

**TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH  
CHAPTER 670. CITY AND COUNTY DETENTION FACILITY STANDARDS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**310:670-1-1. Purpose**

The rules in this Chapter provide procedures for inspecting all city and county detention facilities, city or county lockup facilities, and city or county detention facilities holding juveniles, as authorized by 74 O.S., Section 192.

**310:670-1-2. Definitions**

The following words or terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

"ACA" means American Correctional Association.

"Available" means that the subject individual is either on site or on the premises.

"Bodily search" means any invasive examination by hand of an inmate's person or clothing. Bodily searches do not include "pat-downs."

"Central control" means the central point within the facility where security activities are monitored and controlled.

"Contraband" means anything not authorized to be in an inmate's possession.

"Dayroom" means space for activities that is situated immediately adjacent to the inmates' sleeping area and separated from the sleeping area by a wall.

"Department" means Oklahoma State Department of Health.

"Detention facility" means a facility that may hold a person for an indefinite period of time.

"Detention Officer" means a person whose training, education and/or experience specifically qualifies him or her to perform the duties indicated in the job description and the jail standards, or a person who holds a certification accorded pursuant to 70 O.S. Section 3311. The individual performing the duties must be trained in appropriate laws, codes, standards, policies and procedures.

"Direct contact with inmates" means contact between Detention Officers and inmates in inmate living areas.

"Direct supervision" means the Detention Officer is in direct contact with inmates and is in a position to constantly monitor behaviors and interact with inmates.

"Emergency care" means *medical or surgical care necessary to treat the sudden onset of a potentially life- or limb-threatening condition or symptom* [57 O.S. § 38.3(A)(1)].

"Facility administrator" means sheriff, police chief, city manager, private contractor or a designee thereof charged with maintaining and operating a lockup facility, or detention facility.

"Grievance" means a circumstance or action considered unjust.

"Holding facility" means a facility that shall hold *persons under arrest who are charged with a crime* no longer than twelve (12) hours [74 O.S. § 192(B)].

"Hot meal" means a measure of food served and eaten at one sitting prepared in accordance with and served at a palatable temperature range of 110° - 120° F. (43.3° - 48.8° C.).

**"Indigent inmate"** means an inmate who has a total receipt of or a balance of less than \$15.00 from the first day through the last of the preceding month.

**"Inmate"** means any individual, whether in pretrial, sentenced or unsentenced status who is confined in a detention facility.

**"Juvenile"** means a person who is subject solely to the jurisdiction of a juvenile court or who is subject to the provisions of Title 10A O.S. § 2-5-205 or 10A O.S. § 2-5-206 (relating to classification as a youthful offender as defined at 10A O.S. § 2-5-202).

**"Last locked/secure door"** means the last secure barrier between staff and the inmate.

**"Life endangering situations"** means a suicide attempt, or obvious serious injury or illness, which in the evaluation of the staff requires an immediate response.

**"Life threatening"** means a situation in which life saving measures are taken.

**"Living area"** means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include reception and release areas and special use cells such as sobering, safety, and holding or staging cells normally located in receiving areas.

**"Lockup facility"** means a facility that may hold a person no longer than ten (10) days. It is usually operated by a town or city for the temporary detention of persons awaiting arraignment. Persons who need to be detained longer than ten (10) days shall be transferred to a detention facility.

**"New construction"** means a facility with final plans approved after January 1, 1992.

**"Non-secure areas"** means those areas where a youth or juvenile is in the custody of law enforcement and may not be able to leave or depart from the presence of law enforcement, yet the youth or juvenile is not detained in a facility which limits movement.

**"On site"** means a Detention Officer being physically present within the detention facility.

**"On the premises"** means a Detention Officer being physically present within the structure incorporating the detention facility, or within a building or structure sharing the same realty or located on realty that is contiguous to the realty upon which the structure incorporating the detention facility is located, provided that such remote building or structure is not located farther than 500 feet from the detention facility.

**"Pat-down"** means a noninvasive search of an inmate by hand performed by lightly skimming the exterior surface of the clothing covering the legs and torso.

**"Physician or other licensed medical personnel"** means a psychiatrist, medical doctor, osteopathic physician, physician's assistant, registered nurse, licensed practical nurse, emergency medical technician at the paramedic level or clinical nurse specialist [57 O.S. § 4.1(3)].

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**"Sensitive functions and procedures"** means any bodily search or the visual supervision of any activity requiring an inmate to partially or fully disrobe.

**"Sight check"** means when a Detention Officer physically observes an inmate.

**"Sight contact"** means clear visibility within close proximity.

**"Sound contact"** means direct oral communication.

**"Substantial remodeling"** means the cost to repair/replace is at least fifty (50) percent of the cost to replace the facility.

**"Sustained contact"** means sight or sound contact that is not brief and inadvertent.

### **310:670-1-3. Implementation and inspection**

A local facility administrator shall develop and implement written policies and procedures pertaining to the daily management and operation of the facility. Each facility shall develop and maintain an operations manual sufficient to demonstrate compliance with the standards in Section 1 of Subchapter 3 of this Chapter, or Section 1 of Subchapter 5 of this Chapter.

### **310:670-1-4. Holding facilities exempt**

Pursuant to Title 74 O.S. § 192(B), a holding facility is not required to meet the standards for detention facilities, *as long as no person is held therein for a period longer than twelve (12) hours and as long as an employee of the county, city, or town is available to render aid to or to release any person so confined in the event aid or release is required because of a health or life-endangering emergency.*

### **310:670-1-5. Policies and procedures**

Where this Chapter specifies that the facility shall develop a policy and procedure, the following standards shall apply.

- (1) A policy may include a procedure. A procedure may represent policy.
- (2) Policies and/or procedures developed based on requirements in this Chapter shall identify the following:
  - (A) The rule or law addressed by the policy and procedure;
  - (B) The position(s) or personnel responsible for implementation and oversight of the policy and procedure;
  - (C) The actions to be taken or procedures to be followed by facility personnel. This is the who, what, where, and when of the procedure;
  - (D) The position(s) or personnel responsible for reviewing the policy and procedure;
  - (E) A schedule for reviewing the policy that identifies the frequency at which the policy and procedure will be reviewed; and
  - (F) A signature page to capture the signature and date that the responsible official adopted the policy and/or procedure and the dates that review of the policy and/or procedure were completed.

## **SUBCHAPTER 3. STANDARDS FOR LOCKUP FACILITIES**

### **310:670-3-1. Basic standards**

The facility administrator shall develop and implement written policies and procedures for the operation of a lockup facility which shall include and address at a minimum, the following:

- (1) Arrest and commitment papers shall be verified.
- (2) An inmate shall be searched during admission.
- (3) An inmate's property shall be inventoried and property shall be stored in a secure location.
- (4) Medical reception information shall be recorded in the inmate file

and shall include, at a minimum, the following information:

