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**ILLINOIS  
MUNICIPAL JAIL AND LOCKUP  
STANDARDS**

**Effective October 1, 1988**

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U.S. Department of Justice  
National Institute of Justice

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**TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT**

**CHAPTER I: DEPARTMENT OF CORRECTIONS**

**SUBCHAPTER f: COUNTY STANDARDS**

**PART 720**

**MUNICIPAL JAIL AND LOCKUP STANDARDS**

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**AUTHORITY:** Implementing and authorized by Section 3-15-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1987 Supp., ch. 38, par. 1003-15-2).

**SOURCE:** Amended November 4, 1977; emergency rule at 3 Ill. Reg. 8, p. 1, effective February 14, 1979, for a maximum of 150 days; amended at 4 Ill. Reg. 28, p. 311, effective July 1, 1980; codified at 8 Ill. Reg. 14415; amended at 12 Ill. Reg. 12452, effective October 1, 1988.

**NOTE:** All capital letters indicate statutory language.

## FOREWORD

This manual contains standards and procedures for the operation of municipal jails and lockups and supersedes the Municipal Jail and Lockup Standards dated July, 1980. These standards provide a guide to municipal authorities which will promote the security of the community, improve safety for staff and confined persons, encourage efficient management, and upgrade the general condition of jails and jail operations throughout Illinois.

Jail and lockups are a part of the criminal justice system. Often, offenders receive their first confinement experience in such a facility and the type of care and treatment they receive has a strong influence on their subsequent attitudes and adjustments. Humane custodial care and treatment is, therefore, required.

Establishing standards is not an arbitrary procedure. Statutes, court decisions, and sound management principles are fundamental guides. The minimum standards contained herein, which must be met, reflect those guides. When court opinions in the various jurisdictions contradict these standards, the court opinion supersedes and will prevail.

## ILLINOIS MUNICIPAL JAIL AND LOCKUP STANDARDS

### CROSS REFERENCE TABLE

**PREFACE:** The Municipal Jail and Lockup Standards were codified as required by the Illinois Administrative Procedure Act (Ill. Rev. Stat., ch. 127, pars. 1001 et seq.) and the Rulemaking rules (1 Ill. Adm. Code 100) promulgated by the Secretary of State. The codified rules are labeled in Sections rather than Chapters as the previous standards were. The following table is provided to assist you in making the transition to the codified rules.

<u>Previous Standard Number</u>	<u>Standard Title</u>	<u>Current Standard Number</u>
	Definitions .....	720.5
Chapter I	Legal Authority to Set Up Standards and Exercise Supervision Over Jails and Lockups .....	720.10
Chapter II	Legal Rights of Accused While In Custody .....	720.20
Chapter III	Use of Jails/Lockups .....	720.30
Chapter IV	Minimum Physical Standards--Existing Buildings .....	720.40
Chapter V	Minimum Cell and Detention Room Standards--Existing Facilities .....	720.50
Chapter VI	Supervision .....	720.60
Chapter VII	Security .....	720.70
Chapter VIII	Food .....	720.80
Chapter IX	Sanitation .....	720.90
Chapter X	Fire Protection .....	720.100
Chapter XI	Emergency Plan .....	720.110
Chapter XII	Detainee Records .....	720.120
Chapter XIII	Reports to the Detention Standards and Services Unit .....	720.130
Chapter XIV	Use of Force .....	720.140

<u>Previous Standard Number</u>	<u>Standard Title</u>	<u>Current Standard Number</u>
Chapter XV	Juvenile Detention .....	720.150
Chapter XVI	New Construction .....	720.160

**Section 720.5 Definitions**

"Department" means the Illinois Department of Corrections.

"Detention Standards and Services Unit" means the unit within the Bureau of Inspections and Audits of the Department of Corrections which is authorized to monitor compliance with Municipal Jail and Lockup Standards.

"Unit" means the Detention Standards and Services Unit.

