

TITLE 24

MINIMUM STANDARDS

FOR LOCAL DETENTION FACILITIES

Part One, Administrative Regulations for the Board of State and Community Corrections, Chapter 13, Article I, Section 13-102

Strike-out and Underline Effective September 16, 2017

and

Part Two, Section 1231, Minimum Standards for Adult Detention Facilities

Strike-out and Underline Effective July 1, 2018



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**TITLE 24, MINIMUM STANDARDS FOR THE DESIGN AND
CONSTRUCTION OF LOCAL DETENTION FACILITIES**

**Part 1, Section 13-102 and
Part 2, Section 1231**
(2018 California Building Code)

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PART 1, SECTION 13-102
Minimum Standards for Local Detention Facilities

(a) Definitions. The following definitions shall apply:

ADMINISTERING MEDICATION, as it relates to managing legally obtained drugs, means the act by which a single dose of medication is given to a patient. The single dose of medication may be taken either from stock (undispensed) or dispensed supplies.

ADMINISTRATIVE SEGREGATION means the physical separation of different types of inmates from each other as specified in Penal Code Sections 4001 and 4002, and Section 1053 of Title 15, C.C.R. Administrative segregation is accomplished to provide that level of control and security necessary for good management and the protection of staff and inmates.

ALTERNATE MEANS OF COMPLIANCE means a process for meeting or exceeding standards in an innovative way, after a pilot project evaluation, approved by the Corrections Standards Authority pursuant to an application.

AVERAGE DAILY POPULATION means the average number of inmates housed daily during the last fiscal year.

BOARD OF STATE AND COMMUNITY CORRECTIONS means the Board of State and Community Corrections, whose board acts by and through its executive director, deputy directors and field representatives.

CLINICAL EVALUATION means an assessment of a person's physical and/or mental health condition conducted by licensed health personnel operating within recognized scope of practice specific to their profession and authorized by a supervising physician or psychiatrist.

CONCEPT DRAWINGS means, with respect to a design-build project, any drawings or architectural renderings that may be prepared, in addition to performance criteria, in such detail as the agency determines necessary to sufficiently describe the agency's needs.

CONTACT means any physical or sustained sight or sound contact between juveniles in detention and incarcerated adults. Sight contact is clear visual contact between adult inmates and juveniles within close proximity to each other. Sound contact is direct oral communication between adult inmates and juvenile offenders.

COURT HOLDING FACILITY means a local detention facility constructed within a court building after January 1, 1978, used for the confinement of persons solely for the purpose of a court appearance for a period not to exceed 12 hours.

CUSTODIAL PERSONNEL means those officers with the rank of deputy, correctional officer, patrol persons or other equivalent sworn or civilian rank whose duties include the supervision of inmates.

DELIVERING MEDICATION, as it relates to managing legally obtained drugs, means the act of providing one or more doses of a prescribed and dispensed medication to a patient.

DESIGN-BID-BUILD means a construction procurement process independent of the design process and in which the construction of a project is procured based on completed construction documents.

DESIGN-BUILD means a construction procurement process in which both the design and construction of a project are procured from a single entity.

DEVELOPMENTALLY DISABLED means those persons who have a disability which originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This term includes mental retardation, cerebral palsy, epilepsy and autism, as well as disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals.

DIRECT VISUAL OBSERVATION means direct personal view of the inmate in the context of his/her surroundings without the aid of audio/video equipment. Audio/video monitoring may supplement but not substitute for direct visual observation.

DISCIPLINARY ISOLATION means that punishment status assigned an inmate as the result of violating facility rules and which consists of confinement in a cell or housing unit separate from regular jail inmates.

DISPENSING, as it relates to managing legally obtained drugs, means the interpretation of the prescription order, the preparation, repackaging and labeling of the drug based upon a prescription from a physician, dentist or other prescriber authorized by law.

DISPOSAL, as it relates to managing legally obtained drugs, means the destruction of medication or its return to the manufacturer or supplier.

EMERGENCY means any significant disruption of normal facility procedure, policies, or activities caused by a riot, fire, earthquake, attack, strike or other emergent condition.

EMERGENCY MEDICAL SITUATIONS means those situations where immediate services are required for the alleviation of severe pain, or immediate diagnosis and treatment of unforeseeable medical conditions are required, if such conditions would lead to serious disability or death if not immediately diagnosed and treated.

EXERCISE means activity that requires physical exertion of the large muscle group.

FACILITY/SYSTEM ADMINISTRATOR means the sheriff, chief of police, chief probation officer or other official charged by law with the administration of a local detention facility/system.

FACILITY MANAGER means the jail commander, camp superintendent or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.

FACILITY WATCH COMMANDER means the individual designated by the facility manager to make operational decisions during his/her tour of duty.

HEALTH AUTHORITY means that individual or agency that is designated with responsibility for health care policy pursuant to a written agreement, contract or job description. The health authority may be a physician, an individual or a health agency. In those instances where medical and mental health services are provided by separate entities, decisions regarding mental health services shall be made in cooperation with the mental health director. When this authority is other than a physician, final clinical decisions rest with a single designated responsible physician.

HEALTH CARE means medical, mental health and dental services.

JAIL, as used in Article 8, means a Type II or III facility as defined in the "Minimum Standards for Local Detention Facilities."

LABELING, as it relates to managing legally obtained drugs, means the act of preparing and affixing an appropriate label to a medication container.

LAW ENFORCEMENT FACILITY means a building that contains a Type I Jail or Temporary Holding Facility or Lockup. It does not include a Type II or III jail, which has the purpose of detaining adults, charged with criminal law violations while awaiting trial or sentenced adult criminal offenders.

LEGEND DRUGS are any drugs defined as "dangerous drugs" under Chapter 9, Division 2, Section 4211 of the *California Business and Professions Code*. These drugs bear the legend, "Caution Federal Law Prohibits Dispensing without a Prescription." The Food and Drug Administration (FDA) has determined, because of toxicity or other potentially harmful effects, that these drugs are not safe for use except under the supervision of a health care practitioner licensed by law to prescribe legend drugs.

