



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

The Honorable Meyera E. Oberndorf
Mayor, City of Virginia Beach
Office of the Mayor
Municipal Center
City Hall Building
Virginia Beach, Virginia 23456

April 16, 1996

Re: Notice of Findings from Investigation of
Virginia Beach City Jail

Dear Mayor Oberndorf:

On February 8, 1995, we notified you of our intent to investigate the Virginia Beach City Jail ("VBCJ") pursuant to the Civil Rights of Institutionalized Persons Act ("CRIPA"), 42 U.S.C. § 1997 et seq. Consistent with the requirements of CRIPA, the purpose of this letter is to advise you of our findings from this investigation, the supporting facts, and to recommend necessary remedial measures.

Our investigation consisted of tours of the facility with expert consultants, the examination of documents, and extensive interviews with prisoners and staff at the facility. We were accompanied on our tours by three consultants: a penologist, a medical expert, and a fire safety/environmental sanitarian, all with expertise in jail facilities. Throughout the course of this investigation, City officials and VBCJ staff extended to us and our consultants their cooperation, for which we wish to convey our thanks.

In making our findings, we recognize that VBCJ confines both pretrial detainees and post-conviction inmates. In general, inmates may not be subjected to conditions that are incompatible with evolving standards of decency or deprive them of their basic human needs while incarcerated. See Estelle v. Gamble, 429 U.S. 97 (1976). With respect to the pretrial detainees, the Fourteenth Amendment prohibits punishment of these persons and restrictive conditions or practices that are not reasonably related to the legitimate governmental objectives of safety, order, and security. Bell v. Wolfish, 441 U.S. 520 (1979). For those convicted of a crime, the standard to be applied is the Eighth Amendment's proscription against cruel and unusual punishment. Wilson v. Seiter, 501 U.S. 294 (1991); Rhodes v. Chapman, 452 U.S. 337 (1981). When convicted prisoners are not,

CRIPA Investigation



JC-VA-004-002

as here, separated from pretrial detainees, the Fourteenth Amendment standard applies to all inmates. Although our consultants were favorably impressed with various correctional practices and policies at VBCJ, we found a number of conditions at the Virginia Beach City Jail which expose inmates to undue risks of harm. These conditions, detailed below, violate the constitutional rights of prisoners housed at the Jail.

The Virginia Beach City Jail is comprised of two connected three story buildings, Correctional Center One ("CC I") and Correctional Center Two ("CC II"), and two separate annexes, Annex I and Annex II. Annex I consists of single cells and currently is not used. Annex II houses only female inmates. The original Jail, CC I, was built in 1978, and CC II was built in 1991. The Jail has a rated capacity of 563 inmates. On the day of our tour, the Jail housed 865 inmates. The Jail routinely operates at 150 percent over its capacity.

I. Correctional Deficiencies.

A. Incidents of Violence. There is a high level of tension at VBCJ which has led to inmate-upon-inmate assaults. After reviewing numerous documents detailing incidents of inmate assaults, and speaking to several prisoners, our consultant concluded that serious physical altercations between inmates occur at the Jail.

The inmate-on-inmate violence is primarily a result of two factors: (1) significant crowding and (2) inadequate supervision. VBCJ routinely operates at 150 percent of its capacity. In virtually all of the general population housing units, most inmates spend nearly 24 hours a day in overcrowded conditions in close proximity with other inmates. Absent amelioration, this results in increased tension which can and does lead to violence.

VBCJ maintains incident reports which record reported and discovered inmate assaults. VBCJ staff does not, however, adequately analyze and evaluate these reports. Routine evaluation of incident reports would inform VBCJ administrators of assault patterns and high risk areas of inmate violence.

The levels of staffing at VBCJ have not kept pace with the burgeoning inmate population. Indications of inadequate staffing are apparent by the routine use of significant overtime and over-reliance on video surveillance. Officers are routinely required to work twelve hour shifts. This practice leads to officer fatigue and loss of concentration, which may pose risks to inmate safety.

VBCJ's heavy reliance on video surveillance is a further indication of inadequate staffing. While video surveillance may

be appropriate as a back-up system, VBCJ inappropriately relies on this system to replace necessary visual observation. Indeed, the control center in CC I has a bank of 46 television monitors, and CC II has a bank of 26 monitors. Notably, only one officer is assigned in each control center to watch the monitors.