- (A) Current illnesses and health problems;
  - (B) Behavioral observation, including state of consciousness and mental status, history of alcohol or drug abuse and treatment;
  - (C) Body deformities and trauma markings such as bruises, lesions, jaundice, and ease of body movement;
  - (D) Condition of skin and visible body orifices, including infestations;
  - (E) Medications taken and any special health requirements;
  - (F) Whether the inmate is thinking about suicide or has recently attempted suicide; and
  - (G) Disposition or referral of the inmate to qualified medical personnel on an emergency basis [57 O.S. § 4.1(3)].
- (5) A first aid kit shall be available at locations designated by the facility administrator.
- (6) Two (2) completed, documented, local or collect telephone calls shall be allowed at time of booking or after a reasonable length of time as determined by the administrator or designee. The administrator or designee shall document an inmate's refusal to make calls. In facilities where inmates have unlimited access to operational telephones, an inmate's refusal to make telephone calls is not required to be documented.
- (7) Clean bedding and personal hygiene items shall be available and provided at the facility.
- (8) Shower facilities shall be available with hot and cold running water at a ratio of at least one (1) shower for every twenty (20) inmates.
- (9) Continual supervision shall be provided by a trained employee.
- (10) Hourly visual sight checks shall be conducted and documented.
- (11) Male and female inmates shall be housed in separated living areas with visual separation between the two genders. Housing of inmates with mixed gender identification will be administered in a manner to maximize inmate safety.
- (12) The facility shall comply with applicable building and fire safety codes of the State Fire Marshall as provided in Title 74 O.S. § 317 et seq.
- (13) Each inmate shall be provided at least three (3) meals each twenty-four (24) hours that meet the national recommended allowance for basic nutrition. At least two (2) hot meals shall be provided daily. There shall not be more than fourteen (14) hours between the breakfast and the evening meals.
- (14) Minimum Fire Safety Requirements:
- (A) **Automatic smoke detection.** The facility shall be equipped with a smoke detection system and a sprinkler system that is approved by the Fire Marshal.
  - (B) **Bedding.** Polyurethane foam mattresses, pads and pillows are prohibited. Mattresses that are in compliance with the requirements of the State Fire Marshall shall be used.
  - (C) **Emergency lighting.** Each facility shall have emergency lighting that meets the minimum standards of the State Fire Marshall.
  - (D) **Supervision of inmates.** Detention Officer posts shall be located and staffed close enough to the lockup area to permit Detention Officers to hear and respond promptly to calls for assistance, and

provide immediate response to emergencies.

(E) **Exits.** There shall be designated and marked emergency evacuation exits that comply with the requirements of the State Fire Marshall.

(15) Inmates held over twenty-four (24) hours shall be issued and

required to wear a clean set of detention facility clothing to include at least shirt and trousers or coveralls and footwear. An inmate shall receive a complete change of clothing at least one (1) time each week. Inmate street clothing shall be placed in inmate property.

(16) A Detention Officer shall be on duty on each floor where inmates are confined unless the facility is equipped with:

(A) Viewing access to all areas of the facility through closed circuit TV system; and

(B) An intercommunication system between the cell/living area and Detention Officer post/control center to communicate with and monitor inmates.

(17) Any lockup facility constructed or substantially remodeled after January 1, 1992 shall meet the requirements of OAC 310:670-5-11 except 310:670-5-11(b) (7), (8), and (13).

(18) Any lockup facility which houses forty (40) inmates or less shall be staffed consistent with the requirements at Title 74 O.S. § 192(C)]. Staff shall be available to perform sensitive functions and procedures as necessary to accommodate inmate gender.

(19) Any lockup facility *which houses more than forty prisoners and*

*less than seventy-five prisoners* shall be staffed consistent with the requirements at Title 74 O.S. § 192(D)]. Staff shall be available to perform sensitive functions and procedures as necessary to accommodate inmate gender.

(20) Smoking policies in lockup facilities shall conform to the requirements in Title 21 O.S. § 1247.

## SUBCHAPTER 5. STANDARDS FOR DETENTION FACILITIES

### 310:670-5-1. Admission, release and records

The following admission and release procedures shall be followed. A facility shall have written policies and procedures for the reception, orientation and release of inmates.

(1) The admission process of new inmates shall include at least the following:

(A) Verification of arrest or commitment papers;

(B) A search of the individual upon entering the facility and a complete bodily search of the individual may be authorized prior to entering the general population;

(C) Intake screening by trained facility personnel utilizing, in part, a medical/mental health questionnaire approved by the Department of Health, or a screening conducted by a physician or other licensed medical personnel;

(D) Procedures to ensure orientation and understanding of facility rules;

(E) Issue bedding, clothing, and footwear; and

(F) Classification and assignment to a housing unit.

(2) Positive identification shall be made of the arresting or committing

officer, including verification of the officer's authority to make the

commitment.

(3) Each newly admitted inmate shall be permitted to complete at least two (2) local or collect telephone calls during the admission process or after a reasonable length of time as determined by the administrator. These telephone calls shall be documented and an inmate's refusal to make telephone calls shall be documented. In facilities, where inmates have unlimited access to operational telephones, an inmate's refusal to make telephone calls is not required to be documented.

(4) The types of personal property inmates may retain in their possession during confinement shall be specified in a facility's policies and procedures. Secure storage for property not authorized to be in the inmate's possession, to include civilian street clothing shall be provided.

(5) A written itemized inventory shall be made of all personal property of a newly admitted inmate.

(6) Before an inmate is released, positive identification shall be made of the individual and authority for release shall be verified.

(7) After the individual is positively identified, the inmate's personal property shall be returned. The items shall be compared with the inventory list and the inmate shall sign for the returned property upon release.

(8) A logbook or computer record shall be maintained on all inmates admitted to the facility. The logbook or computer record shall include at least the following:

- (A) Name of the inmate;
- (B) Date and time of admission;
- (C) Date and time of release;
- (D) Offense charges;
- (E) Arrest number;
- (F) Date of birth;
- (G) Race; and
- (H) Gender;
- (I) Social security number;
- (J) Booking and intake number.

(9) An intake shall be completed for every person admitted to a facility. The intake information shall be placed in the inmate's file and shall contain at least the following information:

- (A) Date and time of admission;
- (B) Name and aliases of inmate;
- (C) Address;
- (D) Name and title of arresting or delivering officer and employing agency;
- (E) Charges;
- (F) Date of birth;
- (G) Race;
- (H) Gender;
- (I) Height;
- (J) Weight (verified by scale);
- (K) Eye color;
- (L) Hair color;
- (M) Scars, tattoos and other identifying markings;
- (N) Special medical and mental health comment-data and recommendations;

- (O) Name, relationship, address and phone number of emergency contact; and
  - (P) Court judgment and sentence if the inmate is sentenced .
- (10) Records shall be safeguarded from unauthorized disclosure. Written policies and procedures shall specify the process that inmates and former inmates are allowed access to their records.
- (11) Individual records shall be maintained and kept current for each inmate which shall contain at least the following information:
- (A) Intake information;
  - (B) Commitment papers and court order;
  - (C) Reports of disciplinary actions or unusual occurrences;
  - (D) Medical, mental health and dental orders issued by the health care authority;
  - (E) The medical reception information collected pursuant to the requirements at OAC 310:670-5-8(2)(B);
  - (F) Photographs or video imaging; and
  - (G) Personal property inventory.

### **310:670-5-2. Security and control**

The facility administrator shall develop and implement written policies and procedures for the safety, security and control of staff, inmates and visitors. Policies and procedures shall address at least the following:

- (1) A central control center shall be maintained to coordinate the facility's internal and external security network. The control center shall be staffed twenty-four (24) hours-a-day. The control center or other location may be designated by the facility administrator and shall be responsible for inmate counts and key control.
- (2) There shall be an inmate count at the beginning of each shift change. The inmate count shall be documented.
- (3) There shall be at least one (1) visual sight check every hour which shall include all areas of each cell, and such sight checks shall be documented.
- (4) All security perimeter entrances, control center doors, cell block doors and doors opening into a corridor shall be locked except when used for authorized entry and exit. Staff members shall know which doors should be locked and under what circumstances they should be opened.
- (5) No one person shall be permitted to enter an inmate's cell or other area in which an inmate is confined, past the last locked door, without backup assistance. Prior to breaching the last locked/secure door, central control or another staff member who can provide assistance will be notified. Documentation shall reflect the reason for the decision to enter a cell without backup assistance and a permanent record of the event shall be maintained.
- (6) A weekly security device inspection shall be performed and priority corrective action taken on any discrepancy. A weekly inspection report shall be submitted to the facility administrator.
- (7) Searches of facilities and inmates to control contraband shall be unannounced and at irregular intervals. These searches shall be documented.
- (8) The availability, control and use of firearms, ammunition, chemical agents and related security equipment shall be sufficient to meet needs.



