

Utah Council on Criminal Justice Administration's
Project on Criminal Justice
Standards and Goals

CORRECTIONS

JAILS AND LOCKUPS

44154

Approved by
Utah Corrections Task Force and
Utah Council on Criminal Justice Administration
255 South 3rd East
Salt Lake City, Utah 84111



GALVIN L. RAMPTON
GOVERNOR

STATE OF UTAH
OFFICE OF THE GOVERNOR
SALT LAKE CITY

NCJRS

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ACQUISITIONS

Dear Citizens:

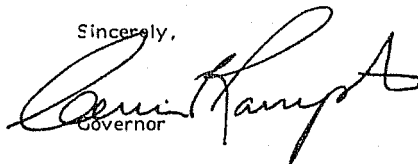
This pamphlet is one of a series of reports of the Utah Council on Criminal Justice Administration. The Council's five Task Forces: Police, Corrections, Judicial Systems, Community Crime Prevention, and Information Systems, were appointed on October 16, 1973 to formulate standards and goals for crime reduction and prevention at the state and local levels. Membership in the Task Forces was drawn from state and local government, industry, citizen groups, and the criminal justice profession.

The recommendations and standards contained in these reports are based largely on the work of the National Advisory Commission on Criminal Justice Standards and Goals established on October 20, 1971 by the Law Enforcement Assistance Administration. The Task Forces have sought to expand their work and build upon it to develop a unique methodology to reduce crime in Utah.

With the completion of the Council's work and the submission of its reports, it is hoped that the standards and recommendations will influence the shape of our state's criminal justice system for many years to come. Although these standards are not mandatory upon anyone, they are recommendations for reshaping the criminal justice system.

I would like to extend sincere gratitude to the Task Force members, staff, and advisors who contributed something unknown before--a comprehensive, inter-related, long-range set of operating standards and recommendations for all aspects of criminal justice in Utah.

Sincerely,


Governor

JAILS AND LOCKUPS

This report was published by the
Utah Council on Criminal Justice Administration with the
aid of Law Enforcement Assistance Administration funds.

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What is the Utah Council on Criminal Justice Administration (UCCJA)?

In 1968 the Omnibus Crime Control and Safe Streets Act was passed resulting in the creation of the Law Enforcement Assistance Administration (LEAA) in the U.S. Department of Justice. The act required the establishment of a planning mechanism for block grants for the reduction of crime and delinquency.

This precipitated the establishment of the Utah Law Enforcement Planning Council (ULEPC). The council was created by Executive Order of Governor Calvin Rampton in 1968. On October 1, 1975, the council was expanded in size and redesignated the Utah Council on Criminal Justice Administration (UCCJA).

The principle behind the council is based on the premise that comprehensive planning, focused on state and local evaluation of law-enforcement and criminal-justice problems, can result in preventing and controlling crime, increasing public safety, and effectively using federal and local funds.

The 27-member council directs the planning and funding activities of the LEAA program in Utah. Members are appointed by the governor to represent all interests and geographical areas of the state. The four major duties of the council are:

1. To develop a comprehensive, long-range plan for strengthening and improving law enforcement and the administration of justice . . .
2. To coordinate programs and projects for state and local governments for improvement in law enforcement.
3. To apply for and accept grants from the Law Enforcement Assistance Administration . . . and other government or private agencies, and to approve expenditure . . . of such funds . . . consistent with . . . the statewide comprehensive plan.
4. To establish goals and standards for Utah's criminal-justice system, and to relate these standards to a timetable for implementation.

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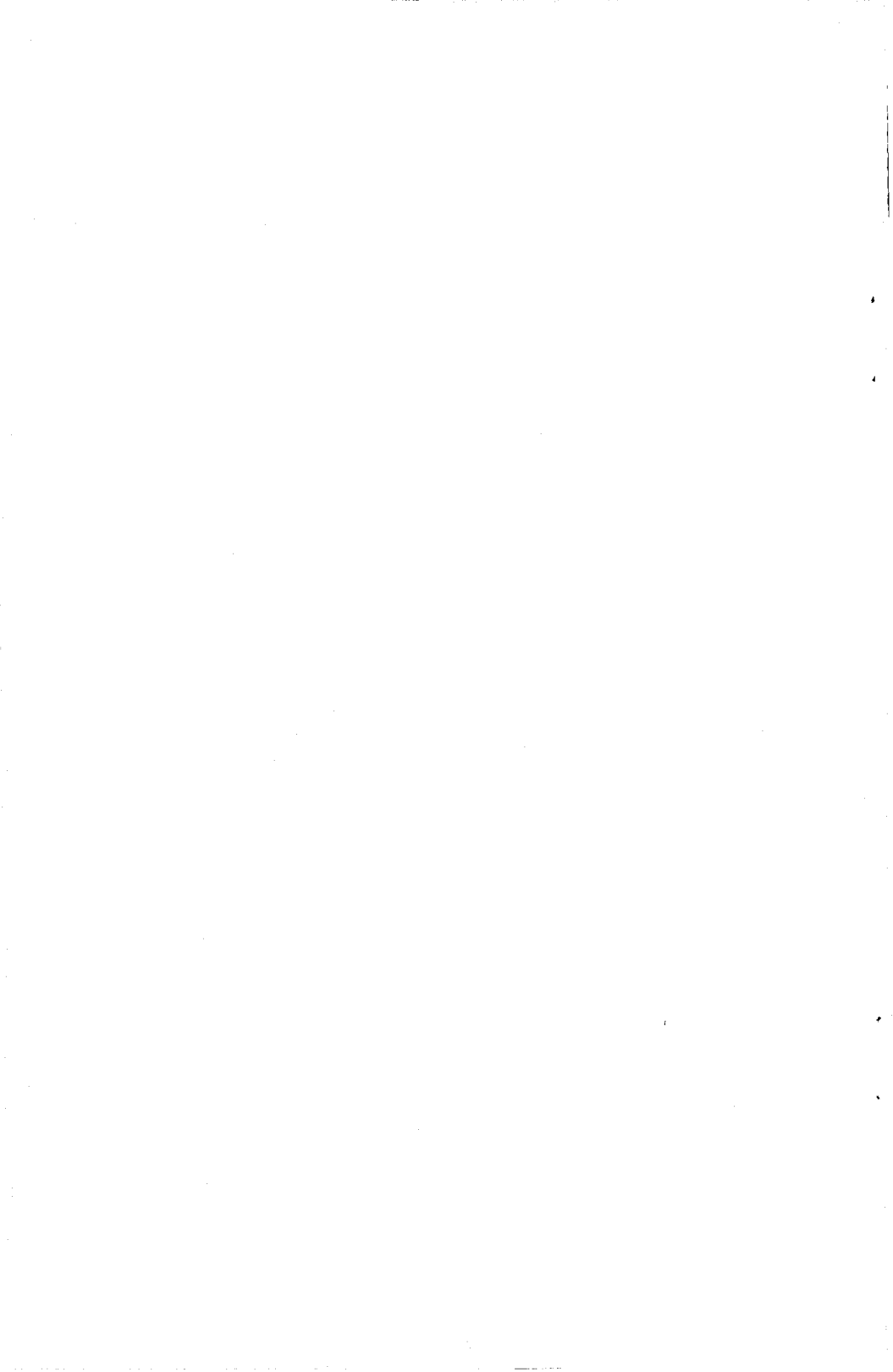
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INTRODUCTION

The jails and lockups in Utah face a multiplicity of problems, including condition of physical facilities, inadequate personnel, poor administration, under-utilization of available alternative programs and dispositions, and lack of cooperation between state and local correctional agencies. There are more jails and lockups in Utah than any other type of "correctional" institution. The standards in this pamphlet address the problems of jails and lockups.

In the discussion of the standards, lockups are included within the general term *jail*. However, there is a difference. A jail is defined as "any facility operated by a unit of local government for the detention or correction of adults suspected or convicted of a crime and which has authority to detain longer than 48 hours."¹ A local lockup is any such facility that has authority to detain for less than 48 hours.

All of the standards in this pamphlet can be implemented by the following METHOD OF IMPLEMENTATION:

In conjunction with the unified corrections study and proposed legislation that may result from that study, the legislature should establish legislation creating a Jail Standards and Inspection Service, to be housed within the Division of Corrections.

The Jail Inspection Service should provide for the establishment and certification of levels of jails and services to be offered. It is proposed that the legislature set aside funds for jail improvement and empower the Division of Corrections with the authority to oversee the disbursement of these funds.

Utilization of the Jail Inspection Service would be at the discretion of the individual jail administrators; however, utilization of such a service or certification and funding would be contingent upon compliance with the standards outlined by the Jail Standards and Inspection Service. In this way, Utah jails could be upgraded and, at the same time, avoid the problem of mandatory compliance which raises a constitutional conflict issue.

Such legislation was introduced in the 1975 legislature, but did not pass.

¹Law Enforcement Assistance Administration, *National Jail Census*, 1970: "A Report on the Nation's Local Jails and Types of Inmates," pp. 6-7.

Each of the nine standards in this pamphlet address one area concerning the operation of jails and lockups.

Standard 8.1 "Total System Planning" suggests that all correctional agencies, both state and local, should cooperate in planning for all the needs of offenders in a specific geographic area. In order to accomplish this, the following things should take place:

1. A thorough definition of the problems based on accumulated data and analysis.
2. Coordination with the statewide master plan for jails.
3. Coordination of individual program elements with the overall correctional service plan.
4. Emphasis on diversion from the criminal justice system.

Standard 8.2 "State System of Local Correctional Institutions" suggests that jails should be included in a statewide system using:

1. Subsidy contract programs.
2. Coordinated planning on a state and regional basis.
3. Special training for jail personnel provided by a state agency.

Standard 8.3 "State Inspection of Local Facilities" suggests that legislation be passed to provide for a jail inspection service. Such legislation should include:

1. Access of inspector to the facilities, staffs and inmates and observation of the rights of offenders.
2. Provisions for annual evaluation.
3. Remedies for jails that do not meet prescribed standards.
4. State funds to enable jails to meet prescribed standards.