LIVING AREAS means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include special use cells such as sobering, safety, and holding or staging cells normally located in receiving areas.

LOCAL DETENTION FACILITY means any city, county, city and county, or regional jail, camp, court holding facility or other correctional facility, whether publicly or privately operated, used for confinement of adults or of both adults and minors, but does not include that portion of a facility for confinement of both adults and minors which is devoted only to the confinement of minors.

LOCAL DETENTION SYSTEM means all of the local detention facilities that are under the jurisdiction of a city, county or combination thereof, whether publicly or privately operated. Nothing in the standards are to be construed as creating enabling language to broaden or restrict privatization of local detention facilities beyond that which is contained in other statute.

LOCAL HEALTH OFFICER means that licensed physician who is appointed pursuant to Health and Safety Code Section 101000 to carry out duly authorized orders and statutes related to public health within their jurisdiction.

LOCKUP means a locked room or secure enclosure under the control of a peace officer or custodial officer that is primarily used for the temporary confinement of adults who have recently been arrested; sentenced prisoners who are inmate workers may reside in the facility to carry out appropriate work.

MAY. “May” is permissive; “shall” is mandatory.

MENTAL HEALTH DIRECTOR means that individual who is designated by contract, written agreement or job description, to have administrative responsibility for the facility or system mental health program.

NONSECURE CUSTODY means that a minor’s freedom of movement in a law enforcement facility is controlled by the staff of the facility; and

- (1) the minor is under constant direct visual observation by the staff;
- (2) the minor is not locked in a room or enclosure; and,
- (3) the minor is not physically secured to a cuffing rail or other stationary object.

NONSENTENCED INMATE means an inmate with any pending local charges or one who is being held solely for charges pending in another jurisdiction.

OVER-THE-COUNTER (OTC) DRUGS, as it relates to managing legally obtained drugs, are medications which do not require a prescription (non-legend).

PEOPLE WITH DISABILITIES includes, but is not limited to, persons with a physical or mental impairment that substantially limits one or more of their major life activities or those persons with a record of such impairment or perceived impairment that does not include substance use disorders resulting from current illegal use of a controlled substance.

PERFORMANCE CRITERIA means, with respect to a design-build project, the information that fully describes the scope of the proposed project and includes, but is not limited to, the size, type and design character of the buildings and site; the required form, fit, function, operational requirements and quality of design, materials, equipment and workmanship; and any other information deemed necessary to sufficiently describe the agency's needs; including documents prepared pursuant to paragraph (1) of subdivision (d) of Section 20133 of the Public Contract Code.

PILOT PROJECT means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of a local detention facility pursuant to application to, and approval by, the Corrections Standards Authority.

PRELIMINARY DRAWINGS means, with respect to a design-build project, a site plan, architectural floor plans, elevations, outline specifications and a cost estimate for each utility, site development, conversion and remodeling project. The drawings shall be sufficiently descriptive to accurately convey the location, scope, cost and the nature of the improvement being proposed.

PROCUREMENT, as it relates to managing legally obtained drugs, means the system for ordering and obtaining medications for facility stock.

PSYCHOTROPIC MEDICATION means any medication prescribed for the treatment of symptoms of psychoses and other mental and emotional disorders.

RATED CAPACITY means the number of inmate occupants for which a facility's single- and double-occupancy cells, or dormitories, except those dedicated for medical or disciplinary isolation housing, were planned and designed in conformity to the standards and requirements contained herein and in Title 15, C.C.R.

REGIONAL CENTER FOR DEVELOPMENTALLY DISABLED means those private agencies throughout the state, funded through the Department of Developmental Services which assure provision of services to persons with developmental disabilities. Such centers will be referred to as regional centers in these regulations.

REMODEL means to alter the facility structure by adding, deleting, or moving any of the building's components, thereby affecting any of the spaces specified in Title 24, Section 1231.

REPACKAGING, as it relates to managing legally obtained drugs, means the transferring of medications from the original manufacturer's container to another properly labeled container.

REPAIR means to restore to original condition or replace with like-in-kind.

SAFETY CHECKS means direct, visual observation performed at random intervals within timeframes prescribed in these regulations to provide for the health and welfare of inmates.

SECURE CUSTODY means that a minor being held in temporary custody in a law enforcement facility is locked in a room or enclosure and/or physically secured to a cuffing rail or other stationary object.

SECURITY GLAZING means a glass/polycarbonate composite glazing material designed for use in detention facility doors and windows and intended to withstand measurable, complex loads from deliberate and sustained attacks in a detention environment.

SENTENCED INMATE means an inmate that is sentenced on all local charges.

SHALL is mandatory; "may" is permissive.

SOBERING CELL as referenced in Section 1056, refers to an initial "sobering up" place for arrestees who are sufficiently intoxicated from any substance to require a protected environment to prevent injury by falling or victimization by other inmates.

STORAGE, as it relates to legally obtained drugs, means the controlled physical environment used for the safekeeping and accounting of medications.

SUPERVISION IN A LAW ENFORCEMENT FACILITY means that a minor is being directly observed by the responsible individual in the facility to the extent that immediate intervention or other required action is possible.

SUPERVISORY CUSTODIAL PERSONNEL means those staff members whose duties include direct supervision of custodial personnel.

TEMPORARY CUSTODY means that the minor is not at liberty to leave the law enforcement facility.

TEMPORARY HOLDING FACILITY means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility or appearance in court.

TYPE I FACILITY means a local detention facility used for the detention of persons, for not more than 96 hours, excluding holidays, after booking. Such a Type I facility may also detain persons on court order either for their own safekeeping or sentenced to a city jail as an inmate worker, and may house inmate workers sentenced to the county jail provided such placement in the facility is made on a voluntary basis on the part of the inmate. As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his/her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five-day scheduled work week.

TYPE II FACILITY means a local detention facility used for the detention of persons pending arraignment, during trial and upon a sentence of commitment.

TYPE III FACILITY means a local detention facility used only for the detention of convicted and sentenced persons.