The level of authority required for access to, and use of, security equipment shall be specified in policy and procedure. Chemical agents shall be used only with the authorization of the facility administrator or designee. Detention Officers shall be trained in the use of chemical agents as prescribed by the manufacturer's specification.

(9) Firearms, ammunition, chemical agents and related security equipment shall be stored in a secure but readily accessible depository located outside the inmate living area. The facility may adopt policy and procedures that authorize trained and certified Detention Officers to be equipped with chemical agent and non-lethal weapons while on duty.

(10) Firearms, chemical agents and related security equipment shall be inventoried at least one (1) time each month to determine their condition and expiration dates. Firearms shall be cleaned and fired annually and repairs shall be made as needed.

(11) In an emergency situation, supervision of armed personnel is essential and only weapons/firearms authorized by the administrator shall be used.

(12) Personnel discharging firearms or using chemical agents shall submit a written report to the facility administrator documenting the nature of the incident and the identity of the personnel and inmates involved. All persons, employees and inmates involved in an incident where a weapon or chemical agent or force was used shall receive an immediate medical examination and/or treatment.

(13) Except in emergency situations, a weapon shall not be permitted in the secure area. There shall be a system of checking firearms and ammunition for temporary secure storage outside the secure perimeter.

(14) All keys shall be issued from a secure location designated by the detention facility administrator, and a log shall be used to record the number of each key, location of the lock and the number of keys to each lock. The key control system shall include a current accounting of the location and authorized person to have each key. Keys shall be returned to the control center or a secure issue location at each shift change. There shall be at least one (1) duplicate key to each lock that is maintained in a secure location inaccessible to inmates .

(15) Tools and utensils such as hacksaw blades, welding equipment, culinary, barber shears and all sharps of similar-type equipment shall be secured, issued and used in accordance with prescribed policy and procedure. The control system shall also provide for this type of tool and equipment brought into the facility by outside authorized persons.

(16) Inmates shall not possess flammable, toxic or caustic materials unless they are under supervision of qualified personnel. Such materials shall be stored in secure areas that are inaccessible to inmates.

(17) A post order shall be prepared for each post or duty assignment to be performed, and it shall specify the procedure to be followed for completing the assignment.

(18) There shall be written procedures for dealing with an escape. These procedures shall be available to all personnel and shall provide for sounding an alarm, alerting officials, mobilizing resources and ending the alert. Following an escape, the staff shall prepare an analysis of the escape and defects in the security system shall be corrected immediately.

(19) There shall be written procedures that specify what actions to

take in emergency situations, i.e., fire, disturbances, and taking hostages. The procedures shall specify areas of responsibility, the staff to be involved, when and what authorities shall be notified, how the problem may be contained and what shall be done after the incident ends. Emergency housing and supervision of inmates shall be provided.

(20) Staff shall be knowledgeable of and trained in the implementation of the emergency plans.

(21) An emergency auxiliary power generator or battery-operated system that meets applicable requirements of the State Fire Marshall shall be provided to maintain lighting and essential equipment in an emergency.

(22) All emergency equipment shall be inspected at least one (1) time each month and corrective action taken as needed. These inspections shall be documented.

(23) The use of physical force by staff shall be restricted to instances of justifiable self-protection, protection of others, protection of property and prevention of an escape, and shall be only to the degree necessary. A written report shall be prepared and submitted to the administrator following the use of physical force. All persons, employees, and inmates involved in an incident where a weapon, chemical agent, or physical force was used shall receive an immediate physical inspection, and if affected by the action, shall receive a medical examination and treatment.

(24) Instruments of restraint such as handcuffs, leg irons, restraint chairs, restraint beds and straitjackets, shall not be applied longer than authorized by policy and procedure and equipment manufacturer's specifications. Inmates placed in restraints shall not be left without required supervision. Instruments of restraint shall be used only as follows:

(A) As a precaution against escape during transfer;

(B) For medical/mental health reasons, by direction of the designated medical authority and detention facility administrator or designee; and

(C) To prevent inmate self-injury, injury to others or property damage, and then only with the approval of the detention facility administrator or designee.

(25) Guidelines for transporting inmates shall emphasize safety and security and shall be available to all staff involved in transporting inmates.

(26) All entrances and exits to the facility shall be secure.

(27) .

The Department shall be notified no later than the next working day if any of the following incidents occur:

(A) Extensive damage to detention facility property;

(B) Serious injury to staff or inmate defined as life threatening or requiring transfer to outside medical facility;

(C) Escape;

(D) Serious suicide attempt, defined as life threatening or requiring transfer to outside medical facility; and

(E) Death.

(28) Trustees shall be either locked down or confined to the facility when not engaged in a job assignment. Trustees permitted outside the facility shall be supervised according to the written policy of the sheriff, chief of police, detention facility administrator and/or as required by state statute.

**310:670-5-3. Supervision of inmates**

(a) The movement of inmates from one location to another shall be controlled and supervised by staff.

(b) Staff shall provide twenty-four (24) hour supervision of inmates.

(c) Detention Officer posts shall be located and staffed to monitor all inmate activity either physically or electronically and close enough to the living areas to respond immediately to calls for assistance, and respond to emergency situations. A Detention Officer shall be on duty at all times at each location where inmates are confined or the observation shall be conducted by closed circuit TV. The location shall be equipped with an intercommunication system that terminates in a location that is staffed twenty-four (24) hours a day and is capable of providing an emergency response.

(d) There shall be sufficient staff to perform all assigned functions relating to security, custody and supervision of inmates. Staff assignments shall provide for backup assistance for all employees entering locations where inmates are confined.

(1) Any city jail or county detention facility which houses forty (40) inmates or less shall be staffed consistent with the requirements at Title 74 O.S. § 192(C)] .

(2) Any city jail or county detention facility *which houses more than forty prisoners and less than seventy-five prisoners* shall be staffed consistent with the requirements at Title 74 O.S. § 192(D)].

(3) Facilities which house seventy-five inmates or more shall have on site one (1) dispatcher or control center operator and a minimum of two

(2) Detention Officers on the premises.

(e) All inmates shall be searched when entering or leaving the security area.

(f) Policies and procedures shall specify a system for the supervision of female inmates by male staff and supervision of male inmates by female staff.

(g) When both male and female inmates are housed in a facility, at least one male and one female Detention Officer shall be available to perform sensitive functions and procedures as necessary to accommodate inmate gender.

(h) An inmate shall be prohibited from supervising, controlling, exerting or assuming any authority over another inmate.

(i) The name and telephone number of the practicing attorneys and bonds persons in the area shall be posted conspicuously near the telephone used by inmates. This can be a telephone book.

(j) Direct supervision of inmates shall be permitted if the facility has policies and procedures in place to ensure the safety of employees, inmates and visitors and if the physical plant design lends itself to direct supervision operation.