Standard 8.4 "Adult Intake and Admission Process" would establish a central intake service to (1) investigate relevant information pertaining to a person's eligibility for pretrial release, diversion, or detention programs; (2) provide specialized personnel and

social services to the accused; and (3) assist a classification committee on program planning for sentenced offenders. This unit would be administratively part of the judiciary section while operationally part of the correctional facility. It also supports a residential detention center which separates pretrial detainees from the remainder of the jail population.

Inadequate jail staff is addressed by **Standard 8.5, "Staffing Patterns"**. It suggests that attention should be paid to recruitment, salary scales, staff assignments, staff qualifications, training, contract services with other jails and community resources, and the staff/inmate ratio.

Because there is insufficient staffing and funding for jails and ineffective screening for incoming inmates, the fundamental principle underlying the relationship between jailers and inmates is "custodial convenience" in which "everyone who can, takes the easy way out and makes only the minimal effort." Rather than having adequate staff supervision, there is a maximum security setting, which allows jailers to effectively abandon control and concentrate solely on unusual occurrences. As a result, inmates are left to work out their own internal control. **Standard 8.6, "Internal Policies"**, suggests internal policies which are directed at some of the problems of "custodial convenience."

Standard 8.7, "Local Correctional Facility Programming", proposes the establishment of a body to direct and follow the inmate's progress toward rehabilitation. Such a body would make the basic program decisions pertaining to each inmate. These decisions should be personally discussed with each individual. Correctional programming should include a variety of educational, vocational, recreational, counseling, and job placement services. The programs mentioned in the standard concern that segment of the institutional population unable to participate in community programs. In short, the standard proposes that the jails' role be expanded beyond custody-care to include rehabilitation. This standard also distinguishes between the jail that holds long-term prisoners, and the local lockup that does not hold an offender over 48 hours, and, therefore, cannot provide a full rehabilitative program.

Release programs are the functional heart of community oriented corrections within the jail. **Standard 8.8, "Jail Release Programs"**, urges the development of these programs through community cooperation, offender involvement, and new or modified facilities. Work release, educational or study release, weekend visits, and home furloughs are supported by the standard.

Jail facilities in Utah tend to be either overcrowded or under-utilized. Most of the jail facilities are inadequate. Building a new facility is not the answer. The means of delivering detention and correctional services must be reexamined. Otherwise, the new will merely repeat and perpetrate mistakes of the old. **Standard 8.9, "Local Facility Evaluation and Planning"**, is designed to give guidance on how a new facility should be planned and evaluated within the **"Total System Planning" of Standard 8.1.**

The staff felt that the jail standards were important enough that they should be analyzed as accurately as possible. Time limitations prohibited visiting every jail in Utah or meeting with every jail administrator. To solve this problem, a questionnaire was sent to all the county sheriffs and selected cities that the staff knew or thought had a city jail. A total of 79 questionnaires were sent out; of that number, 18 people replied that they had no jail or were using the county jail facility.

Responses were received from 29 jails. The statistics and percentages are based on these responses. Helper City and Morgan County returned their questionnaires after the statistical work was completed. As a result, they have been included in the narrative, but not the statistics. Occasionally, jails are mentioned by name where it is convenient.

Questionnaires were received from the following city and county jail administrators:

Counties		Cities
Beaver	Sanpete	Cedar City
Cache	Summit	Fairview
Davis	Tooele	Milford
Grand	Unitah	Orem
Iron	Utah	Payson
Juab	Wasatch	Provo
Millard	Wayne	Salina
Salt Lake	Weber	Spanish Fork
San Juan		Springville
		St. George
		Tremonton

Ute Indian facility located in Fort Duchesne

Another source used in analyzing these standards was the *1970 National Jail Census*. The data reported therein has been updated to include the construction that has taken place since then.

The *Utah Jail Study* prepared by Charles M. Friel was also used. It is based on the information from the 1970 National Jail Census.

The standards and the status of Utah's jails and lockups based on the questionnaire, the *1970 National Jail Census*, and *The Utah Jail Study*, are presented below:

STANDARD 8.1 TOTAL SYSTEM PLANNING

Utah's state and local correctional and planning agencies should immediately undertake, on a cooperative basis, planning for community corrections. This should be based on a total system concept that encompasses the full range of offenders' needs and the overall goal of crime reduction. While the actual methodology may vary, total system planning should include:

1. A thorough definition of the problems based on accurate data and analysis of:
 - a. The geographic area under study, including population trends and physical characteristics.
 - b. The economic status of the area.
 - c. The social values of the population to be served, both clients and the community.
 - d. The political atmosphere of the community(ies) in the area under study.
2. Where a local correctional plan exists, it should be coordinated with and a part of the statewide master planning body.
3. Individual program needs, such as detention, should not be considered apart from the overall correctional service plan or the relevant aspects of social service systems (e.g., health, education, public assistance, etc.) that have potential for sharing facilities, resources, and experience.

4. All correctional planning should give the highest priority to diversion from the criminal justice system and utilization of existing community resources.

UTAH STATUS AND COMMENTS

Generally, Utah does not meet this standard. There is some planning of correctional facilities and/or programs, but is usually not as comprehensive as this standard suggests it should be.

Sheriff's offices in Utah are given the responsibility of the county jail (UCA 17-22-2). Sections 17-22-4 through 10 further define his responsibilities concerning the jail.

City jails are the responsibility of the police department and are used to detain offenders of city ordinances.

The Division of Corrections also has responsibilities in the local areas since they have three halfway houses located in the community and the responsibility for all probationers and parolees, both misdemeanor and felony. Judges sometimes sentence a convicted person to a term in jail as a condition of probation, which then gives both the Division of Corrections and the sheriff responsibility for him.

There is a definite need for coordination among the county sheriff, the Division of Corrections, and, where there is a city jail, the city police chief since responsibilities often overlap. In some areas of the state, there is close cooperation, while in other areas there is none. For example, St. George City and Washington County share a jail and split the costs of operation evenly. Many counties and cities contract with another county with a larger jail to hold their sentenced offenders, usually Utah, Weber, or Salt Lake counties. The Division of Corrections does not have the statutory authority to concern itself with the jails; and, therefore, does not coordinate with county or city jails, although they do contract for placing inmates of the State Prison in jails. The type of planning and coordination suggested in this standard does not usually occur.

In response to overcrowded facilities, Utah and Salt Lake counties have recently completed feasibility studies which come very close to including all of the items suggested under paragraph 1 (planning phases) of this standard.

Since there is no agency responsible for all correctional activities in Utah, a statewide master plan does not exist. However, the Utah Council on Criminal Justice Administration (UCCJA) addresses all of the correctional activities within the state in their annual plan. Any activities which are requested to be funded with LEAA money must fit within that plan. Almost all new, innovative programs in Utah are funded this way.

In the past, it has been standard procedure to look at only part of the correctional needs in an area (e.g., the jail is overcrowded so a new jail is planned without looking at other ways to relieve crowding or placing program components in the new jail). However, this is beginning to change. Feasibility studies which look at the broad correctional picture are being conducted.

Exploration of methods to divert offenders from the jail and the criminal justice system are beginning. The Salt Lake County Detoxification Center has diverted some alcoholics from the jail both directly (i.e., taken from the jail to the center) and indirectly (i.e., a person in need of detoxification services goes to the center himself before being picked up by the police.) Provo City, Salt Lake and Weber counties have "release-on-own-recognizance" programs, which reduce pre-trial holding of accused offenders.

STANDARD 8.2

STATE SYSTEM OF LOCAL CORRECTIONAL INSTITUTIONS

Local adult detention and correctional facilities, both pre- and postconviction, should be incorporated within a statewide system by 1982. The state should assume leadership in making state funds available to local units of government and setting of administrative and program standards for jail operations. Standard setting, of course, does not mean state control. Local units of government shall retain responsibility for the operation of the jails and part of the financial responsibility. The need for pooling of services and facilities is apparent in Utah.

1. Community-based resources initially should be developed through subsidy contract programs, subject to state standards, which reimburse the local unit of government for accepting state commitments.

2. Coordinated planning for community-based correctional services should be implemented immediately on a state and regional basis. This planning should take place under jurisdiction of the state correctional system.

3. Special training and other programs operated by the state should be made available immediately to offenders in the community by utilizing mobile service delivery or specialized regional centers.

4. Program personnel should be recruited from the immediate community or service area to the maximum extent possible. Employees' ties with the local community and identification with the offender population should be considered essential to community involvement in the correctional program. At the same time, professional services should not be sacrificed, and state training programs should be provided to upgrade employee skills.

UTAH STATUS AND COMMENTS

In Utah, as pointed out in the review of **Standard 8.1, "Total System Planning"**, the responsibility for local detention facilities rests with the local units of government. At the county level, the sheriff has responsibility for detention facilities or jails for his respective county. Under Utah law, towns and municipalities may establish detention facilities for the detaining of prisoners charged with violating local city and town ordinances.

Utah has no subsidy contract program as suggested in paragraph 1, although the Division of Corrections has requested funds from the legislature to purchase local contract services from jails for some inmates. The program has not yet been finalized.

There are no state jail standards establishing minimum standards of care or correctional programming for local operation of jails. A Jail Standards Act was introduced in the 1969 legislature. The main thrust of the bill was to establish within the Division of Corrections a jail inspection and standards service for the state of Utah. The bill died in committee, and was never officially acted upon by the legislature. In the 1975 legislature, a similar bill was introduced; it was passed by the House of Representatives, but did not pass the Senate before the session ended. (Appendix 1 is the 1975 bill.)

The state of Utah should carefully consider the implications of a state/local subsidy contract program, such as is in existence in the state of California. There are many advantages to a local subsidy program; however, the development of such a program for Utah should be pursued with a great deal of caution and concern.

With respect to paragraph 2, little or no coordinated planning for community-based correctional services exists between the State Division of Corrections and local units of government. As indicated in the review of other standards, there has been little effort directed by any agency, except the UCCJA toward the development of a long-range plan for state/local corrections in Utah. The system is presently fragmented; the statutes are nebulous concerning specific responsibilities for activities. For example, Attorney General's Opinion No. 74-023, question 5, asks which agency has the sole and specific responsibility for the establishment, operation, administration, and maintenance for rehabilitation programs for the state of Utah. Briefly, the opinion indicates that no one agency in the state has the statutory responsibility for providing correctional rehabilitation services. The planning that exists does not rest primarily with the Utah State Division of Corrections. Local county units of government are seeking direction in the development of county correctional programs to operate within jails. Many Utah counties are immediately faced with renovating or replacing their county jail facilities and are seeking direction and cooperation from the State Division of Corrections; however, limited direction, financial or technological, is provided.

