

103 CMR: DEPARTMENT OF CORRECTION

103 CMR 910.00: COUNTY CORRECTIONAL FACILITIES -- ADMINISTRATION AND MANAGEMENT

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910.01: Mission Statement: Philosophy and Goals

The Sheriff/facility administrator shall develop a written document delineating the mission of the county correctional facility. This document shall include the philosophy and goals of the facility and shall be reviewed annually and updated as necessary. This document shall be made available to staff.

910.02: Goals and Objectives

The Sheriff/facility administrator shall develop written policy and procedure that formulate goals and measurable objectives. Such goals and measurable objectives shall be reviewed annually by the Sheriff/facility administrator.

910.03: Organizational Structure

The Sheriff/facility administrator shall develop a written description and organizational chart that reflects the current structure of authority, responsibility, and accountability within the county correctional facility. Such written descriptions and organizational charts shall be reviewed at least annually and updated as needed by the Sheriff/Facility Administrator.

910.04: Policy and Procedures Manual

- (1) Policies, procedures and plans for operating and maintaining the county correctional facility shall be specified in a manual.
- (2) The policies, procedures, and plans for operating and maintaining the facility shall be accessible and available to all employees and a system developed for policy dissemination to staff.
- (3) The manual shall be reviewed at least annually and updated as needed.
- (4) The manual shall include, but not be limited to, written policies and procedures in the general topic areas of:
 - (a) management and administration;
 - (b) business and fiscal management;
 - (c) personnel, labor relations and training;
 - (d) security management;
 - (e) safety and emergency management;
 - (f) facility maintenance, sanitation, and hygiene;
 - (g) facilities planning and capital management;
 - (h) inmate programs, services and classification;
 - (i) inmate rights;
 - (j) rules and discipline;
 - (k) medical and health care;
 - (l) food services.

910.05: Quarterly Reports to Parent Agency

When the county correctional facility is physically separate from the parent agency, the facility administrator shall submit quarterly reports to the parent agency which include, but are not limited to: information on major developments, population data, staff and inmate morale, major problems, and plans for resolving them.

910.06: Requests for Information and Media Access

(1) Written policy and procedure shall provide that requests from federal, state, and local legislative and executive bodies for information concerning programs and specific cases are responded to promptly and fully by facility staff or the parent agency in accordance with policy and procedure and provisions relevant to rights of privacy.

(2) Written policy and procedure shall grant representatives of the media access to the facility for purposes of reporting items of public interest, consistent with the preservation of inmate privacy and the maintenance of order and security in the facility. The procedures are to include, but not be limited to, the following:

- (a) a media representative shall obtain a written and signed waiver of privacy rights from each inmate whom he intends to film, tape, interview or otherwise record. The waiver must be given voluntarily and competently and on a form which clearly states that the inmate has the right to refuse to be filmed, recorded, or interviewed. The signed waiver form shall be submitted to the facility administrator for review and maintained in the inmate case record.
- (b) films, photographs and video/audio recordings to be publicly shown or aired shall be edited to delete any identifiable representations of inmates who have not signed privacy waiver forms.
- (c) media representatives shall be informed that the use of a film or tape without the consent of identifiable inmates may lead to liability in tort and/or forfeiture of the privilege to enter the facility, and may constitute a violation of the Criminal Offender Record Information statute, M.G.L. c. 6, §§ 167 through 178.

910.07: Internal Communication

Written policy and procedure shall provide for a system of communication within the county correctional facility and shall include, but not be limited to, the following:

- (1) Monthly meetings between the facility administrator and all department/division heads, or monthly meetings between the Administrator and all facility personnel;
- (2) Monthly meetings between department/division heads and their staff; and,
- (3) A system of two-way communication between all levels of staff and inmates.

910.08: Code of Ethics

The county correctional facility's policy manual shall include a code of ethics conforming to governmental statutes and regulations relating to conflict of interest, campaigning, lobbying and political practices. It shall include, but not be limited to, the following provisions:

- (a) conflict of interest;
- (b) gifts from inmates; and
- (c) gifts from contractors.

REGULATORY AUTHORITY

103 CMR 910.00: M.G.L. c. 124, § (1), (c), (d) and (q); c. 127, §§ 1A and 1B.