B. Out-of-cell/exercise time is insufficient. VBCJ fails to provide adequate out-of-cell opportunities for exercise. Our consultant concluded that the amount of out-of-cell exercise allowed to inmates at VBCJ is only a fraction of what one would find in similar institutions nationally. On average, VBCJ inmates are provided an opportunity for outdoor exercise once every two weeks. Several inmates we encountered had not been outdoors in several months. This practice is unacceptable and further exacerbates the level of tension at the Jail.

C. Inadequate access to courts. VBCJ inmates are not afforded adequate access to the courts. Specifically, VBCJ inmates are not given adequate writing instruments, as only new, unsharpened pencils are provided to inmates. For clear security reasons, inmates are not permitted sharpening devices; therefore, they must necessarily rely upon officers to sharpen the pencils. In view of inadequate staffing, this circumstance leaves inmates without any writing instrument. As such, they are unable to write to the courts or their attorneys.

II. Deficiencies in medical care.

Our medical consultant was favorably impressed with the health care provided at VBCJ. There were only a few deficient areas which are in need of attention and correction.

A. Initial screening and routine examinations are deficient. VBCJ's initial screening and routine examinations are inadequate in that no abdominal or pelvic examinations are performed. Indeed, the nurse's exam room does not even have an examination table. This is unacceptable. The failure to perform abdominal and pelvic examinations results in the inability to detect abnormal conditions and disease.

B. Physician care is marginally adequate. VBCJ has a minimally adequate amount of medical staff. Given the size of VBCJ's inmate population and the fact that no one on the medical staff is authorized to prescribe medication, our consultant concluded that the amount of on-site physician availability is marginal.

C. Dental Services are inadequate. VBCJ does not provide adequate dental services. VBCJ does not have a dental hygienist. Moreover, the dental examination room is too small to provide adequate services for the number of inmates at VBCJ. Indeed,

several inmates complained of significant delays in accessing dental services.

D. Medical copayment program. VBCJ charges inmates for over-the-counter medications. Inmates are allowed two tablets, such as tylenol, for pain per day at no charge. Additional tablets are only available at a charge, i.e., 50 cents per two tablets. Although a payment system is not illegal per se, it is imperative that all inmates receive adequate medical treatment irrespective of their ability to pay.

E. Medical Records. VBCJ maintains inmate medical records in unlocked file cabinets in a commonly used hallway. This practice is unacceptable because it compromises the security and confidentiality of medical records.

III. Environmental Health and Safety Deficiencies.

Our consultant noted relatively few items in need of correction in the area of environmental health and safety. Indeed, if these items are properly addressed, VBCJ would pose no threats to the environmental health and safety of inmates.

Accordingly, we have only highlighted below those deficiencies which pose a significant environmental threat. We are enclosing a copy of our consultant's report to direct your attention to less severe deficiencies.

A. Fire safety is inadequate. Our consultant noted that electrical safety at VBCJ is generally good with only a few deficiencies. Of particular note, the electrical conduit box inside the freezer in the food preparation area is missing a cover thereby exposing inmates to live electrical wiring and current.

VBCJ's fire plan has not been reviewed by an outside fire inspector or fire marshal. Moreover, VBCJ's written policies and procedures fail to include written preventive fire safety measures (e.g., annual inspections, quarterly testing of equipment).

VBCJ was unable to provide documentation of fire drills. However, our consultant was so favorably impressed by VBCJ's response to the fire drills he conducted, he concluded that VBCJ personnel are competent and knowledgeable of fire safety responsibilities. Nevertheless, it is important that VBCJ document compliance with routine drills.

B. Plumbing is deficient. VBCJ does not have vacuum breakers where needed. Vacuum breakers are devices needed to prevent back-flow of contaminated water into the potable clean

water system. The absence of vacuum breakers poses a significant risk to inmates.

VBCJ fails to provide an adequate amount of toilets, showers and lavatories for the number of inmates housed at the Jail. This is unacceptable as it increases the risk of transmission of infectious diseases.

C. Universal precaution deficiency. VBCJ fails to properly handle clothing and linen contaminated with blood and other body fluids. While contaminated articles are properly separated for transport, storage and laundry, the items are not properly labelled as biohazardous materials. This is unacceptable and poses a significant hazard to inmates.

D. Personal hygiene deficiencies. VBCJ engages in practices which compromise the personal hygiene of inmates thereby increasing the risk of transmission of infectious diseases.

First, VBCJ dispenses only one razor to every three to four inmates, necessarily requiring inmates to share razors. The practice of sharing razors could jeopardize the health of inmates via possible cross-contamination of diseases.