In paragraph 3, special training and/or correctional programs operated by the state at the prison or within the community-based setting of corrections are available only to a minimal extent to local institutional offenders. In select cases, the Division of Corrections has provided placements in the Salt Lake and Ogden halfway house programs for probationers who normally would have been committed to Weber or Salt Lake County Jails. Drug and alcohol treatment and rehabilitation programs are more readily available to the local jail population, since drug and alcohol treatment programs are locally operated and administered within county units of government.

The concept of corrections regionalization has been minimally explored in Utah. A regional service center in Sevier County was constructed with UCCJA funds in an effort to promote this concept. It has not functioned as expected. Major reasons for this failure are: resistance to inter-county and state agency cooperation, cost of care at the center is viewed by other agencies as

prohibitive, and transportation of prisoners to the center is viewed as time-consuming and cumbersome by most law enforcement agencies.

The Division of Corrections has placed a resident agent to provide services to inmates in jail, pre-sentence investigations, probation, and parole services wherever it is feasible. The UCCJA is endeavoring to develop a statewide regional service center plan which is feasible and acceptable to the criminal justice system. There is much resistance to this concept and much work will have to be done during the next ten years to make it acceptable. Issues needing resolution are: passing enabling legislation changing Division of Corrections administrative policies to allow their involvement, setting operational and program standards, and acquiring general public acceptance.

Since most local institutions lack extensive rehabilitation program, Utah doesn't meet paragraph 4. Generally, jail personnel are recruited from the local community. State training programs such as the POST Jailer Correctional Academy and the correctional academy sponsored by the Utah State Division of Corrections are, on a select basis, made available to correctional officers employed in local institutions.

STANDARD 8.3 STATE INSPECTION OF LOCAL FACILITIES

Pending implementation of Standard 8.2, the Utah state legislature should immediately authorize the formulation of state standards for correctional facilities and operational procedures and state inspection to insure compliance, including such features as:

1. Access of inspectors to a facility and the persons therein.
2. Inspection of:
 - a. Administrative area, including record-keeping procedures.
 - b. Health and medical services.
 - c. Offenders' leisure activities.

- d. Offenders' employment.
- e. Offenders' education and work programs.
- f. Offender's housing.
- g. Offender's recreation programs.
- h. Food service.
- i. Observation of rights of offenders.

3. Every detention facility for adults or juveniles should have provisions for an outside, objective evaluation at least once a year. Contractual arrangements can be made with competent evaluators.

4. If the evaluation finds the facility's programs do not meet prescribed standards, state authorities should be informed in writing of the existing conditions and deficiencies. The state authorities should be empowered to make an inspection to ascertain the facts about the existing condition of the facility.

5. The state agency should have authority to require those in charge of the facility to take the necessary measures to bring the facility up to standards.

6. In the event that the facility's staff fails to implement the necessary changes within a reasonable time, the state agency should have authority to go to court to condemn the facility.

7. Once a facility is condemned, it should be unlawful to commit or confine any persons to it. Prisoners should be relocated to facilities that meet established standards until a new or renovated facility is available. Provisions should be made for distribution of offenders and payment of expenses for relocated prisoners by the detaining jurisdiction.

8. State funds should be made available through the legislature when minimum standards are not met.

UTAH STATUS AND COMMENTS

Utah does not meet this standard. State law authorizes full-time health departments (26-15-44 (II) UCA) and county-wide health districts (26-22-16 (10) UCA) "To make any necessary sanitation and health investigations and inspections on its own initiative, or

in cooperation with the division of health, as to any matters affecting the public health."

To date this is the only inspection service authorized by statute. The Utah code does not provide for additional jail standards, inspections, or certifications as specified in the standard.

Any legislation drafted on this subject must meet the requirements explained in the Attorney General's Interpretation dated July 12, 1974 to be constitutional. The following excerpts from the interpretation give the most important points:

Any attempt by a state agency to establish minimum operating standards for city and county jails must take into consideration the so-called "ripper clause" of the Utah Constitution, Article VI, § 28, which prohibits the Legislature from empowering any special commission with authority to supervise or interfere with municipal functions, since operation and administration of city and county jails is a municipal function.

(This) constitutional provision coupled with the county commissioners' power over county jails as provided in UCA § 17-5-45, and the authority of cities to establish and maintain city jails and correctional facilities, UCA § 10-8-58, precludes direct intervention by a committee, commission, agency, etc., appointed by the legislature.

Nevertheless, a state agency may still be able to upgrade municipal jail facilities by implementing *non-mandatory programs* similar to those instituted by the State Department of Highways. In order to avoid any aspect of mandatory compliance on the part of local municipalities which might conflict with Art. VI, § 28 of the Utah Constitution, and yet maintain some semblance of control over the ultimate expenditure of class B and class C road funds, the legislature empowered the Road Commission with authority to promulgate rules for the dispersal of these funds. The rules formulated pursuant to this legislative edic provide for inspection and approval of all projects by the Department of Highways. In addition, no funds are transferred to municipalities until the necessary construction contracts are entered into by said municipalities and approved by the Department of Highways. Finally, funds transferred to local municipalities must be maintained in bank accounts separate and apart from general municipal funds. In this manner, the Department of Highways is able to approve the project, control the expenditure of funds and at the same time avoid potential constitutional problems.

Other instances of state funding of municipal projects without the appearance of mandatory controls may be found in the areas of health, social services, law enforcement, and manpower. The fact that some of these programs involve allocation of federal funds does not make them distinguishable.

In light of the above, it appears that the legislature could set aside funds for jail improvement and empower a special commission or state agency with authority to oversee the dispersal of said funds. Such an agency could be authorized to formulate rules for the dispersal of the funds which could include the setting of minimum jail standards and at the same time avoid the problem of mandatory compliance and its potential for constitutional conflict. Such rules could of course also provide for inspection of facilities as part of the approval process. In this manner the upgrading of municipal jails on a statewide basis could be accomplished.

STANDARD 8.4 ADULT INTAKE AND ADMISSION PROCESS

County and city jails in cooperation with their corresponding judicial districts should establish an intake-admission process conducive to the conditions and qualities needed to meet overall correctional goals. Such a process should include admission procedures, booking, interviews, and determining bail or Release on Recognizance.

Emphasis should be given to prompt processing that allows the individuals to be aware of his circumstances. The accused should not be detained longer than three hours before a final determination is made to hold the defendant or release him to a program in the community.

Most alleged offenders awaiting trial should be diverted to release programs. The remaining population should be those who represent a serious threat to the safety of others. A separate section of an existing jail or a separate facility, where feasible, should be arranged for pretrial detainees.

A. Booking

1. The process should be conducted within the security perimeter, with adequate physical separation from other portions of the facility.

2. Proper record keeping is necessary in the interest of the individual as well as the criminal justice system. Such records begin at the time of arrest. The booking format should meet the minimum requirements of the Utah Criminal Justice Information Systems (UCJIS) and should also include the results of the initial medical and social interviews.

3. All personal effects taken from the accused should be recorded, stored, and a receipt issued for them. The detaining facility is responsible for the effects until they are returned to their owner.

B. Pretrial Release Service

1. After booking but prior to admission to the jail, the accused should be interviewed by a pretrial service to determine eligibility for pretrial release.

2. This interview should serve to identify the alleged offenders needs and match community services to them. Diversion from the system and referral to alternative community-based programs (halfway houses, drug and alcohol treatment programs, etc.) should be emphasized. Such a unit should also provide assessment evaluation and classification services to other agencies and assist the jail's planning for sentenced offenders.

C. Admission Procedures

1. Only after a person fails to qualify for any form of pretrial release should he be admitted into the jail. The admission process should include a hot shower with soap and a thorough medical examination by a physician. Jail clothing may be issued. Detention rules and regulations should be provided to each new admission.

2. Each person may be interviewed by a counselor, social worker, or other program staff member. This interview would further pursue the needs of the individual and how they can be met within the institution. However, in small jails two interviews would not be feasible. They could be combined into one interview.

D. Administrative Principles

1. Intake services should be administratively part of the judiciary system.

2. Ideally, intake services should operate in cooperation with the jail.

3. Initiation of services should in no way imply that the client or the recipient of its services is guilty. Protection of the rights of the accused must be maintained at every phase of the process.

4. Confidentiality should be carefully maintained. Information should be made available only to public agencies which demonstrate both a "need to know" and a "right to know." Specialized personnel or service should be available to the intake-admission process either as staff members or by contract.

UTAH STATUS AND COMMENTS

No Utah jail completely meets this standard. All Utah jails meet parts of the standard and all parts of the standard are met in some jails. Each part of the standard will be addressed separately.

A prisoner is usually placed in a holding room during the admission process. There is no statistical data on the time needed for a prisoner to go through this process. However, such data would be insignificant in analyzing this standard since few jails have an admission process which includes all the elements mentioned in the standard. Nevertheless, present jail admission procedures are fairly brief and meet the three-hour limit unless a physician is included. Since these physicians work on a part-time basis, admission can be lengthy.

A. Booking

According to the survey, 61% of the responding agencies book within the security perimeter in a physically separate area. (Almost all major jails are included in this percentage.) All agencies conducted the admission and discharge process in the same area.

Utah law (Section 17-22-2) reads that a record must be kept on each committed individual. This record must, by law, include name, age, place of birth, and particulars describing the person. Seventy-one percent of the jails utilize a standardized (pre-printed) booking form. These forms include small cards, some fairly standard printed forms, and mimeographed forms designed by the individual agency. A few jails have printed forms unique to their agency.

Present forms consist of name, vital statistics, identification data, charge, and arrest information. A few include the name of the attorney called. Many booking forms serve as property receipts, as well as mail censorship and brutality charge waivers.

Generally, booking forms made little or no mention of medical problems. A few forms ask for the accused's condition when he came to the jail. One or two agencies had space to list needed medication. None provided space for the results of an intake interview although some provided space for "comments."

