

**NARRATIVE REPORT
CHESTER COUNTY DETENTION CENTER
MAIN JAIL**

February 15, 2007

The annual inspection of the Chester County Detention Center (Main Jail) was conducted on February 15, 2007, by Mr. Robert E. Ellison, Jr., Detention and Correctional Inspector. The following violations of the Minimum Standards for Local Detention Facilities in South Carolina for Type II/IV facilities were noted:

1021 - Manual of Policies and Procedures:

- (a) Each facility shall have a written manual of all policies and procedures for the operation of the facility. Each policy and procedure shall be reviewed annually and updated as needed. These policies and procedures shall be made readily available to all personnel.

The facility's manual was still undergoing a revision and had not yet come into compliance.

- (b) The following standards require written policies and procedures:

1022	1066	2034
1036	1067	2035
1037	1068	2036
J1041.1	1081	2037
1042	1083	2051
1043	1091	2052
1044	1092	2053
1045	1093	2054
1046	2001	2055
1051	2002	2056
1061	2014-24	2070
1062	2030	2080
1063	2031	2090
1064	2032	3001.
1065	2033	

The Minimum Standards for Local Detention Facilities in South Carolina were updated more than a year ago. Some additional policies and/or procedures are now

mandated along with those revisions required to overcome all of the deficiencies cited previously. Staff indicated during the follow-up inspection that the manual has been updated, but has not been published nor has training been provided for staff.

1022 - Emergency Pre-Planning:

Each facility shall have current written procedures to be followed in emergency situations. These plans shall include procedures for the following emergency situations:

- fire
- disturbances
- escape
- suicides and attempted suicides
- taking of hostages
- power failures
- group arrests
- natural disasters
- bomb threats
- homeland security issues.

Discussion: The facility should detail in writing specific procedures which can be implemented quickly when an emergency occurs. The procedures should contain provisions for sounding an appropriate alarm, alerting officials, mobilizing needed resources, and ending the alert. For example, a fire suppression plan would be coordinated with, and recognized by, the local fire department and would include a fire prevention plan in the policies and procedures manual; regular facility inspections by staff; fire prevention inspections by the fire department having jurisdiction; an evacuation plan; and a plan for the emergency housing of inmates in case of a fire.

The facility must update specific procedures for the items listed in this Standard. At least one (1) additional pre-planning procedure is now required. Existing plans need to be revised to accurately identify step-by-step procedures which are to be enacted in the event of an emergency situation.

1031 - Number of Personnel:

- (b) Each facility shall have sufficient personnel to provide twenty-four (24) hour supervision and processing of inmates, to arrange full coverage of all identified security posts, and to accomplish essential support functions.

This facility is significantly understaffed. Current personnel levels do not provide coverage of all necessary security functions or posts, nor do they allow leeway for regular days off, vacations, sickness, training, etc. The employee numbers are deceptive because these published figures include the Prison Camp, which is actually a separate building with housing units and its own control room.

Sentenced inmates are providing the bulk of the maintenance work at the facility. These inmate workers are required by Standards to be under supervision at all times. However, proper oversight is not taking place, presumably due to lack of staff. This not only creates several Standards violations (e.g., 1063, 1064, 1065, and 1066); it also contributes to other serious security issues.

- (d) A staffing analysis (using NIC Staffing Analysis Workbook or other industry-recognized plan) shall be conducted to determine facility staffing needs. The staffing analysis shall be reviewed annually and updated as needed.

A current staffing analysis was not available during the follow-up inspection. Documentation of an official staffing analysis must be available for review during the next inspection.

1061 - Weapons Control:

- (c) Each facility shall establish policies and procedures governing the use of less lethal devices.

The policies and procedures manual must be updated to include clear guidelines governing the use of less lethal devices. Documentation will be reviewed during future inspections.

1063 - Key Control:

- (c) No inmates, including trustees, shall be permitted access to, nor allowed to handle, facility or vehicle keys.

Inmate workers have control of keys to most of the maintenance areas at the facility, with unassisted access to these areas.

- (d) Keys necessary for unlocking doors installed in a means of egress shall be individually identifiable by both touch and sight, as mandated by Standard 408.7.4. of the International Fire Code.

Since the last inspection, the number of keys has been reduced, and keys have been color coded and notched in order to facilitate easier recognition. Exit and exit access door keys still need to be identified to correspond with these doors for ease of identification.