Second, VBCJ fails to make hygiene products reasonably available. The Jail distributes an arbitrary amount of sanitary napkins to each female inmate every month. In order to get additional sanitary napkins, inmates are required to show an officer a soiled napkin. This practice is unacceptable. Additionally, while VBCJ officials reported that indigent inmates receive soap for personal hygiene, numerous inmates complained that this was not true. Moreover, those inmates who have received soap via VBCJ's program for indigents reported significant delays in actually receiving soap and other hygiene items.

Finally, VBCJ fails to provide underwear to newly arrested people who are wearing "unacceptable" underwear at the time of their arrest. Unacceptable underwear is defined by VBCJ as any underwear other than all white underwear devoid of any ornamentation or decoration. If any ornamentation or even slightest coloring exists, the inmate's underwear is taken and no replacement is given. As a practical matter, this practice results in inmates having no underwear for extended periods of time. This practice lacks penological justification.

E. Pest control deficiencies. Our consultant noted several areas in the food storage area which need specialized pest control attention. Indeed, rodent droppings, fruit flies, flies and ants were noted in the storage area.

F. Ventilation deficiency. With the exception of dorm W-2-H, our consultant found the ventilation to be adequate. It is imperative that proper ventilation is provided in all housing units to prevent the transmission of infectious diseases.

G. Cell Sanitation. VBCJ is relatively clean. VBCJ does not, however, have a written housekeeping plan nor does it document routine sanitation inspections of housing units.

H. Asbestos testing. While VBCJ staff reported that no asbestos exists at the Jail, an asbestos survey has never been performed at the Jail. After inspecting the Jail, our consultant believes that an asbestos survey should be performed to verify the nonexistence of asbestos.

IV. Remedial Measures Regarding Correctional Deficiencies.

A. Incidents of Violence. Take immediate measures to significantly reduce the inmate population. VBCJ must explore long term housing solutions.

Security and supervision of inmates must be significantly enhanced by increasing the number of qualified deputies and other security personnel to reduce violence and otherwise ensure the reasonable safety of inmates. Records regarding violent incidents must be evaluated at appropriate intervals to enable Jail administrators to deploy properly security personnel.

B. Out-of-cell/exercise time. Inmates must be provided with exercise outdoors, when weather permits, one hour per day, five days per week. Reasonable exercise equipment and activities should be provided for both indoor and outdoor exercise.

C. Access to the courts. Inmates must be provided with adequate access to the courts, including writing instruments necessary to write letters and draft other documents.

V. Remedial Measures Regarding Medical and Mental Health Care.

A. Initial screening and routine examinations. Initial screening and routine examinations must consist of a complete physical assessment, including abdominal and pelvic examinations. Adequate space and medical equipment must be provided to facilitate such complete, routine examinations.

B. Physician care. VBCJ must reassess the amount of on-site physician availability.

C. Dental services. Ensure that access to dental care is provided in a timely manner. Dental services should not be limited to extractions.

D. Medical copayment program. VBCJ must reevaluate its fee system regarding charges for over-the-counter medications.

E. Medical records. Medical records must be maintained in a secure manner consistent with generally accepted practices.

VI. Environmental Health and Safety.

A. Fire safety. Ensure that inmates are not exposed to live electrical wiring and current.

Ensure independent monitoring of evacuation procedures by the State Fire Marshal.

Conduct fire drills throughout the building on a regular basis. Drills should be conducted quarterly on each shift and compliance must be documented.

B. Plumbing. Provide vacuum breakers to prevent back-flow of contaminated water into the potable clean water system.

Provide an adequate amount of showers, toilets and lavatories for the number of inmates housed at VBCJ.

C. Universal precautions. Contaminated clothing and linen must be handled properly. Ensure that a biohazardous symbol is clearly visible.

D. Personal hygiene. Ensure that needed personal hygiene items including sanitary napkins, individual razors, and soap, are made reasonably available to every inmate irrespective of ability to pay.

Ensure that inmates with underwear deemed unacceptable by VBCJ are provided underwear.

E. Pest control. Ensure adequate pest control, particularly in food storage areas.

F. Ventilation. Ensure proper ventilation in all housing units.

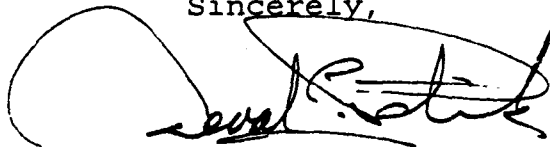
G. General sanitation. Implement a Jail housekeeping plan which includes routine sanitation inspections of housing units. Document compliance with the housekeeping plan.