TYPE IV FACILITY means a local detention facility or portion thereof designated for the housing of inmates eligible under Penal Code Section 1208 for work/education furlough and/or other programs involving inmate access into the community.

WORKING DRAWINGS means, with respect to a design-build project, a complete set of plans and specifications showing and describing all phases of a project, architectural, structural, mechanical, electrical, civil engineering and landscaping systems to the degree necessary for the purpose of accurate bidding by contractors and for the use of artisans in constructing the project.

(b) Exclusions. Title 24 of the California Code of Regulations, Sections 13-102 and 2-1013 which pertain to planning and design of detention facilities shall be applicable to facilities for which architectural drawings have been submitted to the Board for review. These requirements shall not be applicable to facilities which were constructed in conformance with the standards of the Board in effect at the time of initial architectural planning. When any facility, designed and constructed under earlier standards, can comply with a more recently adopted requirement, the least-restrictive regulation shall apply.

If, in the course of inspection of local detention facilities, the Board determines that a facility planned or built prior to these regulations does not meet the appropriate, applicable standards in effect at the time of initial architectural planning, the local governing body shall submit to the Board for their approval within one year of such inspection a plan for causing that facility to meet current standards. Such a plan shall include the specific building areas which need to be remodeled and/or constructed, a definite time period over which the proposed modifications are planned, and a cost estimate including a description of the method of financing.

(c) Initial planning for a local detention facility.

1. Letter of intent. A city, county, city and county, or any combination thereof which has an intent to build or remodel any local detention facility shall immediately file a letter of intent with the Board.

2. Needs assessment study. Any city, county, city and county, or region intending to construct a new Type I, II, III or IV facility or add 25 or more beds to an existing facility shall complete a needs assessment study. One copy of the needs assessment study shall be submitted to the Board prior to contracting for plans and specifications. The needs assessment shall include, but not be limited to, a description of:

- A. The elements of the system;
- B. The department's operational and design philosophy;
- C. The current inmate population;
- D. The classification system;
- E. Program needs, including planned academic programs to include special education programs and an analysis of performance in using programs that can reduce secure facility requirements;
- F. An analysis of the local trends and characteristics which influence planning assumptions about future corrections' systems change, including population projections, current and projected inmate populations, and program costs based on continuation of current policies and projections of alternative policies or programs on inmate population growth and program costs;
- G. The adequacy of staffing levels;
- H. The ability to provide visual supervision;

- I. The adequacy of record keeping;
- J. A history of the system's compliance with standards; and
- K. Any unresolved issues.

3. Operational program statement. Unless the construction or remodeling is of a minor nature, not affecting the capacity or flow of the facility, an operational program statement shall be developed by the facility administrator and submitted to the Board or the purpose of providing the basis upon which architectural plans are drawn. The operational program statement must be submitted with the schematic architectural plans required by Section 13-102 (c) 5 of these regulations for design-bid-build construction projects. The operational program statement must be submitted with the performance criteria or performance criteria and concept drawings for design-build construction projects. The operational program statement must include a description of the following:

- A. Intended capacity of facility.
- B. Security and classification of inmates to be housed.
- C. Inmate movement within the facility and entry and exit from security areas.
- D. Food preparation and serving.
- E. Staffing.
- F. Booking.
- G. Visiting and attorney reviews.
- H. Exercise.
- I. Programs.
- J. Medical services, including the management of communicable diseases.
- K. Cleaning and/or laundering.
- L. Inmate segregation as specified in Penal Code Sections 4001 and 4002 and Article 5 of Title 15, C.C.R.
- M. Court holding and inmate movement.
- N. Mental health services.
- O. Facilities for jail administration and operations staff.
- P. Staff to staff communications system.
- Q. Management of disruptive inmates.
- R. Management and placement of persons with disabilities, with provisions for wheelchairs, gurney access and for evacuation during emergencies.
- S. Architectural treatment of space relative to preventing suicides by inmates.
- T. Method of implementing Penal Code Section 4030 relating to the holding of misdemeanor arrestees.
- U. Intended type of facility.
- V. Sobering cell(s) as referenced by Title 15, Section 1056, with the ability to segregate.
- W. Safety cell(s) as referenced by Title 15, Section 1055.
- X. If minors describe how to enter the security area for processing and/or secure custody or housing, how will movement within the facility and entry and exit from security areas be accomplished pursuant to separation requirements of Welfare and Institutions Code Section 208(a) and Section 1144 of these regulations.

4. Type III and Type IV facilities in existing buildings. Wherever a city, county or combination thereof, intends to establish a Type III or Type IV facility in an existing building or buildings, notice shall be given to the Board whose staff shall complete a survey to determine capacity of such buildings and shall make recommendations for necessary modifications. The proposing local government shall secure the appropriate clearance from the health authority, building official, and State Fire Marshal.

5. Submittal of plans and specifications. All plans and specifications shall be submitted to the Board in compliance with Penal Code Section 6029.

1. For design-bid-build projects, one set of plans and specifications shall be submitted at the schematic design phase, at the design development phase and the construction document phase.
2. For design-build projects, one set of performance criteria or performance criteria and concept drawings shall be submitted before the county issues a request for proposals for the services of a design-build entity. One set of construction document drawings shall be submitted. Board staff shall respond in writing indicating compliance or noncompliance with these regulations.

6. Design requirements.

A. The design of a local detention facility shall comply with provisions of California Code of Regulations, Title 24, Part 2, Section 2-1013.

B. The design of a Type I, Type II, Type III or Type IV facility, shall provide the following:

(1) **Fire safety.** The provisions of Title 19 and Title 24, Part 2 as they relate to detention facilities shall be incorporated into the facility design.

