter</b>	<b>14—Agency</b>	<b>Facilities</b>
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- 14.1 The agency has a published telephone number that is answered by a trained employee during regular business hours.
- 14.2 In reception areas, employees are physically separated from the public by either a three-foot minimum distance or a physical barrier.
- 14.3 The agency has written policies for the use of authorized vehicles.

## SECTION II—OPERATIONAL STANDARDS

### Chapter 15—Admission and Release

- 15.1 The agency shall have written policies and procedures which address the requirements of the pre-admission process, which address:
- Securing arrestees in physical restraints.
  - Pre-admission searches.
  - Initial screening to determine whether an inmate will be accepted at the jail.
  - Explain pre-admission procedures.
  - Provide requirements which must be met for the jail to admit inmates received at the jail for booking.
  - Explain the circumstances which may prohibit booking officers from accepting inmates in jail.
- 15.2 The agency shall have written policies and procedures requiring that inmates



brought to the jail should be properly restrained, in accordance with applicable law and agency practice.

- 15.3 The agency shall have written policies and procedures requiring all officers to remove and secure all firearms before entering the jail.
- 15.4 The agency shall have written policies and procedures which address the requirements of the admission process. These policies and procedures should be communicated to law enforcement agencies which commonly bring arrestees to the jail for booking.
- 15.5 The agency shall have a policy that states, before accepting custody of an inmate brought to the jail for booking, a reasonable attempt to determine that the inmate is being lawfully committed to the jail shall be made.

***Purpose:** Compliance with this standard is required to protect against liability for accepting custody of an inmate who cannot lawfully be committed or admitted to the jail.*

- 15.6 The agency shall have a policy that Juveniles shall not be confined in jails except in accordance with the provisions of RCW 13.04.116 and federal guidelines.
- 15.7 The agency shall have a policy that states persons brought to the jail who are urgently in need of medical attention shall not be admitted to the jail until given medical clearance for admission to the jail by a physician or other qualified medical professional.
- 15.8 The agency shall have a policy that requires the transporting Law Enforcement officer(s) be requested to stay until the inmate has been searched, screened and accepted.
- 15.9 The agency shall have a policy that states before accepting custody of an inmate, the corrections officer shall request that the transporting officer provides all information known to him which would be relevant and necessary to safely and securely process and house the inmate.
- 15.10 The agency shall have a policy that states during the booking process, the corrections officer should obtain any and all identification, to include:
- Name and aliases.
  - Age and date and place of birth.
  - Race.
  - Gender.
  - Physical description.
  - Address and telephone number.
  - Occupation and employer.
  - Social security number.

- Driver's license number and state.
- Emergency name and telephone number.
- Date and time of admission.
- Date and time of arrest.
- Offenses charged.
- Authority for commitment (warrant, court commitment, etc.).
- Name of arresting agency.
- Name of arresting officer.
- Name of booking staff.

15.11 A jail file shall be maintained for each inmate booked into the jail for the purpose of storing the booking intake form, all documents authorizing the inmate's incarceration, and other official documents.

15.12 The agency shall have a policy that provides an arrestee access to a telephone, as soon as possible after arrival at the jail.

***Purpose:** This guideline is necessary to comply with Superior Court Criminal Rules 3.1 (c) and the arrestee's constitutional right to counsel in criminal proceedings.*

15.13 The agency shall maintain a jail register, open to the public, consistent with the requirements of RCW 70.48.100.

15.14 Inmates booked into a jail facility shall receive medical screening as a part of the booking process. Screening shall be done by trained staff and cover at a minimum, the following:

- Information regarding inmates' health, illnesses, medication, allergies, mental health, suicide risk, and religious preference.
  - Any serious medical conditions.
  - Identify less serious medical problems and facilitate the proper delivery of medical care.
  - Gain other medical information relevant to the housing of inmates.
- Determine level of functioning related to developmental disabilities, traumatic brain injuries, and mental health status.
- Medical payment/insurance information.