The Utah Criminal Justice Information System (UCJIS) has composed a booking form which they have made available to agencies on an optional basis. Only Salt Lake County is using it.

All jails reported taking personal effects from inmates. With one exception, these personal effects were taken at the time of booking. Eighty-three percent also stated that receipts were issued. Ninety percent of these jails reported having checking and storage facilities for these effects.

B. Pre Trial Release Service

At the time of the survey, there were two known formal pre-trial release programs for release-on-own-recognizance (ROR). Since that time, there have been other formal programs begun and the two known programs have changed. The formal programs are located in the Salt Lake City/County jail and the Weber County/Ogden City Jail. The following briefly describes these ROR programs.

Both programs allow a defendant to be released upon his promise to appear in court if he can demonstrate his ties to the community. To accomplish this, a pretrial service staff member must interview the defendant. Verified answers are then allocated so many points. If a defendant has enough points, he is eligible for ROR. Depending on the time needed to verify the interview, this process takes from 30 minutes to three hours.

Defendants charged with certain offenses are not eligible for ROR regardless of the points earned. Such offenses include felonies allegedly committed while awaiting trial on a previous felony charge or during probation or parole. Those who have been charged with a capital offense, arrested on a Bench Warrant, or failed previously to appear for court are also exempt. Local justices of the peace have added other exemptions. For example,

in South Ogden people charged with driving under the influence of alcohol cannot be released on ROR.

Since Weber-Ogden pretrial personnel are officers of the court, they have the authority to release misdemeanants. However, only a judge can release a person charged with a felony. In these instances, the Ogden interviewer calls the judge to discuss the interview with him. If the judge agrees on ROR release, even over the phone, the defendant can be released.

Salt Lake pretrial personnel are employees of a non-profit corporation. They do not have authority to release anyone but must work through the Salt Lake bail commissioners. By statute (Section 17-32-1), a bail commissioner has the same authority to fix bail in misdemeanor cases as a justice of the peace or a city court judge.

According to a recent opinion by the Attorney General, a judge and a bail commissioner have concurrent jurisdiction to decide bail for misdemeanor defendants. While the Salt Lake pretrial personnel have a good relationship with bail commissioners and find their recommendations are usually followed, they do not have the rapport with the judges that exists in Weber County. As a result, the Salt Lake program does not really handle felony offenders. Salt Lake personnel have the authority to recommend bail reductions, and do pretrial investigations on demand for some judges.

During 1975, Salt Lake plans to begin interviewing all inmates including those charged with a felony. In Weber County the jailers informally screen the inmates to see the interviewer.

Neither pretrial program does any diversionary activity. Diversion which occurs is done in the county attorney's office. Present Utah law makes no mention of adult diversion. While the new criminal code (UCA 76-9-701) reads that a "peace officer or a magistrate may release from custody . . . (an intoxicated) individual . . . if he believes imprisonment is unnecessary for the protection of the individual or another," this statute does not actually authorize diversion. However, Title 77, Chapter 19, Section 3 of the proposed revision of the penal code gives a magistrate authority to ROR a defendant. Such a provision could be construed to give pretrial personnel (especially those attached to the court) diversionary power. The Drug Referral Center, cooperating with the combined efforts of Salt Lake County Drug and Alcoholism Misdemeanant Services and Adult Probation and Parole,

operate a drug diversion program. This particular program has been very successful. However, without formal legislation and funding, the program is unable to operate at maximum capacity.

According to the survey, at least half of the departments in Utah do not divert or hold alcoholics and addicts in their jails. In those departments that have diversion, most did so only occasionally and do not have adequate facilities. Nevertheless, this same survey revealed that 55% of the jails have some form of pretrial release.

Only the Salt Lake Pretrial Service made any effort to refer individuals to social service agencies. Their standard interview form contains questions which attempt to ascertain any family, alcohol, drug, or psychiatric problems the individual may have. As a result of these questions, an informal working relationship exists between the Salt Lake Pretrial Services and the Granite and Salt Lake Mental Health centers.

C. Admission Procedures

Hot shower facilities are provided for incoming prisoners in 86% of the jails. Of those with facilities, 15 make showering a mandatory procedure. While the majority of these jails (9) make showers mandatory for all those booked, 6 make it mandatory only for those who will be held until trial. Those without shower facilities were generally holding facilities.

No jail gives accused prisoners a thorough medical examination. However, Salt Lake County Jail gives a brief medical examination within 48 hours. In fact, 17% of the jails stated medical services were not even available to inmates.

Jail clothing is issued in 58% of the jails usually as a mandatory procedure. Clothing may be issued to all booked, pretrial, and sentenced inmates. With one exception, those facilities that do not issue clothing are small jails or holding facilities.

According to the survey, 55% of the jails said a counselor or social worker interviewed their inmates. However, no information is available as to who is interviewed or under what circumstances. The survey also revealed that 41% of the jails do not have any access to a social worker. Only three jails said they had a written contract for such services. The remaining jails said they had a working agreement with the state or county to provide a social worker. Such figures give rise to doubts on the formality, completeness, or regularity of inmate interviews.

D. Administrative Principles

Since intake and admission to the jail tend to blend together in all Utah jails, it is hard to separate the two functions. Release-on-own-recognition, both formal and informal, is conducted by an outside agency, although the agency is not always a part of the judiciary system. There is close cooperation between these programs and the jail personnel. The jailor is often the bail commissioner. Confidentiality is generally maintained by the jailers in Utah.

STANDARD 8.5 STAFFING PATTERNS

Every jurisdiction operating locally-based correctional institutions and programs should immediately establish these criteria for staff:

1. All personnel should be hired and promoted according to merit, with all employees, except as noted below, assigned to the facility on a full-time basis.

2. Correctional personnel should receive salaries equal to those of persons with comparable qualifications and seniority in the jurisdiction's police and fire departments.

3. Law enforcement personnel should not be assigned to the staff of urban or regional correctional facilities. Holding facilities that are not used year-round should have some method to staff the facility while it is occupied, preferably without using law enforcement personnel.

4. Qualifications for correctional staff members should be set at the state level and include requirement of a high school diploma.

5. A program of pre-service and in-service training and staff development should be given all personnel. Provision of such a program should be a responsibility of the state government. New correctional workers should receive pre-service training in the fundamentals of facility operation, correctional programming, and their role in the correctional process. With all workers, responsibilities and salaries should increase with training and experience.

6. Correctional personnel should be responsible for maintenance and security operations, as well as for the bulk of the facility's in-house correctional programming for residents.

7. In all instances where correctional personnel engage in counseling and other forms of correctional programming, professionals should serve in a supervisory and advisory capacity. The same professionals should oversee the activities of volunteer workers within the institution. In addition, they themselves should engage in counseling and other activities as needs indicate. These services should be available in the larger urban and regional correctional facilities. Small holding facilities should not be expected to provide these services.

8. Wherever feasible, professional services should be purchased on a contract basis from practitioners in the community or from other governmental agencies. Relevant state agencies should be provided space in the institution to offer services. Similarly, other criminal justice employees should be encouraged to utilize the facility, particularly parole and probation officers.

9. Correctional personnel should be involved in screening and classification of inmates.

10. Every correctional worker should be assigned to a specific aspect of the facility's programming, such as the educational program, recreational activities, or supervision of maintenance tasks.

11. Large urban and regional correctional facilities should have at least one correctional worker on the staff for every six inmates in the average daily population, with the specific number on duty adjusted to fit the relative requirements for three shifts. Local holding facilities should have some method to staff the facility while it is occupied.

12. Any local facility which has an average daily population under ten should contract with a larger urban or regional correctional facility for any offenders expected to be held more than 48 hours, rather than staffing their own facility year-round. The larger facility will be able to have more adequate staff to provide counseling and other correctional programs.

UTAH STATUS AND COMMENTS

The majority of Utah's jails are not always in use and lack 24-hour year-round coverage. Wide diversity exists in those jails with full-time coverage. Coverage ranges from one full-time jailor in several small jails to a full-time staff of 65 in Salt Lake County Jail. Average daily inmate population varies from less than one to more than 300 inmates per day. With these disparities in mind, the following generalizations about Utah jail staff can be made:

1. Merit or Civil Service Status

Most jail personnel are not on any type of merit or civil service status. The following jails responded on the jail survey that they have merit or civil service: Salt Lake, Utah, Tooele, Uintah, and Weber counties, and Provo City. San Juan County answered yes and no. Generally, the large jails have civil service status, while the smaller ones do not.

2. Equal Salary

In 41% of the jails, the jail personnel receive salaries equal to those of persons with comparable qualifications and seniority in the police and fire departments. However, eight of the twelve jails providing equal pay are staffed by law enforcement personnel.

3. Law Enforcement Personnel Assigned to the Jail

The majority of the jails in Utah (69%) have law enforcement personnel assigned to them. Some are entirely staffed by law enforcement personnel, while others are staffed by a mixture of law enforcement and non-law enforcement personnel. The mixed staffing is generally in the larger jails and the law enforcement personnel act as supervisors and administrators rather than line personnel.

4. Qualifications Set at the State Level

Utah does not meet this paragraph. There are no uniform statewide personnel standards and each jurisdiction sets its own requirements. Where the jail is staffed with law enforcement officers, they must qualify as a peace officer as established by that agency. Most departments require a high school diploma. The only statewide requirement is that all officers must attend the P.O.S.T. basic peace officer training course within 18 months of hire.

5. Training

Only 26% of the jails have training standards. Some of the jails using law enforcement officers have no special training for those acting as jailers.

The most commonly used training method (52%) is on-the-job-training for the new jail personnel. In-service (special classes, etc.) training is used by 38% of the jails. The POST Jailer Training Academy, which began in 1974, has been used by 24% of the jails. The U.S. Bureau of Prisons Jail Operations and Jail Management Courses and a pre-service course conducted by the department are also used in some jurisdictions.

Where there is special training for jail personnel, it is most often in the area of jail operation and management. Some training is also given on the role of the correctional officer in the correctional process and programming, such as recreation, education, counseling, etc.

Promotions and salary increases are dependent upon meeting specific training and experience requirement in 59% of Utah's jails. However, the responsibilities of workers are increased with experience and training in 41% of the jails.