(Source: Added at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.10 Legal Authority to Set up Standards and Exercise Supervision over Jails and Lockups**

Standards and Assistance to Local Jails and Detention and Shelter Care Facilities, Section 3-15-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1987 Supp., ch. 38, par. 1003-15-2):

- a) THE DEPARTMENT SHALL ESTABLISH FOR THE OPERATION OF COUNTY AND MUNICIPAL JAILS AND HOUSES OF CORRECTION, AND COUNTY JUVENILE DETENTION AND SHELTER CARE FACILITIES ESTABLISHED PURSUANT TO THE "COUNTY SHELTER CARE AND DETENTION HOME ACT", MINIMUM STANDARDS FOR THE PHYSICAL CONDITION OF SUCH INSTITUTIONS AND FOR THE TREATMENT OF INMATES WITH RESPECT TO THEIR HEALTH AND SAFETY AND THE SECURITY OF THE COMMUNITY AND TO MAKE RECOMMENDATIONS TO SUCH INSTITUTIONS TO ASSURE COMPLIANCE WITH THE REQUIREMENTS OF SUCH MINIMUM STANDARDS.
- b) AT LEAST ONCE EACH YEAR, THE DEPARTMENT SHALL INSPECT EACH SUCH FACILITY FOR COMPLIANCE WITH THE STANDARDS ESTABLISHED AND THE RESULTS OF SUCH INSPECTION SHALL BE MADE AVAILABLE BY THE DEPARTMENT FOR PUBLIC INSPECTION.
  - 1) IF ANY DETENTION, SHELTER CARE OR CORRECTIONAL FACILITY DOES NOT COMPLY WITH THE STANDARDS ESTABLISHED, THE DIRECTOR OF CORRECTIONS SHALL GIVE NOTICE TO THE COUNTY BOARD AND THE SHERIFF OR THE CORPORATE AUTHORITIES OF THE MUNICIPALITY, AS THE CASE MAY BE, OF SUCH NONCOMPLIANCE, SPECIFYING THE PARTICULAR STANDARDS THAT HAVE NOT BEEN MET BY SUCH FACILITY.
  - 2) IF THE FACILITY IS NOT IN COMPLIANCE WITH SUCH STANDARDS WHEN SIX MONTHS HAVE ELAPSED FROM THE GIVING OF SUCH NOTICE, THE DIRECTOR OF CORRECTIONS MAY PETITION THE APPROPRIATE COURT FOR AN ORDER REQUIRING SUCH FACILITY TO COMPLY WITH THE STANDARDS ESTABLISHED BY THE DEPARTMENT OR FOR OTHER APPROPRIATE RELIEF.
- c) THE DEPARTMENT SHALL PROVIDE CONSULTATION SERVICES FOR THE DESIGN, CONSTRUCTION, PROGRAMS AND ADMINISTRATION OF DETENTION, SHELTER CARE, AND CORRECTIONAL FACILITIES AND SERVICES FOR CHILDREN AND ADULTS OPERATED BY COUNTIES AND MUNICIPALITIES AND SHALL MAKE STUDIES AND SURVEYS OF THE PROGRAMS AND THE ADMINISTRATION OF SUCH FACILITIES. PERSONNEL OF THE DEPARTMENT SHALL BE ADMITTED TO THESE FACILITIES AS REQUIRED FOR SUCH PURPOSES. THE DEPARTMENT MAY DEVELOP AND ADMINISTER PROGRAMS OF GRANTS-IN-AID FOR



**CORRECTIONAL SERVICES IN COOPERATION WITH LEGAL AGENCIES. THE DEPARTMENT SHALL PROVIDE COURSES OF TRAINING FOR THE PERSONNEL OF SUCH INSTITUTIONS AND CONDUCT PILOT PROJECTS IN THE INSTITUTIONS.**

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.20 Legal Rights of Accused While in Custody**

Sections 103-2, 103-3, 103-4, 103-7 and 103-8 of the Code of Criminal Procedure of 1963 (Ill. Rev. Stat. 1985, ch. 38, pars. 103-2, 103-3, 103-4, 103-7 and 103-8).