15.15 The agency should have a policy addressing the segregation of those inmates who present an obvious serious risk to assault others, of being assaulted, or of infecting others with a communicable disease and to closely observe inmates who present self-destructive behavior, highly dangerous behavior, or if housed with other inmates, may be extremely vulnerable.

15.16 The agency shall have written policies and procedures which address the various ancillary functions of the admissions process, which at a minimum address searches, inmate money and property, showers and clothing

exchange, items issued to inmates, fingerprinting and photographing, telephone calls and attorney visits.

- 15.17 The agency shall have written policies and procedures for the release of inmates covering bail/security release, preparation for release, the release process, processing prison commitments, and transfer to other correctional facilities.
- 15.18 The agency has policies and procedures concerning the arrest or detention of foreign nationals.

**Purpose:** *To ensure compliance with Article 36 the Vienna Convention on Consular Relations that provides certain rights to foreign nationals when arrested.*

## Chapter 16—Inmate Management

- 16.1 The agency has policies and procedures for providing inmates the rules and regulations which govern their conduct and which provide for access to these written rules and regulations by an appropriate means. Inmate rules and regulations should at a minimum:

- define conduct and actions which are required of and/or prohibited for inmates;
- provide information concerning the seriousness of and/or range of actions which may be taken for various rule violations.
- Describe the inmate's rights in the disciplinary process including grievances and appeals.
- These rules and regulations, along with their associated policies and procedures, are reviewed regularly by jail officials.

**Purpose:** *Inmates cannot be expected to act appropriately and avoid misconduct if they are not provided a means of understandings which actions are required and which are prohibited. While providing written expectations does not ensure compliance with rules of conduct, it assists those inmates who wish to comply with facility rules to understand the requirements; and provides fair notice of requirements and the potential penalties for noncompliance.*

- 16.2 The agency has policies and procedures which provide for an objective inmate classification system, which addresses at a minimum the following.
- Housing assignments, access to programs and activities, and general management of inmates
  - Separation of inmates by sex and by such other factors as may reasonably provide for the safety and well being of inmates and the community

- Assesses inmates at the following stages:
  - Pre-Booking Classification;
  - Initial Classification;
  - Reclassification; and
  - Administrative Segregation

**Purpose:** *Written policies and procedures are necessary to ensure that staff members understand the purpose, function, and elements of the inmate classification system.*

- 16.3 The agency has designated staff to supervise the classification function, who are responsible for reviewing classification, reclassification, and special housing assignments; have the authority to overrule classification actions; and handle inmate classification challenges.

**Purpose:** *Designating staff member(s) to administer the classification system is necessary to ensure that the classification process operates in a consistent and uniform manner and makes it more difficult for inmates to manipulate the system.*

- 16.4 The agency provides classification training for those staff who are involved in the classification process.

- 16.5 The agency has policies and procedures establishing an inmate grievance system which, at a minimum cover the following.

- Affords inmates a formal process to address complaints and other concerns;
- Requires retention of inmate grievances and of management's responses; and
- Where an inmate is illiterate, or cannot speak or write in English, they can obtain assistance in preparing a grievance.

**Purpose:** *The Prisoner Litigation Reform Act requires that an inmate exhaust all administrative remedies before filing a lawsuit regarding their incarceration in that facility. Grievance mechanisms may address inmate concerns which might otherwise be aired through an inmate damage suit or class action challenge to jail conditions. Properly operated, the grievance system can also provide information from which the jail administration can evaluate the operational climate of the jail, and documentation generated by the grievance system provides.*

- 16.6 The scope of the agency/facility inmate grievance system includes:

- ability for inmates to air their issues/concerns at the lowest level;
- grievance appeal process;
- emergency grievance process;
- grievance exemptions; and

- prohibition against retaliation

16.7 The agency has policies and procedures which establish an inmate disciplinary process, which utilize the disciplinary sanctions as a means of enforcing administrative rules and regulations governing inmate behavior. These policies and procedures identify the degrees or levels of discipline, along with the approved sanctions and provide for a mechanism resolving major violations of administrative rules and regulations, an includes the following.