6. Correctional Personnel Responsible for Programming, Maintenance and Security Operations

In 72% of Utah's jails, the correctional personnel, whether law enforcement or not, are responsible for maintenance and security operations. There are very few jails in Utah that offer any jail programming. Depending upon the jail, it may be conducted by the jail staff, a group from another agency providing it, or some type of jail release program.

7. Professionals, Supervisory Correctional Personnel and Volunteers

Most of Utah's jails do not have any, or very little, correctional programming (e.g., recreational, educational, counseling). Where there is a jail program, it is generally conducted by jail personnel, although it may also be conducted by another agency and/or volunteers. In the five jails that have a volunteer program, the volunteers are supervised by a professional.

8. Contracted Professional Services

The percentage of jails with professional services ranges from almost all having it to almost none having it, depending upon the type of professional service. Where professional services are available, they are generally on the basis of a working agreement with a state or county agency. The largest number of formal written contracts are found in the areas of medical and dental services. Services are available in the following percentages of jails: medical, 83%; dental, 72%; social work, 59%; psychiatric, 55%; psychological, 55%; professional vocational placement services, 66%; and professional religious services, 62%.

Where space is provided for relevant state and county agencies (28% of the jails), it is generally on a temporary or shared space basis.

9. Screening and Classification

Most of Utah's jails have some type of screening and classification, even if its basis is separating male from female. (There are further details concerning this in Standard 8.6.) Jailers are involved in making the screening and classification decisions in 41% of the jails. Where another method is used, it is generally the sheriff who makes the decision, since these are the smaller jails.

10. Jail Programming

There are very few jails in Utah with any type of jail programming available, since most jails are used for holding purposes. Most sentenced inmates are contracted to a larger jail (generally Salt Lake, Weber, and Utah Counties) where there are rehabilitation programs.

Where programs are available, they may be conducted by the jail personnel or an agency or group not associated with the jail. Depending upon the philosophy of the jail administration, all jail personnel may or may not be involved in one of the programs being conducted. (For further details, see Standard 8.7 and Standard 8.8.)

11. Staff-inmate Ratio

Only 38% of the jails in Utah have 24-hour coverage, year-round. Most of Utah's jails are small holding facilities and are not in use year round. The smaller counties and cities contract with

the larger jails for anyone who is expected to be kept in jail for any length of time—mostly sentenced offenders.

Those jails that are used only occasionally have some type of coverage of the jail while it is in use. Two jails (Uintah and Grand Counties) have constant coverage while the jail is occupied. Most jails are covered by some person in the city police department or county sheriff's office who has other duties. Most often, this person is expected to occasionally check on the jail both day and night (12 jails). In six jails, there is constant coverage during the day with occasional checks at night. The person expected to check on the jail is the dispatcher, a clerk in the office, or a regular law enforcement officer who occasionally stops by the jail. It is difficult to make any generalization concerning the staff-inmate ratio with this type of staffing pattern.

The staff-inmate ration varies in the jails that have year-round coverage from almost 1:1 to over 10:1. However, both these extremes are misleading since they are in the rural jails that have full coverage. In these jails, they have an average daily jail population of less than ten and some combination of full- and part-time jail personnel to cover the jail at all times.

A more realistic measure of staff-inmate ratio is found in the jails in Weber, Davis, Salt Lake, and Utah counties whose ratio falls between 5 and 8 inmates per staff member.

SUMMARY

There are only six jails in Utah that have their jail personnel on a merit or civil service system. Since the majority of the jails use law enforcement personnel to staff the jail either completely or in part, approximately one-half pay their staff salaries equal to those with equal seniority and qualifications in the police and fire departments. The qualifications for jail staff in Utah are not set on the state level. Generally, specialized training for jail personnel is not available although it is becoming more so. Promotions and salary increases are usually dependent upon specific training and experience. In most jails, the jail personnel are responsible for maintenance and security operations. Where there is any type of jail program, it is generally conducted by jail personnel, although there may be another agency(ies) or volunteer(s) involved. Many of the services to the jail (especially medical and dental) are provided by either a formal written contract or a working agreement with another agency. Space for these people is a problem, since it is not often considered in the jail design.

Approximately one-half of the jails use jail personnel in making screening and classification decisions. Where there is any type of jail program available, it depends upon the philosophy of the jail administrator as to whether or not the jail staff is involved in a jail program. The staff-inmate ratio varies from 1:1 to 10:1, although the most realistic measure is between 5 and 8 inmates per staff member in Weber, Davis, Salt Lake, and Utah counties.

Generally, Utah does not meet this standard. The disparity between the large urban jail and the small rural jail shows up most vividly in the staff-inmate ratio.

STANDARD 8.6 INTERNAL POLICIES

Every jurisdiction operating locally-based correctional institutions and programs for adults should immediately adopt these internal policies:

1. A system for classification should be used to provide the basis for residential assignment and program planning for individuals. Segregation of diverse categories of incarcerated persons, as well as identification of special supervision and treatment requirements should be observed.

- a. The mentally ill should not be housed in a detention facility.
- b. Since local correctional facilities are not equipped to treat addicts, they should be diverted to narcotic treatment centers, where available. When drug users are admitted to the facility because of criminal charges not related to their drug use, immediate medical attention and treatment should be administered by a physician. Where these are not available, jail personnel should frequently check offenders on drugs to prevent suicides and deaths from overdoses.
- c. Since local correctional facilities are not proper locations for treatment of alcoholics, all such offenders should be diverted to detoxification centers, if available, and given a medical examination. Alcoholics with delirium tremens should be immediately transferred to a hospital for proper treatment. Where these facilities are not available, jail personnel should

check on them frequently to prevent suicide or death due to delirium tremens.

- d. In large jails, prisoners who suffer from various disabilities should have separate housing and close supervision to prevent mistreatment by other inmates.
- e. Beyond segregating these groups, serious multiple offenders should be kept separate from those whose charge or conviction is for a first or minor offense. In particular, persons charged with non-criminal offenses (for example, traffic cases) should not be detained before trial. The state government should insist on the separation of pre-trial and post-trial inmates, except where it can be demonstrated conclusively that separation is not possible and every alternative is being used to reduce pre-trial detention.

2. In large jails, detention rules and regulations should be provided each new admission and posted in each separate area of the facility. These regulations should cover items discussed in Chapter 12, "Rights of Offenders Under the Custody of the Division of Corrections." In small jails, those having a daily population of less than five, should orally inform all inmates of the jail rules and regulations at the time of admission and at any other time on request.

3. Every inmate has the right to visits from family and friends. Each facility should have at least 14 regular visiting hours weekly. Visiting hours should be expanded beyond this minimum to the extent possible. The environment in which visits take place should be designed and operated under conditions as normal as possible. Maximum security arrangements should be reserved for the few cases in which they are necessary. Small jails, those having a population of less than ten, should be encouraged to permit visiting at any reasonable hour to any person who does not present a security risk.

4. The institution's medical program should be directed by a physician on the staff. Where this is not possible, medical, dental, and other health services should be provided by other agencies (e.g., state, county and city health departments, medical societies, professional groups, hospitals and clinics) by formal written contract. Specifically:

- a. Each inmate should be examined by a physician within 24 hours after admission to determine his physical

and mental condition. If the physician is not immediately available, a preliminary medical inspection should be administered by the receiving officer to detect any injury or illness requiring immediate medical attention and possible segregation from other inmates, until the physician can see him.

- b. Every facility should have a regularly scheduled, formal sick call procedure that gives inmates the opportunity to present their request directly to a member of the jail staff designated to care for the health needs of the inmates, preferably a physician or registered nurse. Medical attention from a physician should be readily available.
- c. Every facility should be able to provide the services of a qualified dentist. Eyeglass fitting and other special services such as provision of prosthetic devices should be made available.
- d. Personal medical records should be kept for each inmate, containing condition on admission, previous medical history, illness or injury during confinement and treatment provided, and condition at time of release.
- e. All personnel should be trained to administer first aid.

5. Three meals should be provided daily at regular and reasonable hours. Meals should be of sufficient quantity, well prepared, served in an attractive manner, and nutritionally balanced. Service should be prompt, so that hot food remains hot and cold food remains cold. Each facility should also have a commissary service.

6. The inmates' lives and health are the responsibility of the facility. Hence, the facility should implement sanitation and safety procedures that help protect the inmate from disease, injury, and personal danger.

7. Each detention facility which is occupied year round should have written provisions that deal with its management and administration. Proper legal authority, legal custody and charge of the facility, commitment and confinement rules, transfer and transportation of inmates, and emergency procedures are among the topics that should be covered. Holding facilities that are not

occupied year round should have a written procedures manual that covers the same basic items in less detail and specifying under what conditions an offender will be transferred to another jail; basically, how, when, why, and which facility.

8. The use of an inmate trustee system should be discouraged in favor of a work release program.

UTAH STATUS AND COMMENTS

The size of the jail affects the level of compliance with this standard. For example, a jail with two cells cannot physically conduct the type of screening and classification that would be expected in a larger jail, neither is it necessary. A jail that is only occasionally used will have very different medical needs from the jail that averages over 100 inmates every day. This standard is discussed with this variety in mind.

1. Classification as the basis of residential assignment and program planning

Where the design capability of a jail is less than ten and the average daily inmate population is less than five, classification as the basis of residential assignment is not important. Jails of this size do not generally have any programs for their inmates. Most of these jails contract with larger jails (generally Weber, Salt Lake, and Utah counties) for any offenders expected to be held for an extended length of time.

Utah law concerning separation of offenders (Section 17-22-5) dictates classification of prisoners. Those awaiting trial, serving a sentence and persons committed for a civil offense must be separated. Male and female prisoners are also to be separated.

Most jails separate (or at least try to separate) male from female (96%), juvenile from adult (94%), and drunk from sober (96%) inmates. Any separation beyond this minimal amount is dependent upon the size and design of the jail and the types of offenders being detained at the same time. Residential assignment is further complicated in the larger jails by large numbers of part-time sentences (e.g., every weekend for a year as a condition of probation).

Most jails (79%) do not hold the mentally ill. Those jails who do hold mentally ill persons generally are holding them until they can be transported to the State Mental Hospital and there is no other place available to hold them.

