

103 CMR: DEPARTMENT OF CORRECTION

103 CMR 903.00: COUNTY CORRECTIONAL FACILITIES -- ADMINISTRATION OF STANDARDS

Section

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903.01: Duties of Commissioner

The Commissioner shall:

- (1) Provide consultation services for the design and construction of county correctional facilities, studies and surveys of programs and administration, and any other technical assistance deemed proper and necessary;
- (2) Assist in developing and administering programs of grants-in-aid or subsidies for any county correctional facility;
- (3) Visit and inspect each county correctional facility at least once each six months and as often as deemed necessary;
- (4) Advise appropriate agencies and officials of any deficiencies in any county correctional facility, and to make recommendations for the improvement of such facilities;
- (5) Submit written reports of such inspections to appropriate agencies and officials;
- (6) Review, comment upon, and approve or disapprove plans for the construction and major modification or renovation of county correctional facilities;
- (7) Develop, revise, or alter in cooperation with the Sheriffs, standards for the construction, maintenance, and operation of county correctional facilities;
- (8) Ensure compliance with 103 CMR 900.00 through 979.00; and,
- (9) Perform such other duties as may be necessary to carry out his statutory responsibilities and the policies of the Department of Correction.

903.02: Delegation of Powers

The Commissioner may employ such personnel as deemed necessary to carry out the powers, functions and duties as set forth in 103 CMR 900.00 through 979.00, and may delegate any of such powers, functions and duties.

903.03: Standards Administrator

The Commissioner may designate a person or persons within the Department to act as county correctional standards administrator to carry out the duties and responsibilities of the Commissioner pursuant to 103 CMR 900.00 through 979.00.

903.04: Standards Auditor

The Commissioner may designate a person or persons within the Department of Correction to act as county correctional standards auditor, who shall be admitted to visit and inspect any county correctional facility as required for the purposes of 103 CMR 900.00 through 979.00. Additionally, an employee(s) of a Sheriff's Office(s) may act as a county correctional standards auditor with the approval of the Commissioner.

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903.05: Conduct of Standards Auditors

- (1) In conducting standards audits of county correctional facilities, standards auditors shall:
 - (a) evaluate each facility's policies, procedures, and practice in accordance with 103 CMR 900.00 through 979.00. Each evaluated regulation shall be determined into one of three categories: compliance, non-compliance, or valid waiver obtained; and
 - (b) clearly apply with equity and reliability the specific language of each standard in context and subject matter.

- (2) Standards auditors may comment on administrative or operational revisions which may further improve a policy, procedure or practice already found to be in compliance.

REGULATORY AUTHORITY

103 CMR 903.00: M.G.L. c. 124, § (1), (c), (d) and (q); c. 127, §§ 1A and 1B.