H. Asbestos. Ensure that asbestos is not present at VBCJ. Should asbestos be found, draft and implement a management plan to ensure its prompt removal.

Pursuant to CRIPA, the Attorney General may initiate a lawsuit to correct deficiencies at an institution 49 days after appropriate local officials are notified of them. 42 U.S.C. § 1997b(a)(1). We expect to hear from you as soon as possible, but no later than 49 days after receipt of this letter, with your response to our findings and a description of the specific steps you have taken, or intend to take, to implement each of the minimum remedies set forth above. If you do not respond within the stated time period, we will consider initiating an action against your jurisdiction to remedy the unlawful conditions.

We look forward to working with you and other City officials to resolve this matter in a reasonable and expeditious manner. If you or any member of your staff have any questions, please feel free to contact the attorney in the Special Litigation Section assigned to this matter, Shanetta Y. Brown (202) 514-0195.

Sincerely,

A handwritten signature in black ink, appearing to read "Deval L. Patrick", is written over a horizontal line.

Deval L. Patrick
Assistant Attorney General
Civil Rights Division

Enclosure

cc: Mr. Frank Drew, Sheriff
Virginia Beach City Jail

Mr. James K. Spore
Virginia Beach City Manager

Leslie L. Lilley, Esquire
Virginia Beach City Attorney

Helen F. Fahey, Esquire
United States Attorney
Eastern District of Virginia

Kristine Marcy, Esquire
Associate Director for Operations Support
United States Marshals Service

Ms. Amy Dale
Assistant Administrator
Federal Bureau of Prisons

I, James J. Balsamo, Jr. was employed as a private consultant by the United States Department of Justice to provide expert consultative services by evaluating the sanitation and life and health safety conditions provided at the Virginia Beach Jail in Virginia Beach, Virginia.

My opinions noted in this report are based on my site visit and inspection of the above noted facility on May 18 and 19, 1995; my review of policies and procedures, fire drills reports, tests performed on the fire alarm system and emergency generator and lighting, as well as conversations with both jail personnel and inmates. This report reflects the status of the items noted during the inspection.

My conclusions, in summary fashion, as to the adequacy of sanitation and life and health safety conditions at this jail is that although the jail appears to be in good condition, some fire safety, sanitation policy/procedures and emergency plans need to be addressed. With very little effort, this facility could improve markedly.

I. General Sanitation and Safety

A. Electrical Safety

Electrical Safety is generally good except as noted below.

1. An electrical conduit box cover is missing inside the freezer in the food preparation area thereby exposing inmates and employees to live electrical wiring and current.
2. Fluorescent light bulb covers are missing in the food service area and they must be provided to protect foods from possible glass contamination should the bulbs break.
3. In Cell C-205, the fluorescent light is flickering possibly because of a faulty starter or bulb. This interferes with the provision of adequate lighting.
4. The ceiling light in the dish washing area is inoperative.

B. Air Quality

The HVAC System is maintained by an outside contractor. The preventive maintenance (PM) program is handled by work orders to change filters and belts. Showers are on the exhaust system and the air handlers are on emergency power. I was told CC-1 (old/front) ambient temperature is maintained at 75°F and CC-2 (New back) ambient temperature is maintained at 73°F. I was told that the system has not been balanced. Medical isolation negative pressure cells in CC-2 are also on emergency power. Air conditioning units shutdown in the area of fire alarm activation or smoke defection.

Summer Acceptable Range 66-88°F - Optimal 71°F

Winter Acceptable Range 61-73°F - Optimal 70°F

I recorded temperatures in all areas as follows:

Unit A 2-A (Annex)	70°F (at 5')	- acceptable
Unit A 2-C (Annex)	70°F (at 5')	- acceptable
Unit A 2-C (Annex)	80°F (at 5')	- acceptable
Dorm W 1-B	70°F (at 5')	- acceptable
W 2-C	74°F (at 5')	- acceptable
CC-I-2N	77°F	acceptable

I recorded air volumes in the following areas as noted below: (10 cfm per inmate is minimally acceptable)

<u>Location</u>	<u>cfm of air</u>	<u>#inmates</u>	<u>Status</u>
Unit 2-C	3055 cfm	14	acceptable 250 cfm/per inmate
Unit 1-A	875 cfm	12	acceptable 73 cfm/per inmate
Dorm J	89 cfm	9	acceptable just at 9 cfm/m for 9 inmates <u>only</u>
Dorm W-2-H	45 cfm	8	unacceptable 5.6 cfm per inmate is provided and 10 cfm per inmate is the minimum acceptable level

The ventilation in this facility, except for Dorm W-2-H, appears to be adequate for inmate health and safety.