Narcotic and drug users are diverted to an appropriate facility in 48% of the jails. Most of the jails that do not are small jails in rural areas that do not often have this problem. Where the narcotics user is diverted to a treatment facility, it is generally at the direction of the court or after sentencing. Diversion of these offenders from the jail is further complicated since most of the drug and narcotic treatment facilities are located along the Wasatch Front making it difficult for rural areas to use this resource. Most jails (69%) have available medical services and treatment available by a physician to drug users admitted to the jail on a charge *not* related to their drug use.

Generally (45%), alcoholics are transferred to another facility when it is necessary. In Salt Lake County, there is a 16-bed alcohol and drug detoxification facility. In many other areas of the state, detoxification services are available in a nearby hospital. Jails in the majority of the State (69%) will transfer an alcoholic with delirium tremens to a nearby hospital for treatment. Where they are not transferred, there is no facility available to care for them, or the hospital will not accept them.

In 52% of the jails prisoners with disabilities are separated to prevent mistreatment by other inmates and provide additional supervision. Epileptics, diabetics, and offenders with other special problems are given medical examinations and treated as the physician recommends in 90% of the jails in Utah.

Of the 29 jails responding, all said they give identified suicide risks extra supervision to prevent suicide. It is anticipated that *all* Utah jails do provide careful supervision of suicide risks. Some of the methods used are: closer and more frequent checks by the jail staff, change of residence to an area where closer supervision is possible, moved to another jail that has the capacity to monitor the inmate, moved to a hospital, watched by other inmates or monitored by closed circuit TV.

Persons charged with non-criminal offenses such as traffic offenses are detained prior to trial in 52% of the jails. Most jail administrators feel it is desirable to separate misdemeanor offenders from felony offenders (69%), serious or multiple offenders from minor or first-time offenders (79%), persons of

varying security levels (76%), and pre-trial from sentenced offenders (94%). This is sometimes hard to do when the jail is small or overcrowded, although jail administrators try to accomplish it. As noted above, in Utah law pre-trial and sentenced inmates are to be kept separate.

2. Rules and regulations provided to the inmates

There are eight jails that provide their inmates with a copy of the rules and regulations of the jail and posts them. These jails are: Salt Lake, Wasatch, Beaver, Juab, Uintah, Weber, and Morgan counties, and St. George City. Davis County jail posts the rules and regulations, but does not provide each inmate with a copy.

3. Visiting Rights

Almost all jails (90%) give their inmates the right to visits from family and friends. The conditions for visiting and hours vary from jail to jail. Some small jails have visiting hours as required, or when someone has arranged to visit an inmate without any scheduled regular visiting hours. Most of the jails that report no visiting hours are holding facilities that transfer their inmates to another jail with visiting hours. Eleven jails provide two to ten hours of scheduled visiting time per week, although there were two that reported one, and one that reported 45 hours per week.

4. Medical Programs

Most jails have medical and dental services provided by some other agency.

Medical services are provided by a working agreement with a state or county agency by nine jails, and four additional jails have formal written contracts. A few have a working agreement with a hospital or a local MD to provide medical services as needed.

Salt Lake County Jail is the only one where a new admission is routinely provided an examination by a physician within 24 hours and before being placed into the general inmate population. Most jails provide medical services only if required by the receiving officer. Most jails (86%) make a preliminary observation to detect any injury or illness requiring immediate medical attention and possibly separation from other inmates until a physician can see him. San Juan County Jail is the only jail in Utah that books an unconscious or seriously injured offender before he has been examined by a medical doctor or taken to a hospital or other medical institution.

The majority of the jails (66%) provide the services of a qualified dentist, if needed. A qualified medical technician or nurse is available daily in 38% of the jails. Some jails (24%) provide access to special services, such as eyeglass fittings, provision of prosthetic devices, etc., to their inmates.

Medical records are kept for each inmate that contain information concerning condition on admission, previous medical history, illness or injury during confinement, treatment provided during incarceration, and condition at time of release by 21% of the jails. A sick call procedure that allows the inmate to present his complaints directly to a member of the staff and obtain medical attention is provided by 83% of the jails. Jail personnel in 79% of the jails have been trained to administer first aid.

5. Meals and commissary services

In 55% of the jails three meals a day are provided. The smaller jails generally provide two meals a day. Those meals that are provided are of sufficient quality, well prepared, served in a reasonably attractive manner, and nutritionally balanced. The method of providing meals varies from TV dinners heated and served to food prepared and provided by a nearby cafe or restaurant to meals prepared by the jail by either jail personnel or trustees. Where inmates or trustees prepare the food, they are generally supervised by one of the jail staff. Meals are served promptly so that hot food remains hot and cold food remains cold in 93% of the jails. The meal is eaten in the cell in most jails, since they are so small that there is no dayroom or separate dining area in the jail. Four jails (Tremonton, Springville, Helper cities and Morgan County) take the inmates to a nearby cafe or restaurant. Three jails (Davis and Weber counties and the Ute Indians) serve the meals in a dayroom or dining area.

Commissary services are available in 31% of Utah's jails. These services are provided on request in San Juan, Millard, and Iron County jails. The rest of the jails provide commissary services either daily or periodically during the week. Davis and San Juan County jails are the only ones that use the profits of the commissary for an inmate fund to provide recreational equipment, cards, books, etc.

6. Health and Safety

In 41% of the jails quarterly inspections are held by the county or State Department of Health. However, the jails that are

inspected are the larger ones that are in regular use. The smaller holding facility is less likely to be inspected on any regular basis.

7. Jail Operations Manual

POST has made available to every jail in the state a jail operations manual, which can be used as the basis for an individually-tailored jail operations manual. Nine of the larger jails in Utah have developed their own jail operations manuals in written form.

8. Trustee System

A trustee system is used in 41% of the jails. Trustees are generally used to prepare meals and do maintenance work around the jail. Some are used for working on public buildings and grounds.

SUMMARY

Utah meets most of this standard. The large urban jail is most likely to meet the standard, while the small, rural jail is most likely not to meet it. Some of the jails are so small that requiring them to meet this standard would be impossible. Approximately one-half of Utah's jails are not in use all the time. There is a wide variety of usage from Wayne County Jail that has less than ten inmates in a year to Salt Lake County Jail, whose daily population is over 300 inmates.

By Utah law, prisoners must be separated male-female and untried, sentenced, and persons committed under civil process. Small jails with a few cells do not usually have more than one or two inmates at one time, and can keep these separate; therefore, classification of prisoners is not important. In the larger jails where classification is important, it is more elaborate. The larger jails attempt to meet the standard, although overcrowding may hinder these efforts. Outside the Wasatch Front there are few treatment facilities for drug and alcohol offenders.

Most of Utah's jails do not provide their inmates with a copy of the jail rules and regulations, although the large jails provide this. Visiting is permitted in almost all the jails, generally on a request basis without any scheduled, regular visiting times. In the large jails, there are regular scheduled visiting hours.

The medical program in most jails is conducted with a formal written contract or a working agreement with another county or

state agency. Dental services are also available on this basis. Other special services are not generally available.

Approximately one-half of Utah's jails serve three meals a day. The smaller jails have meals prepared by a nearby cafe or restaurant or serve TV dinners. The larger jails prepare the food in the jail, generally by trustees. Approximately one-third of the jails have commissary services. Some jails are inspected at least quarterly by the county or State Department of Health, generally the larger jails.

The larger jails have developed their own jail operations manual. A trustee system is used in approximately half of the jails, to prepare food and perform maintenance chores.

STANDARD 8.7 LOCAL CORRECTIONAL FACILITY PROGRAMMING

Every jurisdiction operating locally-based correctional facilities and programs for adults should immediately adopt the following internal programming practices:

A. Personnel

1. A decision-making body should be established to follow and direct the inmate's progress through the local correctional system, either as a part of or in conjunction with the community classification team concept set forth in The National Advisory Commission on Criminal Justice Standards and Goals Standard 6.3. Members should include a parole and probation supervisor, the administrator of the correctional facility or his immediate subordinates, professionals whose services are purchased by the institution, representatives of community organizations running programs in the institution or with its residents and inmates. This body should serve as a central information-gathering point. It should discuss with an individual inmate all major decisions pertaining to him.

2. Volunteers should be recruited and trained to serve as counselors, instructors, teachers, and recreational therapists.

3. Meetings with the administrator or appropriate staff of the institution should be available to all individuals and groups.

B. Programs

Since it is impractical for a facility that holds offenders less than 48 hours, they are exempt from the following paragraphs:

1. In general, internal programs should be aimed only at the part of the institutional population unable to take advantage of ongoing programs in the community.

2. Educational programs should be available to all residents in cooperation with the local school district. Particular emphasis should be given to self-pacing learning programs, packaged instructional materials, and utilization of volunteers and paraprofessionals as instructors.

3. Vocational programs should be provided by the appropriate state or local agency.

4. A job placement program at all community correctional centers should be carried on by the state and local employment agencies encouraging the help of local employers and unions.

5. Counseling services should be provided by each local institution. Individuals showing acute problems will require professional services. Other individuals may require, on a day-to-day basis, situational counseling that can be provided by correctional workers supervised by professionals.

6. A range of activities to provide physical exercise should be available both in the facility and through the use of local recreational resources. Other leisure activities should be supported by access to library materials, television, writing materials, playing cards, and games.

UTAH STATUS AND COMMENTS

This standard proposes that jails operate a program similar to the one presently operating at the Utah State Prison. Such programs move jails away from a custody function and toward rehabilitation. This is important since most people are eventually sentenced to the prison have previously been sentenced to jail numerous times. Rehabilitation efforts may be more successful if utilized before a person becomes a hardened criminal.

According to the survey about 80% of Utah jails have no decision-making body as described in paragraph one. Of the seven jails who said they had a body "to follow or direct the inmate's progress," two are holding facilities and two, Weber and Cache, are major jails with an average daily population of at least 10. Only four jails reported completely meeting paragraph 1 by also discussing all major decisions with the inmate involved. However, 59% of all jails said they personally discussed major decisions with their inmates.

Only five jails (17%) utilize volunteers in correctional programs. However, in all instances, such volunteers were supervised by professionals.