**310:670-5-4. Inmate rules, discipline and grievances**

(a) Written facility rules shall list all chargeable offenses, and the range of sanctions and disciplinary procedures to be followed and shall be made available to inmates. A rule book that contains all chargeable offenses, range of sanctions, and disciplinary procedures is provided to each inmate upon booking and is translated into those languages spoken by the significant number of inmates. When a literacy or language problem

prevents an inmate from understanding the rule book, a staff member shall assist the inmate.

(b) All persons who deal with inmates shall be familiar with the rules of inmate conduct, and the approved sanctions. To prevent discrepancies among staff in interpretations, in-service training shall be conducted as often as necessary by direction of the administrator.

(c) Employees shall prepare a disciplinary report when they have reason to believe that an inmate has committed a violation of rules.

(d) Disciplinary reports prepared by staff shall include at least the following:

- (1) Specific rules violated;
- (2) A formal statement of the charge;
- (3) Any unusual inmate behavior;
- (4) Any staff or inmate witness;
- (5) Disposition of any physical evidence;
- (6) Any immediate action taken, including the use of force; and
- (7) Date and time of the report.

(e) Administrative due process procedures shall be followed for all rule violations. A chairperson or a committee may be appointed by the administrator to hear the charges and make a decision on appropriate action to be taken. Due process procedures shall include at least the following elements:

- (1) Written rules that specifies offenses and sanctions;
- (2) Inmate has been made aware of the rules and sanctions;
- (3) Inmate receives written notice of the charges and is offered a hearing prior to sanction;
- (4) Inmate is present at the hearing and hears the evidence, except for confidential information or if the inmate displays unruly behavior or waives that right in writing;
- (5) Inmate has the right to make a statement;
- (6) Inmate has the right to call relevant witnesses;
- (7) Inmate may be assisted by a willing inmate or staff member of their choosing;
- (8) The decision shall be based solely on the evidence and shall be rendered in writing;
- (9) Record shall be made of the hearing;
- (10) Decision shall be reviewed by the facility administrator or designee;
- (11) An inmate shall have the right to appeal the decision of the facility administrator or designee to the next level of authority;
- (12) A record of the charges and hearing disposition shall be maintained in the inmate's file.

(f) If an inmate allegedly commits an act covered by statutory law, the case may be referred to the appropriate court or law enforcement officials for prosecution.

(g) There shall be a written policy and procedure to respond to inmate requests of staff and grievances. The grievance policy shall conform to the requirements in Title 57 O.S. § 566.3 and include the following:

- (1) procedures whereby any inmate may appeal and have resolved grievances;
- (2) the types of complaints covered and excluded consistent with applicable state and federal law and rule, and court decisions, to include policies and conditions within the jurisdiction of the facility

that affect the inmate personally, actions by employees and inmates, and incidents occurring within the facility that affect the inmate personally;

- (3) a grievance form or instructions for registering a grievance;
- (4) resolution of the grievance at the lowest appropriate staff level;
- (5) appeal to the next level of review;
- (6) written reasons for denial of grievance at each level of review which acts on the grievance;
- (7) provision for response within a reasonable time limit;
- (8) provision for resolving questions of jurisdiction within the facility; and.
- (9) procedures to control the submission of an excessive number of grievances.

(h) County jails may deduct an amount of ten cents (\$0.10) per page from any monies collected from an inmate for copies made at the request of the inmate [Title 19 O.S. § 531(B)].

### **310:670-5-5. Classification and segregation**

The facility administrator shall develop and implement written policies and procedures for the classification and segregation of inmates. The classification plan shall ensure the safety of inmates and staff. The following criteria shall ensure an adequate classification and reclassification system.

(1) Inmates of opposite sex shall be housed in separated living areas. Separation shall be by substantial architectural arrangements which permit no sustained sight contact. Housing of inmates with mixed gender identification will be administered in a manner to maximize inmate safety.

(2) Juvenile offenders.

(A) If detention of a juvenile is authorized, such juveniles shall be housed completely separate from adults without sustained sight and sound contact. Inadvertent contact with incarcerated adults outside of jail living areas not dedicated for use by juvenile offenders should be minimized. .

(B) A juvenile may be held for up to six (6) hours for the purpose of identification, investigation, processing, release to parent(s), transfer to court, or transfer to juvenile facility following the initial custody.

(C) A juvenile criminal-type offender may be securely detained in an adult jail or lockup for up to six hours immediately before or immediately after a court appearance, provided sight and sound separation is maintained. This period may be extended to twenty-four hours (excluding weekends and holidays) where the jurisdiction is outside the metropolitan statistical area where:

- (i) state law requires an initial court appearance within twenty-four (24) hours after being taken into custody;
- (ii) there is no acceptable alternative placement; and
- (iii) the jail has been determined by the Department to provide for sight and sound separation.

(3) Inmates considered to be a threat to other inmates or staff shall be housed separately from other inmates for the following reasons:

- (i) Inmate's past criminal history;
- (ii) The nature and severity of the charges pending against the

inmate;

(iii) Inmate's behavior while in the facility; and

(iv) Other relevant reasons as directed by the administrator.

(4) Inmates may be double-celled or confined to dormitory style housing if the floor space meets the square footage requirements. These inmates shall be afforded the same living conditions and privileges as those occupying the general population. Any exception regarding conditions and privileges shall be defined by the administrator.

(5) Inmates who are intoxicated or under the influence of a controlled substance shall be housed separately from other inmates until such time as the medical authority or the detention facility administrator determines their suitability for placement into general population or other appropriate housing.

(6) Inmates who appear to have a significant medical or psychiatric problem may be separated from other inmates.

(7) Unsented inmates shall be separated from sentenced inmates, to the extent possible, and shall be permitted whatever confinement is least restrictive unless inmate behavior or other security considerations dictate otherwise.

(8) Classification and segregation shall not be done solely on the basis of race, color, creed or national origin.

### **310:670-5-6. Safety, sanitary and hygiene standards**

The administrator shall develop and implement policies and procedures for the safety and maintenance of sanitation throughout the facility. These shall include at least the following:

(1) The facility shall be kept in a clean condition consistent with the requirements in Title 57 O.S. § 4.

(2) There shall be a housekeeping plan for the facility that includes a cleaning schedule with specific duties. Supervision of cleaning activities performed by inmates will be provided consistent with the facility's policy.

(3) Floors shall be kept clean, dry and free of hazardous substances.

(4) Inmates shall be provided with materials and supplies on a routine sufficient to maintain clean showers, washbasins and toilets.

(5) Smoking policies in city and county detention facilities shall conform to the requirements in Title 21 O.S. Section 1247.

(6) Upon admission or after commitment by the court, each inmate shall be issued personal hygiene items to include soap, towel, toilet paper, toothbrush and toothpaste. Feminine hygiene articles shall be provided upon request. Razors are issued to each inmate consistent with facility policy, and collected immediately after use and disposed of or stored as specified by facility policy and procedures. Inmates shall not share razors. With the exception of toilet paper and feminine hygiene items, inmates who are not indigent and have funds in their inmate account may be required to purchase hygiene items from the detention facility.

(7) Clean bedding shall be issued to each inmate who is confined overnight in the facility except where indicated by circumstances defined in the facility's policy. A standard issue of bedding shall include:

(A) A mattress with a cleanable surface; and

(B) Enough clean blankets consistent with existing interior weather conditions.

(8) Inmates held over twenty-four (24) hours shall be issued a clean set of appropriately sized detention facility clothing to include, at least, a shirt and trousers or coveralls and footwear.