The ventilation in dorm W-2-H needs to be repaired to provide at least 10 cfm per inmate.

C. Water Quality

The laboratory report, dated February 1, 1995, concerning the water, which is supplied from the city, indicated that a good chlorine residual exists and no coliform bacteria were found in the water.

The potable water system in this facility appears to be in good condition except that vacuum breakers (to prevent backflow or back-siphonage of contaminated water into the potable, clean, water system) are not provided where needed. Examples of this are noted below:

- The showers in Units W-2-C and W-2-J run constantly and a plug in the shower head is the control mechanism.
- In Unit CC-I Mop Closet, next to room 231, the hose bib for the mop sink is not equipped with a vacuum breaker. (Photo #1)

- Dietary area dish washing room - no vacuum breaker is provided for the submerged water line feeding the garbage grinder.

D. General Sanitation and Sanitizing Procedures:

1. The Tuberculosis and HIV/HBV Exposure Plans appear adequate for this facility with one exception. One item dealing with bags for contaminated linen and clothing needs attention. Contaminated laundry is brought to the laundry in clear plastic bags, unlabeled as to contamination. Contaminated linen, clothing, etc., must be stored and transported in either red leakproof properly labeled "Biohazardous Waste" bags or containers. The biohazard symbol should be on the container or bag.

If clear bags are to be used they must be properly labeled in red letters denoting the waste as "Biohazardous Waste" along with the correct color "Biohazard Symbol." Contaminated waste disposal (red bag waste) is adequate via a medical waste contractor. These procedures must be included in the "Exposure Plans."

2. Correctional Officer Mangum answered correctly how she would handle a bloodborne pathogen spill or contamination.
3. Medical isolation cells are provided at this facility.
4. Each inmate should be provided articles needed for personal hygiene including razors, soap, toothbrushes, toothpaste/powder, and towels/wash cloths. The practice of sharing razors, even in cups of bleach, could jeopardize the health of the inmates via possible cross contamination. Providing two razors for eight inmates or four razors for fourteen inmates is unacceptable. The practice of disposing of the razors after only one day use could be amended so that each inmate gets their own razor each day and disposal would occur only after one or two weeks use. Putting the razors in bleach is a good idea but is unnecessary if each inmate is issued their own marked razor. It can be issued daily for a short time period and then picked up for storage. This would save money on bleach and the number of razors used annually.

5. Pest Control

Pest control activities are carried out via contract with Duval and Payne Inc.

- Fruit flies were noted on the wall in the tray storage room in the dietary area. (Photo #)
- Flies were noted in the break out and bread rooms in the dietary area.
- Ants were noted on the wall and on bags of Jello and brownie mixes in the bakery storage area.
- Rodent droppings were noted in the dry storage room. (Photos # and #)

These areas need more or specialized attention. Written reports of visits and treatments should be provided by the contractor and maintained on the premises for review.

II. Cell Sanitation and Safety

The jail is relatively clean.

A. Sanitation and Housekeeping Plan

A written plan should be prepared that states the procedures used for the provision of cleaning supplies, proper waste disposal containers, and adequate sanitary supplies for cleaning purposes. This should include the schedules for clothing and bedding exchange and laundry procedures. It was determined that daily cleaning of cells is encouraged.

B. Sanitation Inspections

No inspection report forms are used at this facility. Weekly sanitation inspections of all jail areas by a designated, qualified administrative staff person should be conducted. A written report should be prepared and all noted items discussed with the person in charge of the jail. Corrective actions should be taken and documented. If the outcome is a work order, this needs to be documented. There should be annual inspections by state or local sanitation and health officials or other qualified consultants.

C. Toilets, Lavatories and Showers - Numbers Provided

One toilet per eight (8) female inmates is required, (1:8), and one toilet per twelve (12) male inmates is required. One lavatory per four (4) inmates is needed. One shower per eight (8) inmates is needed.