Only four jails (14%) said educational programs were available to all residents (through the local school district). However, only Weber County Jail said they had made arrangements with the local school district and college to allow inmate participation. Uintah is the only jail offering inmates an educational release and an in-house educational program. Only one jail, Salt Lake County, provides vocational training. Although three jails said it is possible for inmates to transfer among institutions for training opportunities, whether these transfers actually occur or under what circumstances is not discernable. According to the Utah Department of Employment Security, very little job placement occurs in the jail. The placement which does occur is very informal and erratic. In answering the survey, 66% of the jails said no vocational placement was available.

While 48% of the jails said counseling services were provided to inmates, further questions suggest that such service may be erratic and non-professional. Approximately 45% of the jails said professional social workers, psychiatrists or clinical psychologists were not available to inmates. Approximately 10% said written contracts existed between the jail and such professionals. The remaining 45% have working agreements with either the state or the county. The regularity or extensiveness of work is unknown. Only 10% of the jails have their personnel engaged in any counseling or correctional programming.

Besides being offered few if any rehabilitative programs, the inmate is given few opportunities to utilize his time. Only five jails (17%) allowed inmates to participate in physical exercises. Surprisingly, only one major jail has an exercise area. The jails in Weber, Utah, Davis and St. George do not have exercise areas; however, St. George and Davis are planning one. On the other hand, 72% of the jails reported having leisure activities such as

library materials, televisions, playing cards and games. Most of the jails without such leisure activities are small with the exception of St. George.

Utah jails have little internal programming. Available programs are informal and irregular. The decision-making body as described in paragraph 1 is probably non-existent in Utah. Volunteer services are seldom used. While internal programs are drastically inadequate, even fewer jails have any meaningful on-going community programs available (see standard 8.8).

STANDARD 8.8 JAIL RELEASE PROGRAMS

Every jurisdiction operating locally-based correctional facilities and programs for convicted adults should immediately develop release programs drawing community leadership, social agencies, and business interest into action with the criminal justice system.

Release programs have special potential for utilizing specialized community services to meet offenders' special needs. This capability avoids the necessity of service duplication within corrections.

1. Offender Involvement

- a. Since release programs rely heavily on the participant's self-discipline and personal responsibility, the offender should be involved as a member of the program planning team.
- b. Arrangements should be made to encourage offender participation in local civic and social groups. Particular emphasis should be given to involving the offender in public education and the community in corrections efforts.

2. Facilities

- a. Program location should be given high priority to the proximity of job opportunities. Various modes of transportation may need to be utilized.
- b. Work release may be operated initially from an existing jail facility, but this is not a long-term solution.

Rented and converted buildings (such as YMCA's, YWCA's, motels, hotels, etc.) should be considered to separate the transitional program from the image of incarceration that accompanies the traditional jail.

- c. When the release program is combined with a local correctional facility, there should be separate access to the work-release residence and activity areas.

3. Work Release

- a. Work release should be made available to persons in all offense categories who do not present a serious threat to others.
- b. The offender in a work-release program should be paid at prevailing wages. The individual and the work-release agency may agree to allocation of earnings to cover subsistence, transportation cost, compensation to victims, family support payments, and spending money. The work-release agency should maintain strict accounting procedures open to inspection by the client and others.

4. Other

- a. Weekend visits and home furloughs should be planned regularly so that eligible individuals can maintain ties with family and friends.
- b. Educational or study release should be made available to all inmates (pre-trial and convicted) who do not present a serious threat to others. Arrangements with the local school district and nearby colleges should allow participation at any level required (literacy training, adult basic education, high school or general educational development equivalency, and college level.)

UTAH STATUS AND COMMENTS

Of the 29 agencies who answered the questionnaire, 52% (15) replied they had some type of jail release program. However, only three (Uintah, Cache, and Grand) stated that they utilized community leadership, social agencies, and business interests.

The role an inmate plays in a release program is vitally important. Yet, only four jails (Uintah, Tremonton, Weber and Cache) said they involved the inmate in planning his program. Only five said they encouraged the inmate to participate in local civic and social groups.

All the jails with release programs, except Ute Indian and Morgan County, operate release programs out of the jails. Of these, three have separate accesses for the inmates. Only Weber utilizes rented or converted buildings.

Most jails with release programs specified they had a work release program and, in some instances, a part-time prisoner program. Of those with work release programs, only two stated the programs were *not* available to all except non-dangerous inmates. About half (6) of the programs pay inmates a prevailing wage for public work projects. While eight jails said it was possible to allocate an inmate's earnings to cover various costs, the survey did not discern whether this was actually the practice of the agencies. Seven jails stated that strict accounting procedures are maintained by the work release agency on inmate labor. Weber and possibly Juab are the only jails which, according to the survey, completely meet the work release section of the standard.

The survey did not cover weekend visits or home furloughs. However, few jails have these programs.

Only two jails (Uintah and San Juan) have an educational or study release program available. However, neither has formal arrangements with the local school district. Weber County Jail has a high school completion program. In cooperation with interested social and rehabilitation agencies, the Weber School District conducts classes in the jail for inmates and in the community for probationers and parolees.

Jails have very few release programs for inmates. Those programs which exist have a limited scope.

The work release and part-time programs are the only ones which have gained real acceptance. Vocational programs are nil and educational programs are almost non-existent. There is little offender involvement, and minimum security jails are noticeably lacking. The survey shows that jails, regardless of size, can and have adopted release programs.

STANDARD 8.9
LOCAL FACILITY EVALUATION AND PLANNING

Jurisdictions evaluating the physical plants of existing local facilities for adults or planning new facilities should be guided by the following considerations:

1. A comprehensive survey and analysis should be made of criminal justice needs and projections in a particular service area.
 - a. Evaluation of population levels and projections should assume maximum use of pre-trial release programs and post-adjudication alternatives to incarceration.
 - b. Diversion of sociomedical problem cases (alcoholics, narcotics addicts, mentally ill and vagrants) should be provided for.
2. Facility planning, location, and construction should:
 - a. Develop, maintain, and strengthen offenders' ties with the community. Therefore, convenient access to work, school, family, recreation, professional services, and community activities should be maximized.
 - b. Increase the likelihood of community acceptance, the availability of contracted programs and purchased professional services, and attractiveness to volunteers, paraprofessionals, and professional staff.
 - c. Afford easy access to the courts and legal services to facilitate intake screening, pre-sentence investigations, post-sentence programming, and pre-trial detention.
3. A spatial "activity design" should be developed.
 - a. Planning of sleeping, dining, counseling, visiting, movement, programs, and other functions should be directed at optimizing the conditions of each.
 - b. Unnecessary distance between staff and resident territories should be eliminated.
 - c. Transitional spaces should be provided that can be used by "outside" and inmate participants and give a feeling of openness.

4. Security elements and detention provisions should not dominate facility design.

- a. Appropriate levels of security should be achieved through a range of unobtrusive measures that avoid the ubiquitous "cage" and "closed" environment.
- b. Environmental conditions comparable to normal living should be provided to support development of normal behavior patterns.
- c. All inmates should be accommodated in individual rooms arranged in residential clusters of 8 to 24 rooms to achieve separation of accused and sentenced persons, male and female offenders, and varying security levels and to reduce the depersonalization of institutional living.
- d. A range of facility types and the quality and kinds of spaces comprising them should be developed to provide for sequential movement of inmates through different programs and physical spaces consistent with their progress.

5. Applicable health, sanitation, space, safety, construction, environmental, and custody codes and regulations must be taken into account.

6. Consideration must be given to resources available and the most efficient use of funds.

- a. Expenditures on security hardware should be minimized.
- b. Existing community resources should be used for provision of correctional services to the maximum feasible extent.
- c. Shared use of facilities with other social agencies not conventionally associated with corrections should be investigated.
- d. Facility design should emphasize flexibility and amenability to change in anticipation of fluctuating conditions and needs and to achieve highest return on capital investment.

7. Prisoners should be handled in a manner consistent with humane standards.
 - a. Use of closed-circuit television and other electronic surveillance is detrimental to program objectives, particularly when used as a substitute for direct staff-resident interaction. Experience in the use of such equipment has proven unsatisfactory for any purposes other than traffic control or surveillance of institutional areas where inmates' presence is not authorized.
 - b. Individual residence space should provide sensory stimulation and opportunity for self-expression and personalizing the environment.
8. Existing community facilities should be explored as potential replacement for, or adjuncts to, a proposed facility.
9. Planning for network facilities should include no single component or institution housing more than 350 persons.
10. When a new facility is planned, it should include consideration of the physical, social, and aesthetic impact of the new facility on the geographic area it will be placed in. Such consideration should be based on the National Environmental Policy Act of 1969.
11. Utah should have a network of regional service centers and holding facilities in order to provide the best services to the offender.
 - a. A regional service center should be located in the major population areas and service several counties. It should be designed to hold enough offenders (generally more than ten) to make the development of jail programs feasible. Space to implement the programs suggested in Standard 8.7 "Local Correctional Programming" and Standard 8.8 "Jail Release Programs" should be provided in the design of the jail. As the size of the facility increases, additional program space should be provided and the number of shared offices should go down. In small regional service centers, the space may be shared for several activities. The population of such a facility will mainly be sentenced offenders.

- b. Each county in Utah should have at least one holding facility. Generally, these will be designed to hold less than ten offenders, since an offender generally will not be held over 72 hours. Offenders expected to be held longer than 72 hours would be transferred to the regional service center serving that county. Space for programs would not be necessary because of the small number of offenders and the short time an offender will stay. An offender being tried during the day may be held in a holding facility if the distance to the nearest regional service center is over 50 miles.**

UTAH STATUS AND COMMENTS

Although Utah does not meet this standard, progress is being made in this direction.

One of the reasons this standard is not being met is that 17 of Utah's 34 jails are more than 25 years old. There are several holding facilities that were not included in the jail census, most being older than 25 years.

Since 1970, UCCJA has provided grants to all of the jails that have been built or renovated. Those funded most recently were required to complete a feasibility study—often under another UCCJA grant—prior to applying for construction funds. Jails have been completed in Beaver, Sevier, Juab, Tooele and Box Elder counties. A new jail to serve the Uintah-Ouray Indians has just been completed in Fort Duchesne, Utah. Major renovations have been completed in the Uintah and Wasatch county jails.