- documentation of violations;
- providing notice to inmates of alleged violations of administrative rules;
- timelines;
- hearing requirements and procedures (evidence, witnesses, self incrimination, etc.);
- record of hearing and written findings;
- appeals process; and
- temporary restrictions

**Purpose:** *A functional disciplinary system is one of the most important parts of a successful jail. It should provide a code of conduct for inmates understandable by both inmates and staff. Through a range of sanctions it can provide a means both of deterring rule violations and responding to them when they occur. The punitive intent of discipline generally requires due process.*

## Chapter 17—Inmate Communication

17.1 The agency has a written policy and procedures regulating the inmate personal mail system, which includes:

- Inmates allowed to send and receive personal mail within a system that operates within the least restrictive way possible without jeopardizing the operational and penological interests of the facility.
- Mail is delivered and/or sent out as quickly as possible without undue interference.
- Inmates are notified of what personal mail is acceptable, not acceptable, and what limits are set on the quantity of mail that shall be allowed.
- If mail restriction is used as a disciplinary sanction, policy includes limits and criteria for the use of this sanction. Mail is not be interfered with or restricted without a recognized and legitimate penological interest.
- Bulk rate “junk” mail may be banned and discarded. Standard rate mass publications by non-profit organizations may not be

restricted without a recognized and legitimate penological interest.

- 17.2 The agency policies and procedures inmate personal mail addresses preventing the introduction of contraband, reduces the opportunity for inmates to conduct or continue criminal activities, or violate established rights and should detail the following situations.
- Procedures for the scanning and/or searching of personal mail in a consistent fashion and by trained security staff.
  - Rejected and non-approved personal mail.
  - Handling and disposition of contraband discovered in inmate mail.
  - Inmate to inmate correspondence within a facility or between facilities.
- 17.3 The agency has a policy detailing how packages for inmates are sent or received.
- 17.4 The agency has a policy allowing publications within the following parameters:
- Safety, security, treatment goals, and space limitations may be legitimate reasons to limit the receipt of publications.
  - Restricted publications include those publications of a sexually explicit, inflammatory, or other nature contrary to the safe operation of the facility.
- 17.5 The agency has a policy which provides inmates with an opportunity to purchase or procure writing supplies, to include stationery and postage and includes the following considerations:
- Procedures for handling the receipt of funds through the mail and the disbursement of inmate funds for the purchase of postage and related supplies.
  - Procedures for the allowance of postage supplies for inmates who are indigent which include postage and supply limits, standards for indigence, preventing misuse of indigent supplies and any limits to the indigent mail system do not apply to the inmate's ability to send legitimate privileged mail.
- 17.6 The agency has a policy regulating the inmate privileged mail system, which includes:
- Inmates shall be allowed to send and receive privileged mail without restriction and without jeopardizing the operational and penological interests of the facility.
  - Privileged mail shall be delivered and/or sent out as quickly as

- possible without undue interference.
- Inmates shall be notified of what constitutes privileged mail as opposed to personal mail. Privileged mail is defined as correspondence with professional persons or organizations directly related to the reason for their confinement, the standards of their confinement, or for any recognized process of redress for grievances against the incarcerating jurisdiction.
  - If mail restriction is used as a disciplinary sanction, privileged mail shall not be restricted.
- 17.7 The agency has a policy that says privileged mail shall not be read, but only scanned for contraband in the presence of the inmate, that privileged mail opened in error should be immediately reported, in writing, to their supervisor and to the inmate.
- 17.8 The agency has a policy outlining the handling and notification of inmates regarding rejected and non-approved privileged mail.
- 17.9 The agency has a policy allowing inmates to receive publications necessary to meet the due process rights of the inmate to include the operation of a law library or other means to satisfy due process requirements.
- 17.10 The agency has a policy regulating the inmate social visitation system, which includes:
- Screening visitors for eligibility and informing them of the standards and expectations while conducting a social visit.
  - Adherence to the visitation schedule, to include priority of visitors and being prompt during visitation periods.
  - Maintenance of a schedule which defines all visitation days and the length of each visitation period.
  - Maintenance of a visitors log
  - Length of visiting periods.
  - Visitation on days not normally scheduled for social visitation.