(2) **Suicide hazards.** Architectural plans shall be reviewed by the Board for the purpose of reducing hazards posed by fixtures and equipment which could be used for an act of suicide by an inmate. The facility design shall avoid any surfaces, edges, fixtures or fittings that can provide an attachment for self-inflicted injury. The following features shall be incorporated in the design of temporary holding cells, temporary staging cells sobering cells, safety cells, single occupancy cells and any other area where an inmate may be left alone:

a. plumbing shall not be exposed. Operation of control valves shall use flush buttons or similar. The drinking fountain bubbler shall be without curved projections;

b. towel holders shall be ball-in-socket or indented clasp, not pull-down hooks or bars;

c. supply and return grilles and any other vent or security cover shall have openings no greater than 3/16 inch or have 16-mesh per square inch;

d. beds, desk surfaces and shelves shall have no sharp edges and be configured to prevent attachment;

e. light fixtures shall be tamper resistant;

f. fixtures such as mirrors shall be mounted using tamper-resistant fasteners; and

g. fire sprinkler heads inside rooms shall be designed to prevent attachment.

h. telephone cords shall be at a length that reduces the potential for use as a

ligature.

(3) **Health and sanitation.** Provisions of Subchapter 4, Title 15, California Code of Regulations, and of the California Retail Food Code as they relate to detention facilities shall be incorporated into the facility design.

(4) **Single- and/or double-occupancy cells.** In any local detention system, the number of single and/ or double-occupancy cells shall be that number, determined by the facility/system administrator in conjunction with the Board, necessary to safely manage the population of the facility/system based on a comprehensive needs assessment which accounts for those inmates projected to be:

a. administrative segregation cases,

b. persons with disabilities,

c. custodial problems, and/or

d. likely to need individual housing for other specific reasons as determined by the facility/system administration. The total number of single- and/or double-occupancy cells shall not be less than 10 percent of the system's Corrections Standards Authority rated capacity. The local detention facility/ system shall comply with all other design requirements contained in these regulations.

(5) **Staff and inmate safety.** Facilities shall be designed and/or equipped in such a manner that staff and inmates have the ability to summon immediate assistance in the event of an incident or an emergency.

(6) **Heating and cooling.** Provision shall be made to maintain a living environment in accordance with the heating, ventilating, and air conditioning requirements of Parts 2 and 4, and the energy conservation requirements of Part 6, Title 24, California Code of Regulations.

(7) **Acoustics.** Housing areas shall be designed and constructed so that the average noise level does not exceed 70 decibels during periods of activity and 45 decibels during sleeping hours.

(8) **Living areas.** Living areas shall be separated from the area for reception and booking.

(9) **Spaces for persons with disabilities.**

~~a. Housing cell or room. A cell or room for an inmate with a disability using a wheelchair must have an appropriate entry and toilet, washbasin and drinking fountain which the inmate can use without personal assistance.~~

~~b. Others~~ Spaces within the security perimeter such as day rooms and activity areas shall be located such that persons with disabilities will not be excluded from participating in any program for which he or she would otherwise be eligible. Accessible showers for inmates with disabilities shall be available.

~~eb. All S~~spaces ~~outside the security perimeter. Public areas~~ of a local detention facility shall comply with the applicable chapters of Title 24, Part 2 of the California Code of Regulations.

(10) **Security.** The design should facilitate security and supervision appropriate to the level of inmate custody.

(11) **Glazing.** Internal and external facility glazing shall be appropriate to the security level of the detention area or room.

(12) **Hair care space.** Space and suitable equipment must be provided in all Type II or Type III facilities for men's haircutting and/or female hair-dressing.

(13) Floor drains shall be provided where operationally and mechanically appropriate.

(14) A sewage system design capable of addressing items that could potentially impact waste water systems.

(15) Medical/mental health care housing shall be designed in consultation with the health authority. Medical/mental health areas may contain other than single occupancy rooms.

C. The design of a Court Holding or Temporary Holding facility must include and comply with the following subsections of Section 13-102(c)6B: (1), (2), (3), (5), (6), (7), (9), (10) and (13). Court holding facilities shall have separate paths of travel for inmates from those used by the public.

7. Pilot projects. The pilot project is the short-term method used by a local detention facility/system, approved by the Board, to evaluate innovative programs, operations or concepts which meet or exceed the intent of these regulations.

The Board may, upon application of a city, county, or city and county, grant pilot project status to a program, operational innovation or new concept related to the operation and management of a local detention facility. An application for a pilot project shall include, at a minimum, the following information:

A. The regulations which the pilot project will affect.

B. Review of case law, including any lawsuits brought against the applicant's local detention facility, pertinent to the proposal.

C. The applicant's history of compliance of noncompliance with standards.

D. A summary of the “totality of conditions” in the facility or facilities, including but limited to:

- (1) Program activities, exercise and recreation;
- (2) Adequacy of supervision;
- (3) Types of inmates affected; and,
- (4) Inmate classification procedures.

E. A statement of the goals the pilot project is intended to achieve, the reasons a pilot project is necessary and why the particular approach was selected.

F. The projected costs of the pilot project and projected cost savings to the city, county, city and county, if any.

G. A plan for developing and implementing the pilot project, including a time line where appropriate.

H. A statement of how the overall goal of providing safety to staff and inmates will be achieved.

The Board shall consider applications for pilot projects based on the relevance and appropriateness of the proposed project, the completeness of the information provided in the application and staff recommendations.

Within 10 working days of receipt of the application, Board staff will notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the Board members from requesting additional information necessary to make a determination that the pilot project proposed actually meets or exceeds the intent of the regulations at the time of the hearing. When complete, the application will be placed on the agenda for the Board’s consideration at a regularly scheduled meeting. The written notification from the Board to the applicant shall also include the date, time and location of the meeting at which the application will be considered. (The Board meeting schedule for the current calendar year is available through its office in Sacramento.)

When an application for a pilot project is approved by the Board, the Board staff shall notify the applicant, in writing within 10 working days of the meeting, of any conditions included in the approval and the time period for the pilot project. Regular progress reports and evaluative data on the success of the pilot project in meeting its goals shall be provided to the Board. If disapproved, the applicant shall be notified in writing, within 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application.