<u>Unit</u>	<u>Census</u>	<u>Capacity</u>	<u>Ratio/ No. of Toilets</u>	<u>Ratio/ No. of Showers</u>	<u>Ratio/ No. of Lav.</u>
Upstairs Annex	58	-	1:19/3	1:14/4	1:19/3
Downstairs Annex	12	16	1:12/1	1:10/4	1:12/1
Dorm W-1-B	10	13	1:10/1	1:10/1	1:10/1
Dorm W-1-D	13	14	1:13/1	1:13/1	1:13/1
Dorm W-2-H	8	8	1:2/4	1:8/1	1:2/4
Dorm W-2-J	9	9	1:9/1	1:9/1	1:9/1
Dorm W-2-C	14	15	1:7/2	1:14/1	1:7/2
CC-I-2-C	14	14	1:2/8	1:14/1	1:2/8
CC-I-2-P	8	8	1:8/1	1:8/1	1:8/1
CC-I-2-N	5	8	1:5/1	1:5/1	1:5/1

1. Inadequate number of toilets are being provided in the Annex Facility and in Dorms W-1-D and W-1-B.
2. Inadequate number of lavatories are being provided in the Annex, Dorms W-1-B, W-1-D, W-2-J, W-2-C, and CC-I-2-P.
3. Inadequate numbers of showers are being provided for the inmates in the Annex, Dorm W-1-B and Dorm W-1-D.

D. Lavatories and Showers - Water Temperatures

All water temperatures taken at cell lavatories and showers were within acceptable limits of 100-120°F.

<u>Location & Fixture</u>	<u>Water Temperature</u>
Annex Shower	120°F
A-2-A Lavatory	120°F
Dorm W-1-D Shower	104°F
W-2-H Cell 206-Lavatory	104°F
Dorm W-2-J Shower	100°F
Dorm W-2-C Lavatory	100°F
Dorm W-2-C Shower	106°F
Med Unit Shower	106°F
CC-I-2-C Shower	110°F
CC-I-2-P Lavatory	117°F
CC-I-2-P Shower	117°F
CC-I-2-H Lavatory & Shower	Hot Water Acceptable
Holding Cell Lavatory*	No Hot Water Provided
Dorm W-2-J Lavatory*	No Hot Water Provided

*Hot water is not being provided at the lavatories in the two areas not above.

E. Bedding and Mattresses

1. All bedding appeared clean and adequate.
2. Most mattresses are in good condition, however in the Annex, first floor housing unit, two mattress covers are torn and the end is open on another mattress. (Photo #)
3. Bedding exchange is accomplished weekly which appears to be adequate.
4. A pillow, pillow case, two sheets, and blankets are issued to all inmates.

F. Personal Hygiene Supplies

A hygiene pack is provided for each inmate which includes a wash cloth, toothbrush, one bar of soap, and toothpaste. All inmates had adequate personal hygiene supplies, with one exception. The female inmates are allowed only a limited number of feminine hygiene items. In order to receive additional supplies, they are required to show soiled items to jail personnel; this practice should be reconsidered. Also, the practice of three or four men using the same razor is in question as previously noted.

Also, only one hotel size bar of soap is provided per inmate and most inmates complained of this. Such a bar of soap possibly lasts three days; after that period of time, they do without or purchase more soap at the Welfare Canteen. This is allowed every two weeks. If the inmate has no money the correctional facility is said to provide more soap but inmates said this was not the case.

G. Adequate and Clean Linen and Clothing

1. New inmates are issued thongs and jumpsuits, which are exchanged two times per week.
2. Underwear must be white (for males and females) or they are taken away. Inmates must provide their own underwear, family members may bring such items to the jail or the inmates may purchase these items. It can sometimes take up to two weeks for colored underwear to be replaced by white, this length of time, for inmates to be totally without underwear, is unacceptable.
3. Personal items are put in individually marked laundry bags and sent to the cleaners once a week, either at the men's facility or the women's facility.
4. All inmates clothing appeared clean and adequate.

H. Cell Lighting

Most cell lighting is adequate for safety, reading, and personal hygiene purposes. Lighting should be at least 20 f.c.

Area Involved

Lighting Levels

Medical Treatment and
Medicine Prep. Room

Good Lighting

Unit A-2-C

26 f.c. at table top

Dorm W-1-B

30 f.c.

Dorm W-2-H Cell 206

25 f.c.

Dorm W-2-J

25 f.c. at table top

CC-I-2-C

10 f.c. not acceptable

CC-I-2-N

32 f.c. at table top

Booking Holding Cell

Less than 10 f.c.

not acceptable

I. Overcrowding

NSF = Net Square Feet (unencumbered) i.e. Gross cell s.f. minus the square footage of the floor area occupied by the bed, tables, and for toilets. (1 bed = 14.52 square feet)

<u>Area Involved</u>	<u>Gross S.P.</u>	<u>Net S.F.</u>	<u>Total No. of Beds</u>	<u>Total No. of Inmates</u>	<u>NSF/ Bed</u>	<u>NSF/ Inmate</u>
A-2-A	800	684	18	14	38.00	48.86
1st Floor Annex	622	504	16	12	31.50	42.0
Dorm W-2-H*	720	600	8	8	82.5	82.5
Dorm W-2-J	361	288	9	9	32.0	32.0
Dorm W-2-C	722	604	15	14	40.27	43.14

*Each cell in W-2-H = 72 gross square feet - 14.52 square feet (bunk footprint) = 57.48 NSF or 28.74 square feet/bed/cell.

