

103 CMR: DEPARTMENT OF CORRECTION

103 CMR 920.00: COUNTY CORRECTIONAL FACILITIES -- PHYSICAL PLANT

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920.01: General Statement

The standards set forth in 103 CMR 920.02 through 920.23 with the exception of 103 CMR 920.02: *Building Code* and 103 CMR 920.03: *Fire Safety Code Standards* which are required, are recommended standards. While they are recognized as being those which county correctional facilities should strive to meet, unforeseen circumstances may impact a facility's level of compliance. Therefore, the provisions for waivers, waiver in the event of overcrowding emergency, and emergency suspension of regulations contained in 103 CMR 901.04, 901.05, and 901.06 respectively, are particularly applicable to the standards regarding physical plant, except 103 CMR 920.03: *Fire Safety Code Regulations*, and shall be applied in such a manner so as to enable the county correctional system to carry out its paramount function of protecting the safety of the public while providing for safe and secure custody of persons committed to the system.

920.02: Building Code Regulations (Required)

Each county correctional facility shall maintain updated documentation that the physical plant is in conformance with state and local building codes as required by statute and to the extent that such compliance is not inconsistent with essential security requirements.

920.03: Fire Safety Code Regulations (Required)

(1) Each county correctional facility shall obtain and maintain documentation by an authority having jurisdiction that the interior finishing material in inmate living areas, exit areas, and places of public assembly are in accordance with recognized national fire safety codes. This requirement shall apply only to renovated and new facilities.

(2) Each county correctional facility shall provide exits that are properly positioned, clear, and distinctly and permanently marked in order to ensure the timely evacuation of inmates and staff in the event of fire or other emergency. All housing areas and places of assembly for 50 or more persons shall have two exits.

920.04: Facility Perimeter

- (1) The county correctional facility perimeter shall be controlled by appropriate means to provide that inmates remain within the perimeter and to prevent access by the general public without proper authorization. 103 CMR 920.04 shall not be applicable to community release facilities.
- (2) The county correctional facility shall have pedestrian sally ports between inmate areas and areas providing access to the public including a secure holding area for persons awaiting entrance within the secure perimeter of the facility. In a new facility, such holding areas shall have remote control doors and locks. 103 CMR 920.04 shall not be applicable to community release facilities.
- (3) The county correctional facility shall have a vehicle sally port, including a secure holding area for vehicles awaiting entrance within the secure perimeter of the facility. In a new facility, such holding areas shall have remote control doors or gates and locks. 103 CMR 920.04 shall not be applicable to community release facilities.
- (4) If the county correctional facility has watchtowers, they shall be placed so that an unobstructed view of the grounds and perimeter is permitted, and shall have the equipment necessary for effective operation of their function.

920.05: Intake/Booking and Release Area

Each county correctional facility shall have an intake/booking and release area that is located inside the security perimeter, but outside inmate living quarters. This area shall provide for the following components:

- (1) booking area;
 - (2) access to drinking water;
 - (3) shower facilities;
 - (4) secure storage for inmates' personal property;
 - (5) telephone facilities;
 - (6) private interview space(s);
 - (7) temporary holding areas with sufficient seating; and,
 - (8) operable toilets and wash basins with hot and cold running water.
- 103 CMR 920.05(1) through (8) shall not apply to community release facilities.

920.06: Control Center

The county correctional facility shall have a control center which shall:

- (1) Be centrally located, with good visibility and controlled limited access;
- (2) Have adequate space and equipment to monitor and control all day-to-day facility operations;
- (3) Have a communications system operated from the control center and connected to the inmate living areas;
- (4) Be linked to a facility emergency alarm system or to portable two-way radio units equipped with duress alarm linked to the control center; and
- (5) Have the ability to monitor audio or visual electronic surveillance equipment. Electronic monitoring or surveillance devices shall only be deployed to supplement custodial personnel.

920.07: Cell Design and General Housing Area Requirements

(1) Only one inmate should occupy each cell designed for single occupancy, except in the event of an overcrowding emergency (*See* 103 CMR 901.05). Single occupancy cells/rooms are provided when indicated for the following:

- Maximum and close custody
- Inmates with severe medical disabilities
- Inmates suffering from serious mental illness
- Sexual predators
- Inmates likely to be exploited or victimized by others
- Inmates who have other special needs for single-occupancy housing

All general housing cells or sleeping areas designed for single occupancy shall contain 35 square feet of unencumbered space.

(2) Under normal operations when confinement exceeds ten hours per day (excluding a normal eight-hour sleep period) there is at least 70 square feet total floor space per occupant.

(3) In general population housing, each inmate shall have access to, at a minimum, the following facilities and conditions:

- (a) sanitation facilities, including access to:
 - 1. a toilet above floor level that is available for use without staff assistance 24 hours a day;
 - 2. a washbasin with hot and cold running water;
- (b) a bed at above floor level, a writing surface and proximate area to sit, storage for personal items and a place to suspend clothes.
- (c) natural light.

(4) When both males and females are housed in the same building, the county correctional facility shall provide separate sleeping quarters and sanitation facilities, which shall be separated visually and acoustically.

(5) The county correctional facility shall be designed and constructed so that inmates can be separated according to 103 CMR 942.00, and to the facility's classification plan. This requirement applies only to additions and new facilities.

103 CMR 920.07 shall not apply to community release facilities.

920.08: Multiple Occupancy Areas

(1) When used for minimum or medium security inmates multiple occupancy rooms house no less than two and no more than 64 inmates each who are screened prior to admission for suitability to group living.

(2) The rooms provide 25 square feet of unencumbered space per occupant. "Unencumbered space" is usable space that is not encumbered by furnishings or fixtures. At least one dimension of the unencumbered space is no less than seven feet.