Pilot project status granted by the Board shall not exceed twelve months after its approval date. When deemed to be in the best interest of the application, the Board may extend the expiration date for up to an additional twelve months. Once a city, county, or city and county successfully completes the pilot project evaluation period and desires to continue with the program, it may apply for an alternate means of compliance as described in Section 13-102(c)8 of these regulations.

8. Alternate means of compliance. The alternate means of compliance is the long-term method used by a local detention facility/system, approved by the Board, to encourage responsible innovation and creativity in the operation of California's local detention facilities. The Board may, upon application of a city, county, or city and county, consider alternate means of compliance with these regulations after the pilot project process has been successfully evaluated [as defined in Section 13-102(c)7]. The city, county, or city and county must present the completed application to the Board no later than 30 days prior to the expiration of its pilot project.

Applications for alternate means of compliance must meet the spirit and intent of improving jail management, shall be equal to or exceed the existing standard(s) and shall include

reporting and evaluation components. An application for alternate means of compliance shall include, at a minimum, the following information:

- A. Review of case law, including any lawsuits brought against the applicant local detention facility, pertinent to the proposal.
- B. The applicant's history of compliance or noncompliance with standards.
- C. A summary of the "totality of conditions" in the facility or facilities, including but not limited to:
 - (1) Program activities, exercise and recreation;
 - (2) Adequacy of supervision;
 - (3) Types of inmates affected; and
 - (4) Inmate classification procedures.
- D. A statement of the problem the alternate means of compliance is intended to solve, how the alternative will contribute to a solution of the problem and why it is considered an effective solution.
- E. The projected costs of the alternative and projected cost savings to the city, county, city and county, if any.
- F. A plan for developing and implementing the alternative, including a time line where appropriate.
- G. A statement of how the overall goal of providing safety to staff and inmates was achieved during the pilot project evaluation phase [Section 13-102(c)7].

The Board shall consider applications for alternative means of compliance based on the relevance and appropriateness of the proposed alternative, the completeness of the information provided in the application, the experiences of the jurisdiction during the pilot project, and staff recommendations. Within 10 working days of receipt of the application, Board staff will notify the applicant, in writing, that the application is complete and accepted for filing, or that the application is being returned as deficient and identifying what specific additional information is needed. This does not preclude the Board members from requesting additional information necessary to make a determination that the alternate means of compliance proposed meets or exceeds the intent of these regulations at the time of the hearing. When complete, the application will be placed on the agenda for the Board's consideration at a regularly scheduled meeting.

The written notification from the Board to the applicant shall also include the date, time and location of the meeting at which the application will be considered. (The Board meeting schedule for the current calendar year is available through its office in Sacramento.)

When an application for an alternate means of compliance is approved by the Board, Board staff shall notify the applicant, in writing within 10 working days of the meeting, of any conditions included in the approval and the time period for which the alternate means of compliance shall be permitted.

The Board may require regular progress reports and evaluative data as to the success of the alternate means of compliance. If disapproved, the applicant shall be notified in writing, within 10 working days of the meeting, the reasons for said disapproval. This application approval process may take up to 90 days from the date of receipt of a complete application. The Board may revise the minimum jail standards during the next biennial review (reference Penal Code Section 6030) based on data and information obtained during the alternate means of compliance process. If, however, the alternate means of compliance does not have universal application, a city, county, city and county, may continue to operate under this status as long as they meet the terms of this regulation.

PART 2, SECTION 1231
Minimum Standards for Local Detention Facilities

1231.1 Definitions.

BOARD OF STATE & COMMUNITY CORRECTIONS means the Board of State & Community Corrections, which acts by and through its executive officer, deputy directors and field representatives.

LIVING AREAS means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include special-use cells such as sobering, safety and holding or staging cells normally located in receiving areas.

LOCAL DETENTION FACILITY is any city, county, city and county, or regional jail, camp, court holding facility or other correctional facility, whether publicly or privately operated, and court holding facility used for the confinement of adults or of both adults and minors, but does not include that portion of a facility for the confinement of both adults and minors which is devoted only to the confinement of minors. The types of local detention facilities are as follows:

Court holding facility means a local detention facility constructed within a court building after January 1, 1978, used for the confinement of persons solely for the purpose of a court appearance for a period not to exceed 12 hours.

Temporary holding facility means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility or appearance in court.

Type I facility means a local detention facility used for the detention of persons usually pending arraignment for not more than 96 hours, excluding holidays, after booking. Such a Type I facility may also detain persons on court order either for their own safe-keeping or sentenced to a city jail as an inmate worker, and may house inmate workers sentenced to the county jail provided such placement in the facility is made on a voluntary basis on the part of the inmate. As used in this section, an inmate worker is defined as a person assigned to perform designated tasks outside of his or her cell or dormitory, pursuant to the written policy of the facility, for a minimum of four hours each day on a five-day scheduled work week.

TYPE II FACILITY means a local detention facility used for the detention of persons pending arraignment, after arraignment, during trial and upon a sentence of commitment.

TYPE III FACILITY means a local detention facility used only for the detention of convicted and sentenced persons.

TYPE IV FACILITY means a local detention facility or portion thereof designated for the housing of inmates eligible, under Penal Code Section 1208, for work/education furlough and/or other programs involving inmate access into the community.

RATED CAPACITY means the number of inmate occupants for which a facility's single-and double-occupancy cells or dormitories, except those dedicated for medical or disciplinary isolation housing, were planned and designed in conformity to the standards and requirements contained herein and in Title 15, C.C.R.

1231.2 Design criteria for required spaces.

1231.2.1 Reception and booking. Facilities where booking and housing occur shall have the following space and equipment:

1. Weapons locker as specified in Section 1231.3.12.
2. A cell or room for the confinement of inmates pending their booking, complying with Section 1231.2.2.

3. A sobering cell as described in Section 1231.2.4 if intoxicated, inmates who may pose a danger to themselves or others are held. For those facilities that accept male and female intoxicated inmates two sobering cells shall be provided.
4. Access to a shower within the secure portion of the facility.
5. Provide access to a secure vault or storage space for inmate valuables.