1064 - Tool Control:

There shall be a tool control plan including the standard use of inventory shadow boards, etchings, or color coding of facility tools to ensure that such tools are not used to breach the security of the facility. This plan shall include tools used in the kitchen and medical units. Tools brought into the facility for maintenance or for repairs shall be accounted for at all times.

Inmate workers have an unaided and unmonitored access to tool/maintenance rooms. Tool control and tool accountability are haphazard at best. Adequate inventory of, access to, and control of tools are badly needed.

1065 - Facility Security:

- (c) All cellblock doors and all corridor doors shall be kept locked except when necessary to permit entry or exit.

Numerous corridor doors are missing the knobs and can not be properly secured. They must be outfitted with hardware in order to close and lock appropriately.

- (d) Unoccupied cells, detention rooms, and storage rooms shall be kept locked at all times.

Many doors cannot be properly secured. Storage rooms, pipe chases, and unoccupied cells (including the shower cell in intake) must be repaired so that they can be secured by locks. Some of these doors can now be secured but are readily able to be opened with a screwdriver.

1081 - Classification Plan:

Each facility shall develop and implement a written classification plan to properly assign inmates to classification categories for placement in housing and other detention specific functional situations based upon consideration of sex; age; sentenced/non-sentenced; criminal sophistication; seriousness of crime; assaultive/non-assaultive behavior; medical rules; and other applicable criteria.

The facility has a classification plan but, at times of overcrowding, can not adhere to it.

1082 - Classification Categories:

- (a) The facility provides for the separate management of the following categories of inmates:
- * female and male inmates
 - * sentenced and non-sentenced inmates
 - * other classes of detainees (witnesses, civil inmates)
 - * community custody inmates (work releasees, weekenders, trusties)
 - * inmates with special problems (alcoholics, narcotics addicts, mentally disturbed persons, physically handicapped persons, persons with communicable diseases)
 - * inmates requiring disciplinary detention
 - * inmates requiring administrative separation
 - * juvenile detainees
 - * other categories that may pose a security problem, which include but are not limited to:

high profile cases; geriatric inmates; sexual deviants; sex offenders; predators; and inmates undergoing sex changes.

The facility has a classification plan; however, at times of overcrowding, this plan can not be fully implemented.

2013 - Living Units - Existing Facilities Prior to July 1980:

- (a) The number of inmates occupying a cell, room, or dorm shall not exceed the rated capacity of the cell, room, or dorm when based upon the average daily population for the previous three (3) months.

Grand total figures indicate formal overcrowding over the past three (3) month period. Due to the limited physical plant space and the necessity of separating certain categories of the inmates, the respective male pre-trial housing units greatly exceed their rated capacities.

- (e) Each facility shall provide dayroom (communal activity) space for each cellblock or cluster of rooms.

This facility currently has no dayroom space for the maximum-security area cellblocks.

- (f) Any cell, room, or area to which inmates are confined (locked in) shall have one (1) operable water closet at a minimum ratio of one (1) each per ten (10) inmates, and one (1) operable lavatory with running water at a minimum ratio of one (1) each per twelve (12) inmates, that are accessible twenty-four (24) hours a day. (Urinals may be substituted one-for-one for water closets in male areas; however, at least two thirds of fixtures shall be water closets.)

During times of significant overcrowding, the proper ratios of fixtures to inmates cannot be achieved. In addition, the facility's plumbing system is quite frequently undergoing repairs and/or replacement.

- (g) Each facility shall provide a bed for each inmate.

At times of overcrowding, this Standard is not being met.

- (h) Each facility shall provide, in addition to the bed, a desk, table, or shelf; hooks or storage space; and adequate accessible seating for each inmate.

During times of overcrowding, the facility is not in compliance with this Standard.

- (i) Artificial lighting shall be provided of at least twenty (20) foot-candles measured three (3) feet off the floor. Night light should provide good visibility for inmate supervision, but should not hinder restful sleep.

Artificial lighting in most of the living areas does not meet the minimum requirement. There are no light fixtures in any of the individual cells in Housing Blocks A, B, C, D, and E. Facility staff stated that there are no plans approved and pending to provide or to supplement the lighting in these individual cells. This must be addressed.

2030 - Inmate Programs and Activities:

Each facility should provide an array of programs that includes social services, religious services and events, library services, vocational counseling, and educational courses.

The plan for inmate programs should emphasize the list of community resources available.

The facility has no communal activity space in which to conduct such programs, and none of the programs are being provided, thus creating a violation of this Standard.