All single inmate rooms or cells (inmate sleeping areas) must provide 60 square feet of unencumbered floor space. If confinement (single room/cell) exceeds ten (10) hours per day, not less than seventy (70) square feet of total floor space must be provided.

Multiple occupancy sleeping rooms should provide at least fifty (50) square feet per inmate.

Indoor and outdoor exercise areas should provide a minimum of fifteen (15) square feet per inmate.

III. Food Sanitation and Safety

A. Food Temperatures

1. Tray Preparation in Main Kitchen, Service in Annex.

In warmer - parsley potato = 171°F

In warmer - gravy = 170°F

On tray preparation - milk = 40°F

Holding oven - meat patties = 144°F

- These items will be brought to the Annex for feeding inmates. These temperatures were taken at 3:07 p.m.

At serving time in the Annex, 3:30 p.m., the temperatures are as follows:

Meat Patty = 125°F

Potatoes = 131°F

Milk was unrefrigerated in transit (Photo #)

The short time, twenty-three minutes, involved in transport does not present a health risk, but this time should be kept as short as possible.

2. Main Kitchen

Tomato meat sauce = 170°F

Hot pockets on tray preparation line = 158°F

There appears to be adequate facilities and good serving practices as to time/temperature regimes of potentially hazardous foods.

B. Food Holding Temperatures

1. Main Dietary Facility

- a. Walk-in freezer in staff kitchen registered 12°F. This should be near zero (0°F).

- b. Sandwich meat in the bakery refrigerator is 40°F. This is acceptable.

C. Food and Food Utensil Storage Practices

1. There is a buildup of slime mold along the wall floor interface in the walk-in refrigerator.
2. The tray drain behind the coffee urn is very dirty and needs cleaning. (Photo #)
3. Two Igloo Cooler tops are dirty and cracked. These tops must be replaced. (Photo #)
4. The portable warming cabinet with the yellow door contains spilled and cooked-on food on the inside and this must be routinely kept clean.
5. The Hobart slicer has old, dried food around the blade. (Photo #)
6. Food residues are on the inside of the pots and pans and better pot washing techniques are needed. (Photos # and #)
7. As noted previously in Section I-D-5, fruit flies were noted in the tray storage room, flies were noted in the breakout and bread room, ants were noted on the wall near the bags of Jello and brownie mixes in the bakery storage room, and rodent droppings were noted in the dry storage room. This must be corrected.

D. Sanitizing Practices

1. The hot water at the lavatory in the dietary area registered 125°F and this must be regulated in the range of 100-120°F to prevent persons from being accidentally burned by hot water.
2. Both the automatic dish/tray washing units are operating satisfactorily.
3. In the bakery area, it took almost three (3) minutes for hot water to get to the lavatory and food service workers using this sink will not wait three minutes before beginning hand washing. This needs to be corrected so hot water does not take three minutes to reach the sink.

E. Dietary Services

1. The facility's system of dietary allowances are to be reviewed at least annually by a registered dietician to meet nationally recommended food allowances.
2. Menu evaluations should be conducted at least quarterly to verify adherence to the Nationally Recommended Basic Daily Servings. A certified dietician's signature on the menus is necessary.
3. Therapeutic diets should be available on medical authorization. These medical diet prescriptions should be complete and specific, provided in writing to the food service manager and rewritten monthly. Mr. Randy Polley indicated he uses a four (4) week cycle menu. He says that he reviews all special diets ordered by a physician.

No evidence was presented to me that those diets were set up by and monitored by a registered dietician or nutritionist. Some inmates are on pre-natal, diabetic, lo-sodium and renal diets.

4. Weekly inspections of all food service areas should be conducted by a person familiar with food service standards.
5. It is recommended that at least ten square feet of kitchen floor space, excluding the food storage areas, be provided.

IV. Fire Safety and Emergency Preparedness

A. Emergency Plans and Procedures

1. Written fire safety and emergency operations plans (floods/hurricane/tornado/loss of utilities) has been prepared for this facility. The fire plan must be reviewed by an outside fire inspector or fire marshal and the other plans coordinated by the Community Emergency Preparedness Office.