1231.2.2 Temporary holding cell or room. A temporary holding cell or room shall:

1. Contain a minimum of 10 square feet (0.93 m²) of floor area per inmate;
2. Be limited to no more than 16 inmates;
3. Be no smaller than 40 square feet (3.7 m²) and have a clear ceiling height of 8 feet (2438 mm) or more;
4. Contain seating to accommodate all inmates as required in Section 1231.3;
5. Contain a toilet, wash basin and drinking fountain as specified in Section 1231.3;
6. Maximize visual supervision of inmates by staff; and
7. When located in a temporary holding facility, the cell or room shall be equipped with a bunk if inmates are to be held longer than 12 hours.

1231.2.3 Temporary staging cell or room. A temporary staging cell or room shall:

1. Be constructed for the purpose of holding inmates who have been classified and segregated in accordance with Sections 1050 and 1053 of Title 15, Division 1, California Code of Regulations.
2. Be limited to holding inmates up to four hours.
3. Be limited to no more than 80 inmates.
4. Contain a minimum of 10 square feet (0.93 m²) of floor area per inmate and a clear ceiling height of 8 feet (2438 mm) or more.
5. Be no smaller than 160 square feet (14.9 m²).
6. Contain seating to accommodate all inmates as required in Section 1231.3.
7. Contain toilet, wash basin and drinking fountain as specified in Section 1231.3.
8. Maximize visual supervision of inmates by staff.

1231.2.4 Sobering cell. A sobering cell shall:

1. Contain a minimum of 20 square feet (1.9 m²) of floor area per inmate;
2. Be limited to eight inmates;
3. Be no smaller than 60 square feet (5.6 m²) and have a clear ceiling height of 8 feet (2438 mm) or more;
4. Contain a toilet, wash basin and drinking fountain as specified in Section 1231.3;
5. Have padded partitions located next to toilet fixture in such a manner that they provide support to the user;
6. Maximize visual supervision of inmates by staff;
7. Be padded on the floor as specified in Section 1231.3; and,
8. Have accessible a shower in the secure portion of the facility.

1231.2.5 Safety cell. A safety cell shall:

1. Contain a minimum of 48 square feet (4.5 m²) of floor area with no one floor dimension being less than 6 feet (1829 mm) and a clear ceiling height of 8 feet (2438 mm) or more;
2. Be limited to one inmate;
3. Contain a flushing ring toilet, capable of accepting solid waste, mounted flush with the floor, the controls for which must be located outside of the cell;
4. Be padded as specified in Section 1231.3;

5. Be equipped with a variable intensity, security-type lighting fixture which is inaccessible to the inmate occupant, control of which is located outside of the cell;
6. Provide one or more vertical view panels not more than 4 inches (102 mm) wide nor less than 24 inches (610 mm) long which shall provide a view of the entire room;
7. Provide a food pass with lockable shutter, no more than 4 inches (102 mm) high, and located between 26 inches (660 mm) and 32 inches (813 mm) as measured from the bottom of the food pass to the floor; and,
8. Any wall or ceiling mounted devices must be inaccessible to the inmate occupant.

1231.2.6 Single-occupancy cells. Single-occupancy cells shall:

1. Have a maximum capacity of one inmate;
2. Contain a minimum of 60 square feet (5.6 m²) of floor area in Type I facilities and 70 square feet (6.5 m²) of floor area in Type II and Type III facilities;
3. Have a minimum clear ceiling height of 8 feet (2438 mm) and a minimum width of 6 feet (1829 mm);
4. Contain a toilet, wash basin and drinking fountain as specified in Section 1231.3; and
5. Contain a bunk, desk and seat as specified in Section 1231.3.

Exception: A Type I facility does not require a desk and seat.

1231.2.7 Double-occupancy cells. Double-occupancy cells shall:

1. Have a maximum capacity of two inmates;
2. Contain a minimum of 60 square feet (5.6 m²) of floor area in Type I facilities and 70 square feet (6.5 m²) of floor area in Type II and Type III facilities;
3. Have a minimum clear ceiling height of 8 feet (2438 mm) and a minimum width of 6 feet (1829 mm);
4. Contain a toilet, wash basin and drinking fountain as specified in Section 1231.3; and
5. Contain two bunks, and at least one desk and seat as specified in Section 1231.3.

Exception: A Type I facility does not require a desk and seat.

1231.2.8 Dormitories. Dormitories shall:

1. Contain a minimum of 50 square feet (4.7 m²) of floor area per inmate for a single-bed unit; a minimum of 70 square feet (7 m²) for a double-bed unit; and a minimum of 90 square feet (9.3 m²) for triple-bed unit and have a minimum ceiling height of 8 feet (2438 mm);
2. Be designed for no more than 64 inmates and no fewer than four inmates;
3. Provide access to water closets separate from the wash basin and drinking fountains as specified in Section 1231.3; and
4. In other than Type I facilities, provide storage space for personal items and clothing for each occupant.

1231.2.9 Dayrooms. Dayrooms or dayroom space shall:

1. Contain 35 square feet (3.3 m²) of floor area per inmate in width in front of cells/rooms;
2. Contain tables and seating to accommodate the maximum number of inmates;
3. Provide access to water closets, wash basins and drinking fountains as specified in Section 1231.3;
4. Provide access to a shower or showers as specified in Section 1231.3; and
5. Be provided to all inmates in Type II and Type III facilities (except those housed in special-use cells) and to inmate workers in Type I facilities. Dayroom space as described

in this section may be a part of a single occupancy cell used for administrative segregation or a dormitory, in which case the floor area of the cell or a dormitory must be increased by the square footage required for the dayroom.

1231.2.10 Exercise area. An outdoor exercise area or areas must be provided in every Type II and Type III facility. The minimum clear height must be 15 feet (4572 mm) and the minimum number of square feet of surface area will be computed by multiplying 80 percent of maximum rated population by 50 square feet (4.7 m²) and dividing the result by the number of one-hour exercise periods per day.

The exercise area must contain or provide free access to a toilet, wash basin, and drinking fountain as provided in Section 1231.3.