- a) TREATMENT WHILE IN CUSTODY
  - 1) ON BEING TAKEN INTO CUSTODY EVERY PERSON SHALL HAVE THE RIGHT TO REMAIN SILENT.
  - 2) NO UNLAWFUL MEANS OF ANY KIND SHALL BE USED TO OBTAIN A STATEMENT, ADMISSION OR CONFESSION FROM ANY PERSON IN CUSTODY.
  - 3) PERSONS IN CUSTODY SHALL BE TREATED HUMANELY AND PROVIDED WITH PROPER FOOD, SHELTER, AND, IF REQUIRED, MEDICAL TREATMENT.
- b) RIGHT TO COMMUNICATE WITH ATTORNEY AND FAMILY-- TRANSFERS
  - 1) PERSONS WHO ARE ARRESTED SHALL HAVE THE RIGHT TO COMMUNICATE WITH AN ATTORNEY OF THEIR CHOICE AND A MEMBER OF THEIR FAMILY BY MAKING A REASONABLE NUMBER OF TELEPHONE CALLS OR IN ANY OTHER REASONABLE MANNER. SUCH COMMUNICATION SHALL BE PERMITTED WITHIN A REASONABLE TIME (within the first hour) AFTER ARRIVAL AT THE FIRST PLACE OF CUSTODY.
  - 2) IN THE EVENT THE ACCUSED IS TRANSFERRED TO A NEW PLACE OF CUSTODY, HIS RIGHT TO COMMUNICATE WITH AN ATTORNEY AND A MEMBER OF HIS FAMILY IS RENEWED.
- c) RIGHT TO CONSULT WITH ATTORNEY
  - 1) ANY PERSON COMMITTED, IMPRISONED OR RESTRAINED OF HIS LIBERTY FOR ANY CAUSE WHATEVER AND WHETHER OR NOT SUCH PERSON IS CHARGED WITH AN OFFENSE SHALL, EXCEPT IN CASES OF IMMINENT DANGER OF ESCAPE, BE ALLOWED TO CONSULT WITH ANY LICENSED ATTORNEY AT LAW OF THIS STATE WHOM SUCH PERSON MAY DESIRE TO SEE OR CONSULT, ALONE AND IN PRIVATE AT THE PLACE OF CUSTODY, AS MANY TIMES AND FOR SUCH PERIOD EACH TIME AS IS REASONABLE.
  - 2) WHEN ANY SUCH PERSON IS ABOUT TO BE MOVED BEYOND THE LIMITS OF THIS STATE UNDER ANY PRETENSE WHATEVER, THE PERSON TO BE MOVED SHALL BE ENTITLED TO A REASONABLE DELAY FOR THE PURPOSE OF OBTAINING COUNSEL AND OF AVAILING HIMSELF OF THE

LAWS OF THIS STATE FOR THE SECURITY OF PERSONAL  
LIBERTY.