1. Survey and Analysis

Weber, Utah, and Salt Lake counties have recently completed feasibility studies concerning their jails, but have not yet acted on them. These studies covered all of the suggested items in the comprehensive survey and analysis of paragraph 1, and the planning suggested in paragraph 2. Projections for the future were somewhat hampered by a lack of long-range data. As a result of these feasibility studies, there have been some changes in the way a jail facility's problem is solved. Rather than building a new jail or adding to the existing one, there have been additional alternatives considered. Where a new jail is anticipated, the design will be affected by the information gained in the study.

2. Location

The county jails in Utah are usually located in the county seat. All the jails are located in an area where the use of the work, school, recreation, professional services, and community activity opportunities can be used to a maximum extent (i.e., in rural areas, what is available to the general population is available to the jail population; in urban areas, they are located in the middle of the city). Public transportation is scarce throughout the state, which may discourage maintenance of family ties while in the jail.

Because of the rural nature of most of Utah, many services are not available in the community, such as psychiatrists, psychologists, vocational counselors, specialized medical services, etc. Where such professional services are available, they are used through working agreements with state or county agencies most often. A few are provided by a formal written contract. Dental services are provided by a written contract in 7% of the jails and working agreements with state or county agencies in 57% of the jails. Medical services are provided by contract in 14% and by working agreements in 66% of the jails. Social work services are available by contract in 10% and working agreement in 48% of the jails. Psychiatric services are provided by contract in 7% and working agreement in 38% of the jails. Psychological services are provided in 10% by contract and 31% by working agreements. Vocational placement is available by contract in 3% and working agreement in 30% of the jails. Religious activities are provided by contract in 3% and by working agreement by 31% of the jails. Volunteers are not used in 76% of Utah's jails mainly because these jails are not large enough to warrant the use of volunteers. Paraprofessionals are not ordinarily used in Utah's jails.

Generally speaking, the jails in Utah have easy access to the courts. Most jails (79%) are either in the same building or walking distance from the court.

3 & 4. Spatial "activity design" and security

Even the newer jails in Utah only minimally meet the ideas expressed in paragraph 3, "a spatial activity design," and paragraph 4 concerning security. The new jails have been designed with maximum security in mind, although there has been some design for differing levels of security. Program areas have not been provided in the majority of the jails. Interview rooms are provided in 76% of the jails, but there are only 14% that provide outdoor recreation, 14% provide indoor recreation, 3% provide

educational facilities (i.e., Weber County Jail), 28% dining facilities, and 31% medical facilities. Kitchen and food preparation facilities are provided in 55% of the jails. The classification system in Utah jails was discussed in Standard 8.6. Generally, there is very little separation beyond male-female and tried-untried offenders.

5. Compliance with codes and regulations

The state or county health department inspects 41% of the jails at least quarterly. Other applicable health sanitation, space, safety, construction, etc., codes and regulations are being met.

6. Efficient use of resources

The jails in Utah have been designed for maximum security. Only minimal consideration of space for programs in the jail has been given. The jails built most recently have taken into consideration the development of program space. Flexibility has not often been built into the jail, although in many cases space designed for one use has been adapted to another.

Only 28% of the jails have any provision for other agencies to use space in the jail. Space that is provided is either permanent, shared or temporary space. None of the jails have provided space for social service agencies that are not connected in some way with a correctional or law enforcement function. Some jails provide space in the jail for other law enforcement agencies, Adult Probation and Parole, mental health workers, release-on-own-recognition programs, religious, etc.

7. Humane Design

Jail administrators in Utah generally feel that they handle their prisoners in a humane manner. Six jails (i.e., Salt Lake, Beaver, Juab, Cache, Weber counties and Provo City) use closed circuit television and other electronic surveillance devices in security areas. The way they are used varies from use in corridors, elevators, and other general purpose areas to use in individual cells, often for a specific purpose such as suicide prevention. Due to the maximum security nature of most of Utah's jails, there is no opportunity for self-expression and personalizing of the environment. Sensory stimulation in the living areas of the jail is limited.

8. Alternatives to New Jail Construction

Only the feasibility studies in Weber, Utah, and Salt Lake counties have considered using community facilities as adjuncts to jail facilities or as an alternative to developing new facilities.

9. Capacity

Salt Lake County Jail has a design capacity of 345. Weber County, with a design capacity of 125, is the next largest jail in Utah. Since there is no network of facilities in Utah, paragraph 9 of this standard does not apply; however, it should be kept in mind for any planned expansion of Salt Lake County Jail, with perhaps the development of a second facility and a network of facilities considered.

10. Most of the recent jail construction or renovation in Utah has taken place with the use of LEAA money, which requires compliance with the National Environmental Policy Act of 1969. Within the last three years, new jails have been constructed in Sevier, Juab, Tooele, Box Elder, and Beaver counties. Major renovations have been completed in the jails in Uintah and Wasatch counties.

11. The UCCJA has tried to promote the regional service center concept, but has had little success. The facility in Sevier County was designed with this concept in mind, with the expectation that neighboring counties would contract with Sevier County for at least jail services. The cost of care in the facility and the geographical distances for transporting prisoners are viewed by neighboring counties to be prohibitive. These are the two major reasons the regional service center concept is not now operating effectively there. The UCCJA has chosen to continue encouraging the development of regional service centers.

Daggett County is the only county that does not have at least one holding facility. Most counties have a county jail and one or more city jails.

SUMMARY

Utah does not meet this standard. Half of Utah's jails are over 25 years old and did not have the type of planning suggested in the standard. Since 1970, there has been better planning of the type suggested in the survey and analysis suggested in paragraph

1. Generally, Utah jails are located in or near a community where the offender can maintain ties with the community and use its resources. (paragraph 2)

Utah's jails are planned as maximum security facilities, giving little attention to providing space for programs and activities for the inmates, flexibility in the design, to provide sensory stimulation, opportunity for self-expression, or to personalize the environment (paragraphs 3, 4, 6, and 7). Closed-circuit television and other electronic surveillance is not used in most of Utah's jails (paragraph 7). Where it is used, it has a specific purpose. Applicable health, sanitation, space, safety, construction, environmental, and custody codes and regulations seem to be met, although there is room for improvement (paragraph 5).

Most Utah jails do not have any excess space to share with other agencies, whether related to the corrections function or not (paragraph 6). There has been very little exploration of the use of existing community facilities in lieu of, or as adjuncts to, a new or the existing jail (paragraph 9). There is no other jurisdiction with enough offenders to warrant the development of a network of facilities.

The major problem in analyzing this standard is the wide variety of jails in Utah. A definite difference exists between the urban and rural jails. The large urban jails meet most of this standard, except the paragraph on closed-circuit television. The small rural jails meet very few of the items in the standard. There seems to be a natural cut-off point where it is feasible to meet this standard at a jail designed for ten or more persons.

**APPENDIX 1
(JAIL STANDARDS ACT)
1975 GENERAL SESSION
H.B. No. 163**

An act allowing counties, cities, and towns to request advice on the operation and maintenance of jails, lock-ups, and like facilities and on the care and treatment of persons confined; providing that counties, cities, and towns may make application for state matching funds for new construction or improving existing adult detention facilities; providing that a combination of counties, cities, and towns may receive matching funds for regional facilities; providing that a combination of counties, cities,

and towns may receive matching funds for regional facilities; and providing for a jail inspector and the establishment of standards for the operation of jails and like facilities.

Be it enacted by the Legislature of the State of Utah:

Section 1. It is hereby declared to be the policy of the state of Utah that in the interests of the public good, jails, lockups and adult detention facilities shall be operated under such conditions as to provide reasonable security for the community as well as a humane, rehabilitative environment for persons confined therein.

Section 2. (1) As a measure for implementing the policy outlined in section 1, when requested, the division of corrections shall advise any county, city or town on the operation and maintenance of any jail, lockup or other adult detention facility and on the care and treatment of persons confined in any such facility, and shall, when requested, consult with and advise any such county, city or town on the design and construction of any such facility, and the standards for correctional employees employed at such facility.

(2) Counties, cities, or towns requesting such advice from the division of corrections may, after completion of such inspection and based on the findings and recommendations thereof, make application to the division of corrections for state matching funds for the improvement of local adult detention facilities and services to persons detained under their respective jurisdiction. Said improvements or services shall include, but not be limited to, construction of new facilities, additional personnel for operating such facilities, and implementation and operation of approved rehabilitative programs. Prior to the approval of the matching funds by the division of corrections, the applicant shall conform, or agree to conform, to the minimum jail standards and the rules and regulations established by the division of corrections in accordance with procedures established by the Utah administrative rule-making act.

(3) Any two or more counties, towns or cities or any combination of such entities desiring to establish, operate and maintain a regional jail, lockup or other adult detention facility may apply for and receive state matching funds for such regional facility under the provision of this section. When such facilities are constructed under these provisions they shall be subject to the supervisory inspection and control of the division of corrections.

Section 3. The division shall employ jail inspectors who shall inspect all county, city, or town jails, lockups, or like facilities to determine if they are being operated and maintained in accordance with standards, rules and regulations promulgated by the division pursuant to section 2, and where necessary will make recommendations for improvements in facilities and operations to achieve such standardization. Jail inspectors shall advise the local governing entity operating the facility, the division of corrections and the attorney general, of the results of the inspection. At the request of the entity maintaining the facility, the results of the inspection shall remain confidential and not subject to public knowledge.

MANAGEMENT AND FISCAL ANALYSIS
H.B. No. 163

It is estimated that the administrative cost of this proposed bill would be approximately \$75,000 per year. It is our understanding that a grant of Federal funds from the Utah Law Enforcement Planning Council is available for up to three years for these administrative costs. Subsequent years expenses would come from the General Fund. The Federal grant would require 10% or approximately \$7,500 in state matching funds.

The cost of state matching for upgrading jail programs and facilities as provided by the bill would depend on the matching ratio established and the number and dollar amount of requests for assistance received and approved. The amount available for this purpose would be controlled by legislative appropriation.

OFFICE OF THE LEGISLATIVE ANALYST



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