There must be at least one exercise area of not less than 600 square feet (55.7 m²). The design shall facilitate security and supervision appropriate to the level of custody. Type IV facilities shall have an outdoor recreation area or access to community recreation facilities.

1231.2.11 Correctional program/multipurpose space. An area for correctional programming must be provided in every Type II and Type III facility. The program area and furnishings shall be designed to meet the needs specified by the facility's program statement.

Type IV facilities shall have multipurpose space for games and activities, dining, visiting, TV meetings and quiet space for study and reading, such that activities do not conflict with each other.

1231.2.12 Medical examination room.

There must be a minimum of one suitably equipped medical examination room in every facility which provides on-site health care. The examination room shall be designed in consultation with the responsible physician/health authority. Such a medical examination room shall:

1. Be located within the security area and provide for privacy of the inmates;
2. Provide not less than 100 square feet (9.3 m²) of floor space with no single dimension less than 7 feet (2134 mm);
3. Provide hot and cold running water;
4. Provide lockable storage for medical supplies; ~~and~~
5. [Provide an examination table;](#)
6. [Provide adequate lighting; and](#)
57. Any room where medical procedures are provided must be equipped with hot and cold running water.

1231.2.13 Pharmaceutical storage space. Provide lockable storage space for medical supplies and pharmaceutical preparations as referenced by Title 15, California Code of Regulations, Section 1216.

1231.2.14 Medical care housing. There shall be some means to provide medical care and housing of ill and/or infirm inmates. When the program statement for a Type II or Type III facility indicates that medical care housing is needed, such housing must provide lockable storage space for medical instruments and must be located within the security area of the facility accessible to both female and male inmates, but not in the living area of either. The medical care housing unit shall be designed in consultation with the health authority. Medical/mental health areas may contain other than single occupancy cells.

If negative pressure isolation rooms are being planned, they shall be designed to recognized industry standards.

1231.2.16 Commissary. In all Type II, III and IV facilities, except where community access is available, there shall be provisions made for inmates to purchase items (such as candy, toilet articles, stationery supplies, books, newspapers and magazines, etc.). An area shall be provided for the secure storage of the stock for such inmate canteen items.

1231.2.17 Dining facilities. In all Type II, III and IV facilities which serve meals, dining areas shall be provided which will allow groups of inmates to dine together. Such dining areas shall not contain toilets, wash basins or showers in the same room without appropriate visual barrier. Wherever the facility contains a central dining room or rooms, it shall contain a minimum of 15 square feet (1.4 m²) of floor space and sufficient tables and seating for each inmate being fed.

1231.2.18 Visiting space. Space shall be provided in all Types I, II, III and IV facilities for visiting.

1231.2.19 Safety equipment storage. A secure area shall be provided for the storage of safety equipment such as fire extinguishers, self-contained breathing apparatus, wire and barcutters, emergency lights, etc.

1231.2.20 Janitors' closet. In Type II facilities, at least one securely lockable janitors' closet with sufficient area for the storage of cleaning implements and supplies must be provided within the security areas of the facility. A mop sink shall also be available within the security area of the facility. In court holding, temporary holding, Types I, III and IV facilities, the closet need not be in the security area.

1231.2.21 Storage rooms. One or more storage rooms shall be provided to accommodate a minimum of 80 cubic feet (2.3 m³) of storage area per inmate for inmate clothing and personal property, institutional clothing, bedding and supplies. Court holding, temporary holding and Type I facilities may be excluded from the storage space requirement for personal and institutional clothing unless clothing is issued.

1231.2.22 Audio monitoring system. In court holding, temporary holding, Type I, Type II and Type III facilities there shall be an inmate- or sound-actuated audio monitoring system in temporary holding cells or rooms, temporary staging cells or rooms, sobering cells, safety cells, single and double occupancy cells, dormitories, dayrooms, exercise areas and correctional program/multipurpose space, which is capable of alerting personnel who can respond immediately.

1231.2.23 Laundry facilities. In Type IV facilities, provision shall be made for washing and drying personal clothing by machines, either in the facility or in the community, if access is permitted for same.

1231.2.24 Emergency power. There shall be a source of emergency power in all detention facilities capable of providing minimal lighting in all housing units, activities areas, corridors, stairs and central control points, and to maintain fire and life safety, security, communications and alarm systems. Such an emergency power source shall conform to the requirements specified in Title 24, Part 3, Article 700, California Electrical Code, California Code of Regulations.

1231.2.25 Confidential interview rooms. There must be a minimum of one suitably furnished interview room for confidential interviews in every facility which provides onsite health care. The interview room shall be designed in consultation with responsible custodial staff and health care staff. Such an interview room shall:

1. Be located within the security area accessible to both female and male inmates; and
2. Provide not less than 70 square feet (6.5 m²) of floor space with no single dimension less than 6 feet (1829 mm).

1231.2.26 Attorney interview space. All facilities except Type IV facilities shall include attorney interview areas which provide for confidential consultation with inmates.

Exception: The design of court holding and temporary holding facilities shall include the following required spaces from Sections 1231.2.2, 1231.2.19, 1231.2.20, 1231.2.21, 1231.2.22, 1231.2.24 and 1231.2.26.

1231.3 Design criteria for furnishings and equipment. Furnishings and equipment shall be as follows:

1231.3.1 Toilets/urinals.

1. Toilets/urinals must be provided in single-occupancy cells and double-occupancy cells.
2. In dormitories, toilets/urinals must be provided in a ratio to inmates of 1:10.
3. Toilets/urinals must be accessible to the occupants of day-rooms and exercise areas.
4. In temporary holding cells and temporary staging cells toilets/urinals must be provided in a ratio to inmates of 1:16.
5. In sobering cells toilets/urinals must be provided in a ratio to inmates of 1:8.
6. One urinal or 2 feet (610 mm) of urinal trough may be substituted for each toilet up to one third of the total number of toilets required, except in those facilities or portions thereof used for females.