Written policies and procedures should specify the jail's fire prevention rules, provide for annual inspections by local or state fire officials or other qualified persons, provide for a system of quarterly fire inspection and testing of equipment, require fire extinguishers and hoses to be checked (and documented) monthly and include evacuation

plans. Training requirements related to emergency preparedness and fire safety should be included in the written plans.

2. Although no documentation of fire drills was provided for my review, the response by correctional facility personnel during fire drills conducted by me, at both the Annex and Unit CC-I, indicates that personnel know what to do during a fire emergency. Drill reports should indicate the time, place, and type of fire drills conducted at this facility. The response time, who responded, and equipment readiness should be recorded during drills which should be performed on each shift at least quarterly in all locations, including administrative areas. Fire drills should include evacuation of inmates either to internal safe areas or other areas designated in the fire plan unless there is clear and convincing evidence that institutional security will be jeopardized.
3. Evacuation Plans have been developed and posted throughout the facility.

B. Inspections and Equipment Tests

1. A system of fire inspections and testing of equipment, at least quarterly or as per local authority having jurisdiction, should be implemented. Weekly fire and safety inspections of this jail should be conducted and documented by a jail employee with knowledge of fire safety. Monthly fire and safety inspections by a qualified fire and safety officer must be conducted and documented. Documents were provided which indicated self-contained breathing apparatuses (SCBA) are checked daily on the night shift along with fire extinguishers in the same SCBA storage areas. All fire extinguishers should be checked at least monthly and such checks documented. These monthly checks involve making sure the extinguishers are in place and fully charged.
2. Records indicate that the fire alarm and sprinkler systems are being tested quarterly by a fire alarm contractor and repairs are being made to the system when indicated.
3. The fire suppression system for the hoods in the bakery, new kitchen, and old kitchen are being checked at least every six months as required.

C. Electrical Emergency Generator and Work Orders

1. The emergency generator for the life safety and communication systems must be exercised at least every two weeks (preferably weekly) and tested under actual load at least monthly. This must be documented. Preventive maintenance for the generator must be documented.
2. Work orders are written, prioritized, status known and most completed in seventy-three (73) hours. Emergency work orders receive "Priority 1" status.

D. Miscellaneous Fire and Safety Items

1. Two sets of emergency keys are provided in a locked box.
2. One correctional officer (Mangum) could not properly don the SCBA unit and could not get the tank valve to work. The facepiece top strap was not properly fitting the top of her head. She appeared not to have had any recent SCBA training. All facility personnel must be trained in the implementation of written emergency plans.
3. The policy and procedure manual should contain provisions for governing the storage and use of all flammable, toxic, and caustic materials as per regulations.

V. Miscellaneous

A. Training

1. All correctional officers receive fire and safety training at the Basic Deputy School when they are first employed.
2. Refresher courses are offered every two years and it is recommended that as many as possible correctional officers be allowed to attend and this training properly documented.
3. The watch commander teaches the correctional officers how to wear self-contained breathing apparatuses (SCBA).

4. Training of jail personnel relative to emergency plans and operations must be routinely accomplished.

5. All training must be properly documented.

B. Sanitation Inspections

1. Weekly inspections should be performed by a designated administrative staff member.

2. At least annual inspections by federal, state, and/or local sanitation and health officials or other qualified people is recommended.

C. Asbestos

No asbestos survey has ever been performed at this facility and hence no Management Plan exists. I was told that no asbestos exists at this facility to their knowledge. Perhaps the state or county health officials could perform such an inspection to make sure no materials have been used at this facility. This would protect inmates and workers who may be exposed to asbestos if it exists at this jail.

D. Medical Refrigerator Temperature

The temperature inside the medical refrigerator was found to be within acceptable limits.

VI. Conclusion

Fire safety and emergency planning issues need to be addressed promptly. Periodic training needs to be provided and documented. A housekeeping plan needs to be developed and made available to all jail personnel and sanitation and fire safety inspections need to be performed and documented. Fire drills must be adequately documented. Additional toilets, lavatories, and showers are needed in areas noted in this report. Cell lighting for personal hygiene and reading purposes needs upgrading in CC-I-2-C and the booking holding cells. Some overcrowding issues exist and these must be adequately addressed. A registered dietician should be consulted to set up and monitor special diets and other meals. Weekly food service and jail cell sanitation inspections should be carried out by jail personnel and documented. Fire prevention inspections performed by jail personnel need to be implemented and documented. If the relatively few items noted in this report are properly addressed, this facility should pose no threat to life safety and health of inmates.