(9) An inmate shall be given an opportunity to receive a complete change of clothing at least one (1) time each week.

(10) Clean bedding and towels shall be offered at least one (1) time each week.

(11) Laundry services shall be sufficient to permit regular exchange of all inmate clothing, bedding and towels.

(12) Blankets and mattresses shall be cleaned or sanitized before reissue.

(13) Issuance of all clothing and bedding shall be documented and inmates shall be held accountable for these items.

(14) The supply of bedding, linens and clothing shall exceed that required for the facility's maximum inmate rated population capacity.

(15) Under extreme circumstances it may be necessary for the

administration to authorize the removal of linens, clothing and bedding from an inmate. Such action may be taken only as a measure to protect the inmate from self-injury, to protect others or to prevent facility damages. Such actions shall be documented and reviewed at least weekly by detention facility administration or an appointed designee. A paper gown or another appropriate garment may be provided as appropriate.

(16) Sufficient showers shall be provided in housing units to provide inmates the opportunity to bathe at least three (3) times each week. Inmates working in food service shall be required to bathe daily.

(17) Haircuts shall be available to inmates based on arrangements specified in facility policy and procedures.

(18) The potable water supply shall meet all state and local water quality standards. Hot and cold water shall be provided in showers and washbasins.

(19) Any condition conducive to harboring or breeding insects, rodents or other vermin shall be eliminated immediately. Licensed pest control professionals shall be contracted to perform pest control on a scheduled basis specified in the facility policy and procedure.

(20) Liquid and solid wastes shall be collected, stored and disposed of in a manner that avoids nuisance and hazards and protects the health and safety of inmates and staff. Biomedical waste shall be stored and destroyed in compliance with state and federal requirements.

(21) The facility's fire prevention policies and procedures shall ensure the safety of staff, inmates and visitors and shall conform to the requirements of the Oklahoma State Fire Marshal, as provided in Title 74 O.S. § 317 et seq. These shall include, but not be limited to an adequate fire protection service; a system of fire inspection and testing of equipment and documentation on a weekly basis; and the availability of fire hoses or extinguishers at appropriate locations throughout the facility. The facility shall have an automatic fire alarm and heat and smoke detection system approved by the Oklahoma State Fire Marshal, as provided in Title 74 O.S. § 317 et seq.

(22)

The facility shall have a written evacuation plan in the event of fire or major emergency. Inmates shall be instructed on emergency procedures.

(23) There shall be a reliable means to permit prompt release of inmates from locked areas in case of emergency. The route of evacuation shall

be posted in conspicuous locations throughout the facility.

(24) Facility furnishings, walls, ceilings and floors shall be constructed of material that meets the code requirements of the Oklahoma State Fire Marshal, as provided in Title 74 O.S. § 317 et seq.

(25) Heating systems shall be capable of maintaining a temperature of at least sixty-five (65) degrees Fahrenheit. Open-faced or un-vented heaters are not permitted.

(26) Air circulation and ventilation shall be capable of maintaining a temperature of at least eighty-five (85) degrees Fahrenheit or lower. If temperature exceeds eighty-five (85) degrees Fahrenheit, positive air movement shall be provided by use of fans, coolers, or air conditioning units. New facilities or substantially remodeled facilities shall be equipped with central air conditioning or individual air conditioning units which are capable of maintaining a temperature of eighty-five (85) degrees Fahrenheit.

### **310:670-5-7. Food services and dietary requirements**

(a) Each inmate shall be provided at least three (3) meals each twenty-four (24) hours that meet the national recommended allowance for basic nutrition. At least two (2) hot meals shall be provided daily. There shall not be more than fourteen (14) hours between the breakfast and evening meals.

(b) Special diets shall be available for inmates with a physician's or dentist's order. The order should be supported by evidence of the medical condition addressed by the diet. Special diets shall be planned and prepared by one who is skilled in preparing special diets according to a physician's or dentist's order. Inmate diets are modified when ordered by the appropriate licensed individual to meet specific requirements related to clinical conditions.

(c) If it is a requirement of an inmate's religious beliefs that the inmate adhere to dietary practices, reasonable provision shall be made for such diets from meals that are currently being served.

(d) A uniform record keeping system shall be developed to record the items served for each meal. This record shall be maintained in a manner that is retrievable for review and maintained for a minimum of one month.

(e) Food shall not be used as a reward or disciplinary action, nor shall the menu be varied for the same reason.

(f) All meals shall be served under the supervision of staff. An inmate's refusal to eat as an act of grievance shall be documented consistent with facility policy and reported to jail administration on a periodic basis as established by facility policy. A record of the grievance and its attempted resolution should conform with the grievance requirements at 310:670-5-4(g). The designated medical authority shall be advised of the refusal. The refusal to eat one meal shall not trigger the requirements in this paragraph.

(g) Any inmate assigned to food service shall be closely supervised and shall maintain a high degree of personal hygiene. Each inmate, providing food service or acting as a food employee, shall be instructed they are to inform the kitchen supervisor and shall not work in the kitchen if they are experiencing nausea, vomiting, abdominal cramps, diarrhea, an active respiratory infection, or fever, or have open sores on their hands or arms. Each inmate, providing food service or acting as a food



employee, shall wear a hairnet or hat, beard guard, and gloves while preparing and serving food.

(h) Ice machines that are available to the inmates shall be dispenser-type.

(i) Menus shall be reviewed and approved in advance by a registered dietician or a request may be made to the Department of Health for a standardized menu.

### **310:670-5-8. Medical care and health services**

Adequate medical care shall be provided in a facility. The administrator shall develop and implement written policies and procedures for complete emergency medical and health care services. Policies and procedures shall include at least the following:

(1) The administrator shall be responsible for the facility's medical services and shall develop, with the assistance of a designated medical authority, the facility's health care plan. Security restrictions shall be considered in the development of the plan, and any medical personnel included in the plan shall have their responsibilities regulated by written job descriptions. The health care plan shall cover at least the standards outlined in this section.

(2) Intake screening shall be performed on all inmates immediately upon admission to the facility and before being placed in the general population or housing area. An inmate whose screening indicates a significant medical or psychiatric problem, or who may be a suicide risk, shall be observed frequently by the staff consistent with the facility's policy and the identified need until the appropriate medical evaluation has been completed. After medical evaluation, these inmates may be assigned to housing consistent with the medical evaluation.

(A) Medications in the possession of the inmate at the time of the booking, whether prescription or over-the-counter shall be logged, counted and secured. *Prescription medications shall be provided to the [inmate] as directed by a physician or designated medical authority. The [inmate] shall be observed to ensure the prisoner takes the medication. The physician or designated medical authority shall be particularly aware through his or her training of the impact of opiate or methadone withdrawal symptoms that may occur in regard to the mental and physical health of the [inmate]. The physician or medical authority shall prescribe and administer appropriate medications to the [inmate] pursuant to Section 5-204 of Title 43A of the Oklahoma Statutes as the medical authority deems appropriate to address those symptoms. Neither prescription nor over-the-counter medications shall be kept by [an inmate] in a cell with the exception of prescribed nitroglycerin tablets and prescription inhalers. Over-the-counter medications shall not be administered without a physician's approval unless using prepackaged medications [57 O.S. § 4.1(1)]. This authorization to allow certain medications in a cell does not require a facility to allow the medications in a cell where inmate safety is threatened or abuse of the medication is documented. Prepackaged over-the-counter medications are those medications provided in single-dose packaging.*

(B) Medical reception information shall be documented in a format approved by the designated medical authority which shall include inquiry into:

- (i) Current illnesses and health problems including medications taken and any special health requirements;
  - (ii) Behavioral observation, including state of consciousness and mental status;
  - (iii) Notation of body deformities, trauma markings, i.e., bruises, lesions, ease of movement, and jaundice;
  - (iv) Condition of skin and visible body orifices, including infestations; and
  - (v) Disposition/referral of inmates to qualified medical personnel on an emergency basis.
- (3) Delousing procedures shall be developed in coordination with the designated medical authority and used whenever vermin are detected.
- (4) Inmates are informed upon admission to the facility about the procedures for gaining access to medical and health care services. These procedures shall be posted in a conspicuous place.
- (5) Each facility shall have a plan and provide twenty-four (24) hour emergency medical and dental care. Emergency plans shall at least include arrangements for:
- (A) The use of one (1) or more hospital emergency rooms or other appropriate health care facility;
  - (B) The use of an emergency medical vehicle; and
  - (C) An emergency on-call physician and dentist when the emergency health care facility is not located in a nearby community.
- (6) If the need is indicated by the intake screening at booking, inmates held for forty-eight (48) hours or more, shall be scheduled for a medical examination which shall be conducted by licensed medical personnel.
- (7) An appointment shall be made with a physician or other licensed medical personnel, as defined at Title 57 O.S. § 4.1(3), within forty-eight (48) hours of a valid written request unless more immediate action is dictated by the severity of the current situation.
- (8) If medical services are delivered in the facility, adequate space, equipment, supplies and materials as determined by the designated medical authority, shall be provided for primary health care delivery.
- (9) First aid kits approved by the designated medical authority shall be available in each facility. They shall be located in an area(s) also approved by the designated medical authority.
- (10) Referral sources shall be identified in advance by the designated medical authority or administrator.
- (11) The administration of medications, and the date, time and place of medical encounters shall be documented.
- (A) The facility may maintain bulk supplies of nonprescription drugs for dispensing to inmates if ordered or otherwise authorized by a physician or other licensed medical personnel, currently licensed to practice medicine in this state. Nonprescription drugs may be dispensed to an inmate for nonscheduled dosage regimens.
  - (B) A facility may maintain nonprescription drugs for dispensing from a common or bulk supply if all of the following are accomplished:
    - (i) The facility must have and follow a written policy and procedure to assure safety in dispensing and documentation of medications given to each resident.
    - (ii) The facility shall maintain records which document the name

of the medication acquired, the acquisition date, the amount and the strength received for all medications maintained in bulk.

(iii) Only licensed nurses, physicians, pharmacists or certified medication aides (CMA) may dispense for administration these medications and only upon the written order for as needed (p.r.n.) or nonscheduled dosage regimens, as documented in the clinical record of the inmate.

(iv) The facility shall maintain records of all bulk medications which are dispensed on an individual signed medication administration record (MAR).

(v) The original labels shall be maintained on the container as it comes from the manufacturer or on the unit-of-use (blister packs) package.

(vi) The maximum size of packaging shall be established by the facility in its policy and procedures and shall insure that inmates receive the correct dosage; provided however, that no liquid medications shall be acquired nor maintained in a package size which exceeds 16 fluid ounces.

(vii) Facilities may have only oral analgesics, antacids, and laxatives for bulk dispensing and/or drugs listed in a facility formulary developed or approved by the medical director.

(C) Facilities are not required to package nonprescription drugs in individual containers with individual labels.

(D) These provisions shall not prohibit authorized over the counter sales, from the commissary, of medications prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government.

(12) Copies of the medical record, or a discharge summary if any, shall accompany an inmate upon transfer to another facility.

(13) Any remaining medications, for which the inmate has been charged, shall accompany the inmate upon transfer to another facility or upon release, or those charges shall be reversed. Medications that were in the possession of the inmate on admission, and were not dispensed, and for which the inmate has a lawful prescription, shall be returned unless there is documentation of abandonment. The amount of medications provided shall be documented. The count at that time shall be logged. Continuity of care is required when transferring or discharging inmates from the facility, including when referring an inmate to community-based providers. When health care is transferred to another facility or to providers in the community, appropriate information shall be shared with the new providers in accordance with consent requirements. Sufficient medications shall be provided upon transfer or release for inmates with known serious health conditions. Sufficient medication should be coordinated with the receiving facility. The inmate is liable for payment of the cost of these medications pursuant to Oklahoma statute [Title 19 O.S. § 746(B)].

(14) Staff shall wear disposable gloves when dealing with possible exposure to an inmate's body fluids.

(15) Biomedical waste shall be stored and destroyed in compliance with state and federal requirements.

(16) Sharps, i.e., needles, lancets and scalpels shall be disposed of in a puncture-proof container.

(17) Staff shall receive a TB skin test as a part of the pre-employment

evaluation and each twelve (12) months as long as the test is negative. Individuals with positive skin tests shall be referred to the local health department or personal physician for evaluation. Employees will also be offered hepatitis B vaccination within one month of employment, at no cost to the employee.

(18) Universal precautions shall be used at all times by all employees.

(19) Medication aides are restricted in the scope of activities they may perform. Those restrictions are established in Title 63 O.S. § 1-1950.3(E).

(20) County jails, under the authority of the sheriff and Title 19 O.S. § 531(B), may *deduct monies collected from an inmate as a medical payment on account for each medical services visit the inmate receives while incarcerated in the county jail, except as otherwise provided in Title 19 O.S. § 531(B).*

(21) Inmates are responsible for the costs of incarceration, medical care and treatment as provided in Section 979a of Title 22 of the Oklahoma Statutes.

### **310:670-5-9. Mail and visitation**

Written policies and procedures shall govern inmate correspondence and visitation. For the purposes of this section, correspondence, mail and email shall have the same meaning. Policies and procedures shall include at least the following:

(1) There shall be no limitations on the volume of mail an inmate may send or receive as long as the inmate provides postage or email access fees and the inmate conforms with correspondence policies. The facility shall provide postage or email access, one (1) time per week, for inmates who do not have funds for correspondence with their attorney, court officials, elected officials, and next of kin.

(2) The number of approved correspondents for an inmate shall be unlimited unless restrictions are imposed based on violation of the facility's correspondence policy. A facility shall allow inmates access to publications to the extent that such access is consistent with security.

(3) Prior to delivery, incoming and outgoing inmate mail may be subject to inspection for contraband items or violations of content restrictions as established in the facility's correspondence policies .

(A) Outgoing mail violating correspondence policies will be returned to the inmate with an explanation of the violation unless it is used as evidence in a court/ disciplinary hearing. The inmate may also be placed on a restricted correspondence list and/or be subject to disciplinary action.

(B) Inmate mail received which violates the facility's correspondence policies will be held for 15 days pending inmate response to a written notice of the facility's intent to return the correspondence. With the exception of contraband in violation of state or federal law, pending the outcome of any grievance hearing, the inmate will be notified as to his/her option for disposal by either having the material returned to the sender, sending the material home at the inmate's expense, or having the material destroyed.

(4) Incoming inmate mail from court officials, the inmate's attorney and elected public officials shall be opened and inspected for

contraband only in the presence of the inmate.

(5) Outgoing inmate mail to court officials, the inmate's attorney and elected public officials shall not be opened.

(6) Cash, checks or money orders received from incoming mail may be

accepted and credited to the inmate's account at the discretion of the facility's policy. Charges to inmate funds must conform to Title 19 O.S. § 531. Contraband shall be removed if it is discovered in either incoming or outgoing mail.