2031 - Visiting:

Each facility shall develop and implement an inmate visiting plan which shall include the following:

- (a) A minimum of one (1) hour per week of visitation per

inmate shall be permitted. Restrictions on visitation should not be imposed unless such privileges have been suspended and/or restricted based on legitimate government interests related to the safe and secure operation of the facility; to prevent continued criminal activities; or other similar concerns.

- (b) Visitors shall be treated with courtesy. An explanation shall be given of visitors' rights and restrictions; and procedures visitors must follow to file complaints should either be posted conspicuously or provided in written handouts.
- (c) Special visiting hours and arrangements shall be made available for visitors who have transportation problems, who have handicaps, or who are working on regular visiting days.
- (d) Appointments for visits at any time may be required.
- J(e) Parents, guardians, or custodians, as well as teachers and tutors of juveniles, shall be allowed to visit at any appropriate time between 8:00 a.m. and 10:00 p.m. for a reasonable length of time.

All policies and procedures related to visitor searches should be reviewed by competent legal authority.

Staffing shortages contribute to non-compliance with this Standard. The policies and procedures for visitor searches need to be reviewed by the County's legal representative. Also, rules and regulations governing visits to the facility need to be conspicuously posted.

2033 - Telephone:

Each facility shall develop and implement a written plan for the use of the telephone. Inmates may be required to pay for telephone calls. If telephone calls are to be monitored and/or recorded, notice shall be provided.

Restrictions on making telephone calls should not be imposed unless such privileges have been suspended and/or restricted based on legitimate government interests related to the safe and secure operation of the facility; to prevent continued criminal activities; or other similar concerns.

Telephone terminal devices for the deaf, interpreters, and other reasonable accommodations shall be provided to inmates with hearing or other special needs.

Provisions need to be formulated to accommodate the telephone access for hearing impaired and other special needs inmates.

2082 - Laundering of Bedding and Linens:

An adequate supply of bedding and linens shall be maintained so that the following laundry or cleaning frequencies may be adhered to:

- (a) Mattresses shall be disinfected or sanitized monthly and before re-issue.

Mattresses are said to be sanitized monthly; however, there was no documentation available indicating such procedure, creating a violation of the Standard.

3001 - Sanitation - General Requirements:

Each facility shall develop and implement a written plan for the maintenance of an acceptable level of cleanliness and sanitation throughout the facility. Such plan shall include the following:

- (d) The scrubbing and rinsing of living units, each week.

Many of the problems previously cited concerning the showers have been resolved with repairs. However, there are still some showers that are deteriorating and have an accumulation of mold and mildew on the walls and floors.

3002 - Equipment:

- (a) Suitable containers, easily cleaned and with tight fitting lids, shall be provided for the storage of solid waste material to control unpleasant odors, vermin, and insects. If plastic containers are used, they must be tested and approved against toxic reaction by a national testing laboratory.

Trash can lids need to be replaced in order to comply with this Standard, as well as with the requirements of the State Fire Marshal.

Additional Deficiencies:

1. The perimeter security currently in place does not appear to create a sufficient means of deterrence.
2. The facility has an adequate quantity of functional Self-Contained Breathing Apparatus (SCBA) units. However, training in their use needs to be conducted and documented.
3. The facility is not in compliance with all the Americans with Disabilities Act (ADA) requirements.
4. A great deal of physical plant repair and improvement has taken place at this facility. However, general maintenance leaves much to be desired, and several critical fire/life safety issues still need to be addressed. Timely completion of the repairs/renovations in the older building is essential.
5. All exit and exit access door keys have been identified individually by sight and touch as per Fire Codes, and staff is in the process of identifying the exit doors to match with the keys needed to operate the locking mechanism. During the inspection, it was noted that the number of keys needed in order to accomplish emergency egress from the building has been reduced. When tested, several exit and security doors opened more easily, but should be checked daily for proper operation. In a fire or emergency situation, delays in finding keys and opening exit and/or exit access doors might dangerously hinder evacuation.
6. As stated previously, inmate workers are performing the majority of maintenance on the building. There are large areas of ceiling in disrepair (i.e., booking office, Sheriff's side of the building, etc.). There are constant plumbing leaks of the toilets, sinks, and showers. Due to the building's age and the security issues associated with inmates being in charge of maintenance and having virtually unsupervised access to tools, it appears to be obvious that no less than one (1) maintenance employee should be assigned full time to the Detention Center.