**Purpose:** *Social visitation is an important means to facilitate an inmate's emotional stability, as well as to maintain their ties to family and the community. Visitation is also a critical issue related to facility security. Maintenance of an appropriate visitation program and insistence of a positive atmosphere in the visiting room is crucial to these goals. Visitation is not recognized as a right held by inmates, but is a valuable resource to correctional motives and goals. It is a privilege that staff should encourage for better inmate management without jeopardizing the safe and secure operation of the facility. Social visitation can be restricted by visitor criminal history or preference may be given to family over friends. Visitor screening is important to avoid facilitation of criminal activity, such as violations of no contact orders or introduction of*



*contraband. Finally, social visitation should be structured to minimize impact on the routine operation of the facility. The differences in facility size and design will vastly impact the social visitation policies of various jails.*

- 17.11 The agency has policies addressing contact visits, escorted furlough visits, and other visiting issues having elevated security concerns.
- 17.12 The agency has a written policy covering professional visitors, which should include, but are not limited to, attorneys, clergy, counselors, educators and evaluators,

**Purpose:** *Professional visitors are highly utilized by jails to provide services not inherent to the facility staffing plan. Some of these professionals, such as attorneys, educators, and evaluators are mandated to have access to their clients by law. Since they are not trained security or support staff, it is important to maintain a consistent professional visitation policy which promotes safety and security while facilitating the needs of the inmates and the criminal justice system. Unlike social visitation, professional visitors are less discretionary and steps must be taken to ensure that their purposes are supported while maintaining order.*

- 17.13 The agency has a written policy and procedures regulating the inmate use of telephones, which includes a notification to both the inmate and the person receiving that calls can be monitored and/or recorded.
- 17.14 The agency has a written policy stating inmate calls to attorneys and calls from attorneys to their clients are privileged and states that attorney client calls may not be monitored or recorded and attorney client calls shall not be unduly interfered with or restricted without a legitimate penological interest.

**Purpose:** *Inmate telephone use is a form of correspondence that is more direct than mail. It is often more convenient for the facility, as well as the inmate to allow telephone use. As with other forms of communication, however, it is subject to abuse and may be used as a means to further criminal activity. Thus, the courts recognize a facility need to monitor and regulate telephone use. Attorney calls are a recognized venue of access to courts and is thus protected accordingly.*

## Chapter 18—Security and Control

- 18.1 The agency has written policies and procedures covering facility security and control requirements and systems which should include but not be limited to perimeter security, facility control, weapons control and key control.



- 18.2 The jail should have perimeter lighting which illuminates the area surrounding the facility.
- 18.3 The jail should have perimeter barriers which protect the area surrounding the jail.
- 18.4 Access into the non-public areas of the jail shall be restricted and controlled to prevent unauthorized persons from entering into the secure areas of the jail.
- 18.5 All security doors should remain closed and locked when not in use to permit only authorized movement of staff, inmates, and other persons.
- 18.6 All firearms, shields, chemical agents designed for mass application, less lethal weapons, and other weapons shall be stored in a secure location, except when signed out to an officer for authorized use. The agency may permit approved chemical agent canisters worn on uniform belts.
- 18.7 The agency shall have a policy covering the use of Chemical Agents, including pepper spray, and should include, but not be limited to, criteria for use, the need for pre-authorization for use, documentation of use and post exposure treatment requirements.
- 18.8 The agency shall have a written key control plan. Key control plans should include, but not limited to, storage of keys, procedures for repair and maintenance of keys and locks, procedures for key inventory and state that inmates shall never be permitted to use, control, possess, or have access to jail or vehicle keys.
- 18.9 A set of emergency keys which can be quickly retrieved and made available in the event of an emergency shall be available and stored in a secure location.
- 18.10 The agency should have a written tool and material control plan. Tools and material include maintenance tools, kitchen tools, cleaning compounds, flammable materials; and other items which in the possession of inmates are potentially hazardous. The plan should include, the following:
- storage of tools and materials which are not currently in use should be stored in a locked cabinet, drawer, safe, or other secure place which is inaccessible to unauthorized persons;
  - issuing and returning tools and material;
  - reporting and initiating efforts to locate missing tools or material;
  - repair of tools and equipment, as needed; and
  - procedures for inventory of tools and other supplies
  - tools, equipment, and materials should only be used by inmates under the direction and/or supervision of staff.
- 18.11 The agency shall have written policies and procedures governing the surveillance and supervision of inmates. The surveillance and supervision