(7) Outgoing mail shall be collected and sent daily except Sundays and holidays. Incoming mail shall be delivered to inmates within twenty-four (24) hours of its arrival at the facility with the exception of weekends.

(8) The number of visitors an inmate may receive and the length of visits shall be limited only by facility security, visitation, space and schedules.

(9) Licensed attorneys shall be allowed additional visitation privileges and accommodations, which ensure privacy and are consistent with security.

(10) Policies and procedures shall be developed to address special visits for persons who have come long distances.

(11) Visitors shall register upon entry to the facility and may be searched as established by jail policy.

(12) Visitation by a person under age 18 may be permitted if the visitor is a member of the inmate's immediate family and if a parent or legal guardian accompanies the visitor.

(13) Licensed clergy may be allowed additional visitation privileges and accommodations which ensure privacy and are consistent with security.

(14) A court order restricting outgoing or incoming correspondence or telephone calls for an inmate shall supersede this rule.

### **310:670-5-10. Training and staff development**

(a) **Training policies.** The administrator shall develop policies and procedures for staff orientation and training. The training program shall be supervised by a designated employee. A facility with more than one-hundred (100) employees shall employ a full-time person for staff orientation and training.

(b) **Training and testing requirements.** Policies and procedures shall include at least the following requirements for training:

(1) A new employee whose primary responsibilities include supervision of inmates shall receive orientation and training prior to job assignment by the employing agency. An employee who has received orientation and training may be assigned to inmate supervision prior to passing the Detention Officer examination.

(2) All employees, including the detention facility administrator and all supervisors, whose primary responsibilities include supervision of inmates, shall receive at least twenty-four (24) hours of training during the first year of their employment that covers at least the following:

- (A) Security procedures;
- (B) Supervision of inmates;
- (C) Report writing and documentation;
- (D) Inmate rules and regulations;

- (E) Grievance and disciplinary procedures;
- (F) Rights and responsibilities of inmates;
- (G) Emergency procedures;
- (H) First aid and cardiopulmonary resuscitation; and
- (I) Requirements of this Chapter.

(3) After the first year of employment, an employee whose primary responsibilities include supervision of inmates shall receive at least the training listed below.

(A) Four (4) hours review of the required training identified in paragraph two (2) of this section.

(B) Four (4) hours of training as directed by the administrator; the content and instructors shall be selected by the administrator.

(C) Renewal training as required for first aid and cardiopulmonary resuscitation skills.

(4) A documentation log shall be maintained by the Administrator to record the courses completed by each employee for their initial and annual training and include test results.

(5) Training may be given through other programs that have first been reviewed and approved by the Department.

(6) An examination covering the standards in this Chapter is required for new employees whose primary responsibilities include supervision of inmates. The examination shall be completed within the first year of employment unless there is documented evidence an examination was not available, or other extenuating circumstances caused the delay. In the event of delayed examination, an examination will occur at the next available opportunity. A passing score on the test as administered by the Department or its representatives shall be seventy (70) percent or higher. Any person scoring less than seventy (70) percent shall not be considered to have satisfactorily completed training and may retest as necessary for a period of up to one year.

(c) **Training program approval.** An entity which desires to sponsor a training program shall file an application for approval on the forms prescribed by the Department.

(1) No training examination program shall be operated, and no students shall be solicited or enrolled, until the Department has approved the program.

(2) The application requires the following information:

(A) Name and address for the entity sponsoring the program and for the contact person for the program;

(B) The location of the administrative office of the program and the location where records are maintained;

(C) A program plan that follows the minimum curriculum for the standards in this Chapter, as prescribed by the Department including, but not limited to:

(i) the specific knowledge outcomes for the course(s);

(ii) an outline of the associated content for each knowledge outcome;

(iii) the teaching methods and any instructional media to be utilized;

(iv) a breakdown of the curriculum into clock hours of instruction.

(D) A sample training completion certificate;

(E) Education and experience requirements for training instructors.

(d) **Requirements for administration of the examination.** An entity which desires to sponsor an examination shall file an application for approval on the forms prescribed by the Department.

(1) The examination shall be administered and evaluated only by a Department approved entity which may be periodically monitored by the Department.

(2) Each examination entity must provide the Department with the following:

(A) Name and address for the entity sponsoring the examination and for the contact person for the program;

(B) The location of the administrative office of the program and the location where records are maintained;

(C) Written job analysis studies to determine the pool of test questions;

(D) Test question validation studies;

(E) Assurances of how the examination process will be secured from tampering and compromise.

(3) Each examination entity shall provide the examinee with the following:

(A) The notice showing pass/fail results;

(B) The notice shall specify the areas of failure.

(4) The Department may withdraw approval of a testing entity when it allows one or more of the following:

(A) Disclosure of the examination;

(B) Allowing another entity not approved by the Department to score the examination;

(C) Tampering with the examination;

(D) The examination was administered by a non-qualified individual.

(5) The trainee may sit for the examination at a different location than where training was completed if the testing entity is provided with a training completion certificate from the training entity.

(e) **Content of the examination.** The competency examination shall:

(1) Address each requirement specified in the minimum curriculum for the standards in this Chapter, as prescribed by the Department;

(2) Be developed from a pool of test questions, only a portion of which is used in any one (1) examination;

(3) Use a system that prevents disclosure of both the pool of test questions and the individual examination results.

(f) **Successful completion of the examination.** An individual shall score at least seventy (70) percent on the examination for a passing score.

(g) **Failure to complete the competency examination.** If an individual does not complete the competency examination successfully, the individual shall be notified by the testing entity of, at least, the following:

(1) The areas which the individual did not pass;

(2) That the individual may retest as necessary for a period of up to one year.

### **310:670-5-11. Physical plant**

(a) **Existing facilities.**

(1) The reception and release area shall be located inside the security perimeter, but outside the inmate living area. There shall be a secure weapons storage area outside of the custody perimeter.

(2) All cells and living areas shall have at least forty (40) square feet of floor space for the initial inmate and at least twenty (20) square feet of floor space for each additional inmate occupying the same cell. Double-celling of inmates is permitted if there is at least sixty (60) square feet of floor space for two (2) persons.

(3) The facility shall have at least one (1) special purpose cell to provide for the temporary detention of inmates under the influence of alcohol or dangerous substances or for persons who are uncontrollably violent or self-destructive. These cells shall be designed to prevent injury.

(4) The housing and activity areas shall provide, at least the following:

(A) Lighting of at least twenty (20) foot candles;

(B) One (1) toilet and one (1) washbasin, with hot and cold running water, in every cell or dormitory at a ratio of at least one (1) toilet and one (1) washbasin to twenty (20) inmates; and

(C) A shower with non-skid floors and with hot and cold running water, at a ratio of at least one (1) shower to twenty (20) inmates in the housing areas.

(5) There shall be sufficient floor drains to ensure a sanitary facility.

(6) There shall be designated and marked emergency evacuation exits that comply with the requirements of the Oklahoma State Fire Marshal and which permit prompt evacuation of inmates and staff in an emergency.

(7) A county may provide a dormitory-style detention facility to accommodate up to medium-security inmates. It shall be equipped with washbasins, toilets and showers with hot and cold running water at a ratio of at least one (1) washbasin, one (1) toilet and one (1) shower to twenty (20) inmates. A dormitory-style detention facility shall meet all requirements for a detention facility.

**(b) New facilities and substantial remodeling of facilities (after January 1, 1992).** Plans for the construction of a new facility or the substantial remodeling of an existing facility shall be submitted to the Department for review and approval. Detention facilities are encouraged to submit plans to the Department for any re-modeling or repair that does not meet the substantial remodeling threshold to ensure standards are met.