[7. Toilet areas shall provide modesty for inmates with staff being able to visually supervise.](#)

~~Note: Toilet areas shall provide modesty for inmates with staff being able to visually supervise.~~

1231.3.2 Wash basins.

1. Wash basins must be provided in single occupancy cells and double occupancy cells.
2. In dormitories, wash basins must be provided in a ratio to inmates of 1:10.
3. Wash basins must be accessible to the occupants of day-rooms and exercise areas.
4. In temporary holding cells and temporary staging cells, wash basins must be provided in a ratio to inmates of 1:16.
5. In sobering cells, wash basins must be provided in a ratio to inmates of 1:8.
6. Wash basins must be provided with hot and cold or tempered water.
7. Two feet (610 mm) of wash basin trough may be substituted for each basin required.

1231.3.3 Drinking fountains. There must be a minimum of one drinking fountain in every single-occupancy cell, double-occupancy cell, dormitory, temporary holding cell, temporary staging cell, sobering cell, and be accessible to the occupants of day rooms and exercise areas. Additional drinking fountains shall be located in other areas of the facility so that drinking water will be available to inmates and staff. Such drinking fountains must meet the following minimum health requirements:

1. The drinking fountain bubbler shall be on an angle which prevents waste water from flowing over the drinking fountain bubbler.
2. Water flow shall be actuated by mechanical means.

1231.3.4 Showers must be available to all inmates on a ratio of at least one shower to every 20 inmates or fraction thereof and must provide hot and cold water or tempered water. Shower stalls/shower areas must be designed and constructed of materials which are impervious to water and soap so they may be easily cleaned. [Show](#) [er areas shall provide modesty for inmates with staff being able to visually supervise.](#)

~~**Note.** Shower areas shall provide modesty for inmates with staff being able to visually supervise.~~

1231.3.5 Beds must be elevated off the floor, have a solid bottom, and a sleeping surface of at least 30 inches (762 mm) wide and 76 inches (1930 mm) long. Multiple beds must have a minimum of 21 inches (533 mm) between bed pans. Except in minimum security areas, beds must be securely fastened to the floor or the wall.

1231.3.6 Lighting. Lighting in housing units, dayrooms and activity areas must be sufficient to permit easy reading by a person with normal vision, and shall not be less than 20 footcandles (215.2 lux) at desk level and in the grooming area. Lighting shall be centrally controlled and/or occupant controlled in housing cells or rooms. Night lighting in these areas shall be sufficient to give good visibility for purposes of supervision. In minimum-security areas, lighting may be supplied by ordinary lighting fixtures, and in areas of higher security, light fixtures must be of secure design.

1231.3.7 Windows. In housing areas of higher than minimum security, exterior windows which are constantly accessible to inmates for escape must be designed and constructed so that if broken out, the net area accessible for escape is no greater than 5 inches (127 mm) in one dimension.

1231.3.8 Cell padding. In sobering cells, the floor and partition shall be padded. In safety cells, padding must cover the entire floor, doors, and walls and everything on them to a clear height of 8 feet (2438 mm). All such padded cells must be equipped with a tamper resistant fire sprinkler as approved by the State Fire Marshal. All padding must be:

1. Approved for use by the State Fire Marshal;
2. Nonporous to facilitate cleaning;
3. At least 1/2-inch (12.7 mm) thick;
4. Of a unitary or laminated construction to prevent its destruction by teeth, hand tearing or small metal objects;
5. Firmly bonded to all padded surfaces to prevent tearing or ripping; and
6. Without any exposed seams susceptible to tearing or ripping.

1231.3.9 Mirrors. A mirror of a material appropriate to the level of security must be provided near each wash basin specified in these regulations.

1231.3.10 Seating. In temporary holding and temporary staging cells, seating must be securely fixed to the floor and/or wall. When bench seating is used, 18 inches (457 mm) of bench is seating for one person.

1231.3.11 Table/seat. In single- and double-occupancy cells, a table and seat for the purpose of writing and dining shall be provided.

Exception: A Type I facility does not require a table and a seat.

1231.3.12 Weapons locker. A secure weapons locker shall be located outside the security perimeter of the facility. Such weapons lockers shall be equipped with individual compartments, each with an individual locking device. Weapons lockers are required in temporary and court holding facilities and in all facilities of higher than minimum security.

Exception: The design of court holding and temporary holding facilities shall include the design criteria for furnishings and equipment from Sections 1231.3.1, 1231.3.2, 1231.3.3, 1231.3.6, 1231.3.10 and 1231.3.12.

TABLE 1231A

REQUIRED SPACES AND EQUIPMENT IN LOCAL DETENTION FACILITIES

	Type I	Type II	Type III	Type IV	Court Holding	Temp Holding
Reception/Booking	X	X	*	*		*
Temporary holding cells/room	X	X	*	*	X	X
Detoxification cell	*	X				
Safety cell	*	*				
Single-occupancy cell	X	X	*			
Dormitories	*	X	X	X		
Day room	*	X	X			
Exercise area		X	X	X ¹		
Shower area/delousing room	X	X				*
Program/multipurpose room		X	X	X		
Medical exam room ²		X	X			
Pharmaceutical storage space	X	X	X	X		*
Medical care housing		*	*			
Hair care space		X	X			
Commissary ³		X	X ³			
Dining facility ⁴	*	X	X	*		
Visiting space	X	X	X	X		
Attorney interview rooms	X	X	X		X	X
Confidential interview rooms		X	*			
Safety equipment storage	X	X ²	X	X	X	X
Janitor closet	X	X	X	X	X	X
Storage rooms	X	X ⁵	X	X	X	X
Audio/video-monitoring systems	X	X	X ⁶	*	X	X
Laundry facility		X		X ⁷		
Fire-detection alarm system	X	X	X	X	X	X
Emergency	X	X	X	X	X	X

X - Required

* - Required when program statement identifies need.

1. Not required if community recreation facilities are available.

2. Not required if the inmate population is less than 25.

3. Not required if community access is available.

4. Not required if meals are served in day room.

5. Must be securely lockable and located within the security area.

6. Required in areas housing prisoners of higher than minimum security.

7. Not required if community access is permitted.