policies and procedures shall include, but not be limited to:

- The jail shall be staffed 24 hours per day.
- Inmates should be individually observed on a frequent and irregular basis, at intervals of at least once during every 60 minute period. Inmates deemed to be potentially at risk to themselves or others should be observed at more frequent intervals.
- Cross Gender Surveillance shall be constructed in a manner which balances the equal employment interests of male and female staff against the sexual privacy interests of inmates.
- Inmates shall be counted at least once each shift and staff shall reconcile the count against the total number of inmates who are currently on the jail roster.

18.12 The agency shall have written policies and procedures governing searches, which include:

- Inmates searches including, pat downs, strip searches and cross gender searches;
- Cells and other living areas;
- Other areas accessible to inmates; and
- Visitors. Visitors are not required to submit to a search as a condition for visiting in a public area. Visitors entering the secured perimeter of the jail may be subject to search.

18.13 The agency has policies for conducting strip and/or body cavity searches that include:

- Authority for conducting such searches with and without a search warrant;
- Privacy provisions with search by same gender; and
- Any required reporting procedures when such searches are conducted. (RCW 10.79.060 through 10.79.170)

18.14 The agency has a plan for the control, discovery, and removal of contraband from the jail and provides staff training on search requirements. The plan should include, defining contraband and notifying inmates of items authorized for possession by inmates, all items not specifically approved are considered contraband, and rules prohibiting contraband will be enforced through routine and random searches of inmates, the facility, and deliveries or other items entering the jail.

18.15 The agency shall provide notice to persons entering the facility that certain items are banned from the jail and that they are subject.

18.16 The agency has an inmate search policy which outlines the following:

- Searches of inmates shall be conducted on a routine and random basis.
  - Special attention should be given to inmates at admission; returning to the facility from court, medical/dental transports, and other venues outside the jail; moving between security zones in the jail; whose cells or living areas are being searched; inmate workers; and those being transported from the jail to other venues.
  - Searches shall be conducted in a professional manner and staff conducting searches to recognize inmates' interests in protecting authorized personal property.
  - All inmates shall be subject to pat searches at any time during their incarceration.
  - Strip Searches (see 18.13 above)
- 18.17 The agency shall have a policy outlining how area searches of inmates' cells, day rooms, and other living areas are conducted and should include frequent, routine, and random searches.
- 18.18 The jail shall have a policy and procedure for routinely searching all other areas of the facility.
- 18.19 The agency shall have a policy which outlines before and after searches of vehicles used for transporting inmates.
- 18.20 The agency has a policy outlining actions in response to criminal acts committed in the jail, identifying which agency will handle criminal investigations and procedures regarding the protection of crime scenes and the preservation of evidence.