d) POSTING NOTICE OF RIGHTS

- 1) EVERY SHERIFF, CHIEF OF POLICE OR OTHER PERSON WHO IS IN CHARGE OF ANY JAIL, POLICE STATION OR OTHER BUILDING WHERE PERSONS UNDER ARREST ARE HELD IN CUSTODY PENDING INVESTIGATION, BAIL OR OTHER CRIMINAL PROCEEDINGS, SHALL POST IN EVERY ROOM, OTHER THAN CELLS, OF SUCH BUILDINGS WHERE PERSONS ARE HELD IN CUSTODY, IN CONSPICUOUS PLACES WHERE IT MAY BE SEEN AND READ BY PERSONS IN CUSTODY AND OTHERS, A POSTER, PRINTED IN LARGE TYPE, CONTAINING A VERBATIM COPY IN THE ENGLISH LANGUAGE OF THE PROVISIONS OF SECTIONS 103-2, 103-3, 103-4, 109-1, 110-2, 110-4, AND SUBPARTS (a) AND (b) OF SECTION 110-7 AND 113-3 OF THIS CODE.
- 2) EACH PERSON WHO IS IN CHARGE OF ANY COURTHOUSE OR OTHER BUILDING IN WHICH ANY TRIAL OF AN OFFENSE IS CONDUCTED SHALL POST IN EACH ROOM PRIMARILY USED FOR SUCH TRIALS AND IN EACH ROOM IN WHICH DEFENDANTS ARE CONFINED OR WAIT, PENDING TRIAL, IN CONSPICUOUS PLACES WHERE IT MAY BE SEEN AND READ BY PERSONS IN CUSTODY AND OTHERS, A POSTER, PRINTED IN LARGE TYPE, CONTAINING A VERBATIM COPY IN THE ENGLISH LANGUAGE OF THE PROVISIONS OF SECTIONS 103-6, 113-1, 113-4 AND 115-1 AND OF SUBPARTS (a) AND (b) OF SECTION 113-3 OF THIS CODE.

AGENCY NOTE: (Notice of Rights posters in English and Spanish are available from the Detention Standards and Services Unit.)

e) MANDATORY DUTY OF OFFICERS

ANY PEACE OFFICER WHO INTENTIONALLY PREVENTS THE EXERCISE BY AN ACCUSED OF ANY RIGHT CONFERRED BY THIS ARTICLE OR WHO INTENTIONALLY FAILS TO PERFORM ANY ACT REQUIRED OF HIM BY THIS ARTICLE SHALL BE GUILTY OF OFFICIAL MISCONDUCT AND MAY BE PUNISHED IN ACCORDANCE WITH SECTION 33-3 OF THE "CRIMINAL CODE OF 1961" APPROVED JULY 28, 1961, AS HERETOFORE AND HEREAFTER AMENDED. (See Ill. Rev. Stat. 1985, ch. 38, par. 33-3.)

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.30 Use of Jails/Lockups**

- a) The jail/lockup, hereinafter referred to as a jail, is a security facility operated by the police department, for the temporary detention of persons held for investigation pending disposition of their cases by the judiciary or awaiting transfer to another institution.
- b) The maximum period of detention in a jail should not normally exceed 48 hours, except when detention occurs at the beginning of a weekend or holiday.
- c) NO MINOR UNDER 16 YEARS OF AGE MAY BE CONFINED IN A JAIL OR PLACE ORDINARILY USED FOR THE CONFINEMENT OF PRISONERS IN A POLICE STATION. MINORS UNDER 17 YEARS OF AGE MUST BE KEPT SEPARATE FROM CONFINED ADULTS AND MAY NOT AT ANY TIME BE KEPT IN THE SAME CELL, ROOM, OR YARD WITH ADULTS CONFINED PURSUANT TO THE CRIMINAL LAW. (Section 3-6(5) of the Juvenile Court Act (Ill. Rev. Stat. 1985, ch. 37, par. 703-6(5).)
- d) A detainee with a known history of mental disorder or mental defect, or who shows evidence of such condition, shall be detained only temporarily in a municipal jail and transferred as soon as possible. In the event such a detainee is received, he shall be afforded protective custody and constant supervision until transferred. The Chief of Police or the Chief Jailer shall immediately notify the appropriate authorities regarding the mental condition of the detainee so that a transfer can be effected.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.40 Minimum Physical Standards--Existing Buildings**

- a) The building in which a jail is located must:
  - 1) Conform to the building, fire, safety, and health requirements of local and State authorities. State of Illinois standards for a jail which exceed those of a local authority shall take precedence.
  - 2) Be well lighted to provide 30 footcandles in the detention area and at least 20 footcandles in other parts of the jail.
  - 3) Be comfortably heated and cooled according to the season with a system designed to eliminate disagreeable odors and to routinely provide temperatures within the normal comfort zone (67° to 85° F).
  - 4) Have electrical conduits, fixtures, switches, and outlets inaccessible to the reach of detained persons or of tamperproof construction.
  - 5) Have all exterior windows in the detention area security screened or barred. Those exterior windows that can be opened must also be insect screened.
- b) The heating system shall not constitute a fire hazard or jeopardize the health or safety of staff or detainees.