(1) A new detention facility shall be geographically accessible to criminal justice and community agencies.

(2) The reception and release area shall be located inside the security perimeter but outside inmate living area. The reception and release area shall have the following components:

(A) Sally port;

(B) Secure weapons storage, outside the detention facility custody perimeter;

(C) Temporary holding rooms with adequate seating for its rated capacity, toilets and washbasins;

(D) Booking area;

(E) Medical examination room;

(F) Shower facilities;

(G) Secure area for inmate personal property storage;

(H) Telephone access;

(I) Interview room; and

(J) General administration space.



- (3) Cells shall be constructed and arranged to allow direct natural light into each area where feasible.
- (4) Windows installed after January 1, 2018, shall conform to ACA standards as adopted in 2017.
- (5) All areas shall provide for at least twenty (20) foot candles of light.
- (6) Each cell and detention room shall have at least forty (40) square feet of floor space for the initial inmate, and at least twenty (20) square feet of floor space for each additional inmate occupying the same cell. Double-celling is permitted if there is at least sixty (60) square feet of floor space for two (2) persons. Each room or cell shall have:
  - (A) One (1) toilet and one (1) washbasin with hot and cold running water, for every single or double occupancy cell or dormitory at a ratio of at least one (1) toilet and one (1) washbasin to twenty (20) inmates.
  - (B) Bunks and storage as indicated by square feet.
- (7) A county may provide a dormitory-style detention facility to accommodate minimum security inmates. A dormitory-style detention facility shall be equipped with washbasins, toilets and showers with hot and cold running water at a ratio of at least one (1) washbasin, one (1) toilet and one (1) shower to twenty (20) inmates. A dormitory-style detention facility shall meet all requirements for detention facilities.
- (8) There shall be a dayroom area for each living unit containing at least thirty-five (35) square feet of floor space per inmate for the maximum number of inmates who use the dayroom at one time. It shall be separate and distinct from the sleeping area but immediately adjacent and accessible.
- (9) Living areas shall be planned and organized to permit segregation of inmates according to existing laws, and the facility's classification plan.
- (10) Each facility shall have at least one (1) special purpose cell or room to provide for the temporary detention of persons under the influence of alcohol or dangerous substances, or for persons who are uncontrollably violent or self-destructive. Such cells shall be designed and located to prevent injury to confined persons.
- (11) There shall be showers with hot and cold running water at a ratio of at least one (1) shower to twenty (20) inmates in the housing areas.
- (12) There shall be floor drains maintained in working order .
- (13) If the facility maintains an arsenal it shall be located outside the inmate area accessible only to authorized persons for secure storage, care and issuance of weapons, firearms, ammunition, chemical agents and other related security equipment .
- (14) Space shall be provided for the secure storage of items an inmate has in his possession at the time of booking.
- (15) Space shall be provided for administrative, professional and clerical staff, including conference rooms, storage room for records, public lobby and toilet facilities.
- (16) There shall be designated and marked emergency exits that comply with the requirements of the Oklahoma State Fire Marshal and which permit prompt evacuation.
- (17) In areas not specifically covered by these standards, new buildings

and buildings undergoing substantial remodeling shall generally meet requirements of the State Fire Marshal and the plans shall be approved by the State Fire Marshal.

(c) **Temporary tent detention facilities.** The Department must approve the establishment and design of this type of facility. The State Fire Marshal must approve it. A county may erect a tent detention facility which is temporary in nature, to meet the needs of the county for confining minimum-security inmates. A tent detention facility shall not detain juveniles and shall maintain continuous, physical and architectural separation of male and female inmates. A tent detention facility shall not be required to meet minimum requirements for a detention facility but shall provide at least the following:

(1) **Accommodations.**

- (A) Basic daily living needs;
- (B) Medical needs;
- (C) Shelter from inclement weather;
- (D) Freedom from obvious safety hazards;
- (E) Fire extinguishers as recommended by the Oklahoma State Fire Marshal; and
- (F) General comfort consistent with security and control of inmates.

(2) **Security.**

- (A) Tents erected inside a fenced area suitable for guarding and controlling inmates; and
- (B) Permit inmates to have visitors consistent with security requirements.

#### **SUBCHAPTER 7. STANDARDS FOR DETENTION FACILITIES HOLDING JUVENILES**

##### **310:670-7-1. Standards for detention facilities holding juvenile offenders**

(a) A juvenile shall be incarcerated only in a city or county detention facility authorized by the appropriate judicial or juvenile bureau authority. A juvenile shall not be detained in any holding facility or lockup facility. This requirement does not preclude juveniles being held in non-secure areas until a parent or other responsible party arrives to take custody of the juvenile.

(b) Prior to a juvenile being placed in an eligible detention facility, permission shall be obtained from the appropriate judicial or juvenile bureau authority. A record of permission shall be maintained at the facility.

(c) Sight checks of juvenile inmate living areas shall be performed at least one (1) time each hour. The check shall include all areas of each cell and the inmates shall be visually observed. Checks shall be documented in writing on a form provided by the administrator.

(d) An adult inmate who is assigned trusty status shall not be permitted sustained contact with a juvenile inmate. A staff member shall serve a juvenile inmate's meals.

(e) In addition to existing visitation privileges, juvenile inmates shall be permitted visits from authorized juvenile agency personnel. Visits from family members, who are unable to visit during normal visiting hours shall be allowed so long as arrangements for them are made in advance, with the administrator, and provided they do not jeopardize security. Each facility

that holds a juvenile shall have written policies and procedures for such visits.

(f) A juvenile inmate shall be able to communicate with staff members at all times. This can be either by voice or electronic means. If electronic systems are used, there shall be a backup plan to insure communication ability is maintained.

(g) No staff member shall be permitted to enter a juvenile inmate living area i.e., past the last locked door, without backup assistance being available from another staff member. At least one (1) staff member shall be of the same sex as the juvenile inmate except in life endangering situations. Anytime a decision is made to enter the living area without appropriate backup assistance as defined above, the action shall be documented. Documentation shall show the reason for the decision and a permanent record shall be maintained.

(h) A juvenile charged with a crime which would constitute a felony if committed by an adult, or a juvenile who is an escapee from a juvenile training school or from a Department of Human Services group home, may be detained in any detention facility authorized by the appropriate judicial or juvenile bureau authority, police station or similar law enforcement office, not approved for long-term detention, for a period of six (6) hours or less for identifying, processing or arranging for transfer to a juvenile detention facility or alternative program. In no other circumstances shall a juvenile be securely detained in an adult detention facility.

**310:670-7-2. Certification of detention facilities holding juvenile offenders**

(a) The Department will coordinate with the Office of Juvenile Affairs to certify detention facilities for holding juvenile offenders based on a facility's compliance with the rules in this Subchapter [10A O.S. § 2-3-103(E)].

(b) The designation of a detention facility as a place for the detention of juveniles is made from a list of eligible facilities supplied by the Department of Health. Eligible facilities are those facilities deemed by the Department as compliant with the applicable standards of this Chapter.

**310:670-7-3. Recording and reporting the use of detention facilities to hold juvenile offenders**

(a) Any adult jail, lockup or other adult facility shall record and report, in a manner consistent with requirements of the Office of Juvenile Affairs, the detention of any person under the age of eighteen (18) [10A O.S. § 2-3-103(F)].

(b) Records of detention for persons under the age eighteen (18) and detained in the last year shall be subject to review during the Department's annual inspection.