## Chapter 19—Inmate Services

- 19.1 The agency has a policy which outlines how inmates obtain access to the courts, allowing inmates to file legal proceedings with the court and to make some type of assistance available to inmates to do so and how inmates communicate with the courts.
- 19.2 The agency has policies that provide inmates with reasonable access to communicate with counsel.
- 19.3 The agency has policies and procedures concerning inmates in disciplinary or administrative segregation, which allow inmates to communicate with the courts in a manner consistent with that available to other inmates.
- 19.4 The agency has a policy covering the supply of paper, envelopes, postage, and pencils to ensure adequate access to courts and counsel.

- 19.5 The agency shall adopt a policy and procedures to provide inmates access to legal materials and includes a policy for inmates unable to use legal materials because of such things as literacy, inability to speak or read English, mental limitations, etc
- 19.6 The agency shall have a policy regarding food services for inmates, which addresses:
- planning of menus and dietary guidelines, which the nutritional value of the meals being checked by qualified personnel;
  - preparation and serving of meals;
  - special diets, which include;
    - diets directed by medical staff for medical reasons and
    - diets necessary to accommodate inmates' religious requirements
  - sanitation in accordance with health department regulations;
  - accounting of food supplies and utensils;
  - food storage; and
  - supervised food service operation which oversees the preparation of food and the manner of service of meals.
- 19.7 The agency has a written policy and procedures regarding the operation of a commissary for inmates, if provided.
- 19.8 The agency has written policies and procedures regarding laundry services for inmates. The laundry schedule should outline:
- clothing and towels be exchanged and laundered no less than once each week
  - sheets be exchanged and laundered once each week
  - soiled blankets should be laundered as needed and shall be laundered before reissue
  - mattresses shall be cleaned before re-issue.

## Chapter 20—Inmate Health Care

- 20.1 The agency has policies which govern the health care (including dental and mental healthcare) for inmates. Policies should include the following:
- Pharmaceuticals
  - Medical screening at intake
  - Inmate orientation on health care
  - Sick call
  - Emergency health care
  - Health records, maintenance and confidentiality
  - Medical care authority
  - Care provided regardless of ability to pay.

- Co-pays, if utilized by the agency.
  - Consent to care and what to do when the inmate is unable to provide consent.
  - Transfer of health care records when transferred to another facility.
  - Prohibition of using inmates to provide delivery of health care services.
  - Process for inmate to access care.
  - Treatment Plans.
- 20.2 If the jail provides health care within the facility, the agency has a written policy identifying the required qualifications for health care personnel.
- 20.3 The agency has written procedures for health screening at the time of intake whether performed by jail or medical staff.
- 20.4 The agency has written procedures that ensure timely follow-up care for inmates that need health care.
- 20.5 The agency has written policies that govern health care delivery that include:
- Levels of care
  - Treatment of inmates
  - Emergency care
  - Dental Services
  - Diets
  - Care of pregnant inmates
  - Medication delivery (RCW 70.48.490)
- 20.6 The agency has a policy making First aid kits and AEDs, if applicable, available.
- 20.7 The agency has a policy to resolve conflicts between custody and medical staff to be sure they do not impact health care delivery.
- 20.8 The Jail has procedures for the proper handling, housing and treatment of mentally ill offenders including those with identified TBI's.

## Chapter 21—Sanitation and Maintenance

- 21.1 The agency provides inmates with soap, toilet paper, toothbrush and cleaning agent, comb and for women, sanitary hygiene items.
- 21.2 The agency provides inmates the opportunity to shower a minimum of three times per week, including those inmates in segregation, except for inmates

whose movement would result in risk to staff or self.

- 21.3 The agency has policy and procedure regarding vermin infestation.
- 21.4 The agency has living areas equipped with toilets, sinks, showers and hot and cold running water.
- 21.5 The agency has policies and procedures for handling and disposal of bio-hazardous waste materials and has staff training related to bio-hazardous materials, which conform to state law.
- 21.6 The agency has policy and procedures regarding facility sanitation, maintenance and cleaning.