(3) When confinement exceeds ten hours per day (excluding a normal eight hour sleep period) there is at least 35 square feet of total floor space per occupant.

(4) The rooms shall provide the following:

- (a) ability for continuing observation by staff;
- (b) access to toilet and wash basin with hot and cold running water, a minimum of one operable toilet for every eight females, one operable toilet for every 12 males (a of required toilets may be urinals), and one operable wash basin for every 12 occupants;
- (c) access to one operable shower with hot and cold running water for every 12 occupants in community release facilities, showers shall be available at a ratio of one for every eight occupants;
- (d) natural light;
- (e) beds above floor level; and,
- (f) a storage container for each occupant.

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920.08: continued

(5) Planning the use of multiple occupancy areas for inmate housing in new/additional medium facilities shall ensure that the areas are programmed for lower or minimum security areas within the facility only, and that inmates are screened for group living prior to assignment. Planning the use of such areas in new/additional maximum facilities is precluded.

920.09: Special Management/Isolation Cells

(1) The county correctional facility shall provide special management rooms with living conditions that approximate those of the general inmate population. Special management housing units shall provide the following:

- (a) single occupancy rooms or cells with a floor area of at least 70 square feet where confinement exceeds ten hours per day (excluding a normal eight hour sleep period), this requirement applies only to renovations and new facilities;
- (b) a bed at above floor level, desk or writing surface and proximate area to sit; and,
- (c) continuous access to the following:
 1. above-floor toilet facilities;
 2. hot and cold running water; and,
 3. natural light

(2) Special management rooms shall have doors which provide staff with the ability to observe within the room and inmates with the ability to communicate with staff outside the room.

103 CMR 920.11 shall not apply to community release facilities.

920.10: Light, Circulation, Temperature, Noise Requirements

At least every three years, an independent, qualified source shall document that all living areas have:

- (1) Lighting of at least 20 foot candles at desk level and in the personal grooming areas;
- (2) Circulation of at least ten cubic feet of outside or recirculated filtered air per minute;
- (3) Temperatures appropriate to summer and winter comfort zones; and,
- (4) Noise levels that do not exceed 70 decibels in daytime or 45 decibels at night.

920.11: Dayrooms, Activity and Exercise Areas

(1) The county correctional facility shall provide a separate day room/leisure time space for each cell block or general population housing unit. In new county correctional facilities, a day room shall contain at least 35 square feet of floor space per inmate, for the maximum number of inmates who use the day room at any one time.

(2) The county correctional facility shall provide space outside the cell or room for inmate exercise.

(3) The county correctional facility shall provide at least one multipurpose room available for inmate activities such as religious services or educational programs.

(4) All activity areas shall have toilets and wash basins which are reasonably accessible to persons using the area.

(5) The county correctional facility shall provide a separate indoor space for vigorous exercise in inclement weather; this space shall be no less than 60 by 100 feet with a ceiling height of no less than 22 feet. This requirement applies only to renovations and new facilities.

920.12: Educational/Vocational and Library Areas

(1) In county correctional facilities offering academic and vocational training programs, all areas shall be consistent with 103 CMR 936.02.

920.12: continued

- (2) The county facility shall maintain an area to provide for a general inmate library.

920.13: Visiting Area

For inmates who do not represent a substantial security risk, the facility shall provide a visiting room or area which permits informal communication.

920.14: Kitchen and Dining Area

- (1) Each county correctional facility shall provide a food preparation area and appropriate equipment based on population size, type of food preparation and method of service.
- (2) Each county correctional facility shall provide a dining area equipped for cafeteria style or other group dining service.

920.15: Storage and Closet Areas

Each county correctional facility shall provide secure storage space for the following items:

- (1) Clothing, bedding and facility supplies;
- (2) Inmates' personal property and clothing;
- (3) Chemical agents, restraining devices and related security equipment, which is located in an area which is readily accessible to authorized persons only;
- (4) Equipment and tools necessary for the maintenance and housekeeping of the building and grounds.

920.16: Administrative and Staff Space

The county correctional facility shall provide space for administrative, professional and clerical staff, including conference rooms, storage rooms for records, public lobby and toilet facilities.

920.17: Provisions for Handicapped Persons

- (1) The Sheriff/facility administrator shall provide that all parts of the county correctional facility which are accessible to the public are accessible to and usable by handicapped persons.
- (2) Each county correctional facility shall provide that handicapped person(s) are housed in a manner which provides for their safety and security, including the following provisions:
 - (a) cells or housing units used by handicapped person(s) are designed for their use, and provide the maximum possible integration with the general population; and,
 - (b) appropriate facility programs and activities are accessible to handicapped person(s) confined in the facility.This requirement shall apply only to renovations, additions and new facilities.

920.18: Mechanical Equipment Space

The county correctional facility shall provide separate and adequate space for all mechanical equipment needed for heating, ventilation, water supply, waste removal and other activities for operating the institution. This requirement applies only to additions and new facilities.

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920.19: Inmate Commissary

Space shall be provided for an inmate commissary or canteen, or provisions shall be made for a mobile commissary service and shall be in accordance with 105 CMR 590.00: *State Sanitary Code Chapter X: Minimum Sanitation Standards for Food Establishments*.

920.20: Laundry Equipment

Each county correctional facility not contracting with an outside agency for laundry services shall have sufficient space and equipment for the cleaning of personal clothing and facility clothing and linens.

920.21: Preventive Maintenance provisions

The county correctional facility shall develop and implement a written plan for the preventive maintenance of the physical plant with provisions for emergency repairs or replacement of equipment.

REGULATORY AUTHORITY

103 CMR 920.00: M.G.L. c. 124, § (1), (c), (d) and (q); c. 127, §§ 1A and 1B.