## Chapter 22—Inmate Programs and Activities

- 22.1 Exercise /Recreation: The agency should have written policies and procedures which provide the reasonable opportunity for inmates exercise and recreation. These policies should include.
- Frequency of exercise for Inmates in segregation units who are allowed very limited out-of-cell opportunities shall receive the opportunity for one hour of exercise at least three days per week unless good cause exists for denying such exercise opportunity.
  - Exercise should be provided in an area adequate for that function.
  - Outdoor exercise should be provided in facilities which have outside exercise yards. Access to outdoor exercise may be restricted to accommodate classification, circumstances, weather, and the differences in physical plant design.
  - Passive Recreation. The jail should provide opportunity for inmate passive recreation which may include such things as library services, card and/or board games, and television and/or radio.
- 22.2 Educational Programs: The agency should have policies and procedures that cover:
- Allowing the local educational district to provide for the educational services to inmates under the age of 18 or as required by state and federal law such as those with special needs. (RCW 28A.194)
  - Procedures for any educational programs that may be made available to inmates generally.
- 22.3 Inmate Treatment Programs: The agency should have written policies and procedures for providing rehabilitation treatment programs for inmates, if provided.
- 22.4 Working Inmates: The agency should have written policies and procedures

regarding work programs for inmates, which include:

- Facility work assignments
- General housekeeping duties
- Discretionary work programs in and out of jail, as authorized by law, the sentencing court, and the sheriff; or their designee.
- Rules governing eligibility for programs, requirements for continuing participation, and procedures for termination. Pretrial detainees may be permitted to work in the jail, but may not be required to work beyond performing routine housekeeping, such as cleaning their living area.
- Compensation for Inmates: The sheriff, chief or other administrative head may compensate working inmates, but there is no requirement to do so.
- Worker Safety: Jail staff should make reasonable efforts to provide a safe work environment for inmates and in compliance with state law.

22.5 Partial Confinement Programs: The agency should have written policies and procedures governing the support of partial confinement programs, if such programs are supported. This policy should cover:

- Violations of Partial Confinement Agreements: A partial confinement agreement or other document provided to an inmate participating in a partial confinement. A partial confinement agreement should clearly define rules of conduct and other requirements for continued participation, govern responses to rule violations, require a jail disciplinary hearing to process the allegations of inmate misconduct, notify the sentencing court of the results of the hearing and return the inmate to the sentencing court as necessary according to law, local court rule, or court order.
- If jail officials have reason to believe an inmate has violated any of the requirements policy should address the sanctions.
- Work release is authorized for jail inmates by **RCW 70.48.210**
- Electronic home monitoring is authorized by **RCW 9.94A.731** and **9.94A.734**.
- Access to Services: Partial confinement inmates should have access to jail services, if applicable.
- Admission Searches of Partial Confinement Inmates: Partial confinement inmates should be subjected to search before being admitted to the jail.

22.6 Access to Religion. The agency should have written policies and procedures for providing access to religious activities for inmates, such as:

- Inmate access to clergy, religious services/worship opportunities, and religious reading materials if applicable.
- Hair length and grooming guidelines.

- Clothing, and religious diets.
- Exercise of Religion: Inmates shall be provided the opportunity for the exercise of religion

**Purpose:** *Although the First Amendment protects the practice of religion for inmates, religious activities can be restricted when the restriction is rationally related to a legitimate penological interest. “Legitimate penological interests” include, but are not necessarily limited to security, order, safety, and discipline. In evaluating whether a restriction meets this guideline, courts consider four questions:*

*Is there a valid, rational connection between the restriction or regulation and the penological interest put forward to justify it*

*Are there alternative means by which the inmate can exercise their First Amendment right to practice their religion?*

*What will the impact of accommodating the asserted constitutional right have on officers, inmates, and the allocation of jail resources?*

*Are there ready alternatives by which the asserted right can be accommodated at a de minimize cost to valid penological objectives?*

*Religious Land Use and Institutionalized Persons Act (RLUIPA), 42 USC §2000.*

## 22.7

Utilizing Volunteers and Community Resources: The agency should have written policies and procedures addressing the use of volunteers and community resources, to include:

- **Qualifications and Screening:** Jail officials should establish qualifications for volunteers and other non staff providers and should screen candidates before they can be permitted to work with or supervise inmates.
- **Scheduling:** Jail officials may utilize available community resources, including volunteers, to provide services and programs for inmates.

## Chapter 23—Gender Identity

23.1 The agency has a policy establishing guidelines that make reasonable efforts to minimize privacy intrusions that may occur as a result of cross gender supervision consistent with maintaining proper facility security.

23.2 The agency has policies that address the housing, supervision, and



management of gay and lesbian offenders.

- 23.3 The agency has policies that address the housing, supervision, and management of transgender offenders.

#### **Chapter 24—Americans with Disabilities Act**

- 24.1 The agency has written policies and procedures which address the jail's plan for implementing the requirements of the Americans with Disabilities Act (ADA) and for evaluating ADA claims.
- 24.2 The agency has policies and procedures requiring legal counsel review relating to the jail's ADA policies and procedures.
- 24.3 The public entity (city or county) which employs 50 or more persons shall designate at least one staff member to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA.
- 24.4 The agency has policies which provide for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA.

#### **Chapter 25—Evidence and Property Control**

- 25.1 The agency has written guidelines for the proper collection and identification of evidence. The agency has written guidelines for proper inventory and storage of inmate property.

#### **Chapter 26—Prisoner Security**

- 26.1 The agency has written policies and procedures for officers transporting prisoners, which include:
- Safety and security of firearms
  - Searches of prisoners.
  - Use of restraint devices
  - Delivering documentation to the receiving personnel
  - Advising receiving personnel of any potential medical or security concerns or hazards posed by the prisoner.
  - Transporting the sick, mentally ill, injured, pregnant or disabled prisoners.
- 26.2 The agency has written policies and procedures governing the purpose, function, and use of restraints, to include:
- Restraint devices may be used to secure inmates, when necessary

as dictated by the situation. Restraints should only be used under circumstances authorized by jail policy and procedure.

- The agency should provide training in the use of restraints. Restraint devices include any device used to secure or control the hands, arms, feet, legs, head, or torso of an inmate. Restraints devices shall be authorized by the agency.
- The use of restraints on pregnant inmates, in accordance with RCW 70.48.500, 70.48.501, 70.48.502, and 70.48.800.
- Monitoring standards and frequency of inmates in restraints.

## Chapter 27—Emergency Response

- 27.1 The agency has written policies and procedures for response to emergency and non-emergency calls that occur within the Jail and include, but are not limited to:
- situations requiring evacuation of all or part of the inmate population, which is consistent with city/county Department of Emergency Management plans;
  - fires;
  - inmate disturbances;
  - hostage situations;
  - escapes/escape attempts; and
  - civil or natural disasters, such as floods, earthquakes, chemical spills, weather related emergencies, and disruption of utilities or communications systems.
- 27.2 The agency provides 24-hour communications between the Jail and local emergency services.
- 27.3 The agency has a policy outlining cooperative response, if applicable, and roles in the case of any emergency.
- 27.4 The agency has a policy authorizing the use of firearms and other emergency response weapons and who in the agency can authorize their use.
- 27.5 The agency's policy includes controlling and restricting access on a need to know basis to prevent them from being compromised by inmates and others. However, staff should be provided sufficient information and training to ensure that they can function effectively in the event of an emergency.
- 27.6 Emergency response training is provided and documented for staff members and includes periodic drills, which are documented.

## Chapter 28—PREA

- 28.1 The agency has a policy clearly prohibiting and setting a zero tolerance for the following:
- Sexual harassment by staff or inmates (WAC 392-190-056).
  - Sexual contact by staff or inmates (RCW 9A.44.010)
- 28.2 The agency has policies which fully implement the requirements of the Prison Rape Elimination Act Standards as promulgated by the US Department of Justice.

**This standard is suspended until July 1, 2015**