**Section 720.50 Minimum Cell and Detention Room Standards--Existing Facilities**

- a) Male and female detainees shall be completely segregated.
  - 1) Quarters for males and females shall be located so that physical, visual, and auditory contact between the sexes are prevented.
  - 2) Juveniles shall be completely separated from adults. Minors under 17 may be housed in detention rooms or cells while minors under 16 shall not be housed in cells.
- b) The minimum size of each cell shall provide at least 50 square feet of floor space. Detention rooms shall provide at least 64 square feet of floor space.
- c) All existing cells and detention rooms shall be designated single occupancy. Multiple occupancy shall not be used until all cells and detention rooms are in use. However, no more than two detainees may be housed in a single cell or detention room.
- d) Each cell or detention room shall be equipped with:
  - 1) A rigidly constructed metal bed, with a solid or perforated steel bottom, anchored to the floor or walls. A metal bench may be used if detention is eight hours or less.
  - 2) A washbowl with piped hot and cold water if detention exceeds eight hours. If detention is eight hours or less, access to a washbowl with cold water, adjoining the cells or detention rooms must be provided.
  - 3) A toilet. If detention is eight hours or less, access to toilet facilities adjoining the cells or detention rooms must be provided.
  - 4) Security light fixtures providing an illumination level sufficient for distinct visual supervision and a comfortable reading level (30 foot-candles). Illumination may be provided by a light fixture in the inspection corridor, provided it is not accessible to detainees.
- e) Physical restraints shall not be placed upon a detainee to confine his movements within a cell or detention room other than for the specific purpose of preventing the detainee from injuring himself or others or from damaging or destroying property.
  - 1) A written report will be placed on file whenever restraint devices are applied.

- 2) Additionally, each individual case will be reviewed at least once every 24 hours to determine the necessity for such restraints.
- f) Cells shall not be constructed of wood or flammable material.
- g) Cells or detention rooms located in a basement must be adjacent to the office of the jailer responsible for supervision and care of detainees.
  - 1) A basement is defined as a story whose floorline is below grade at any entrance or exit and whose ceiling is not more than five feet above grade at any such entrance or exit.
  - 2) The basement detention area must be provided with adequate light, heat, and forced-air ventilation.
- h) Each cell shall be supplied with:
  - 1) Toilet tissue.
  - 2) Soap.
  - 3) Paper towels.
  - 4) Supply of disposable drinking cups, if washbasin is not drinking fountain equipped.
- i) Clean bedding shall be provided for detainees confined overnight and shall consist of a flame retardant mattress, a mattress cover if the mattress cannot be sanitized after use, and blankets appropriate to the season of the year or temperature of the facility.
- j) Shaving equipment, comb, and disposable toothbrush shall be made available for detainee use prior to going to court.
- k) All requirements of a physical nature shall be complied with by the following dates:
  - 1) Jails built in 1950 or before shall be in compliance by January 1, 1986.
  - 2) Jails built between 1951-1970 shall be in compliance by January 1, 1990.
  - 3) Jails built between 1971-1979 shall be in compliance by January 1, 1995.
  - 4) Jails built after 1979 and jails currently under construction must comply. However, if the Department of Corrections has previously given written approval for final architectural

plans for new construction or remodeling, new standards of a physical nature will not be enforced.

- 5) These noncompliances pertaining to physical conditions which adversely affect the treatment of detainees with respect to their health and safety may be considered for further action under the provisions of Section 3-15-2 of the Unified Code of Corrections (Ill. Rev. Stat. 1987 Supp., ch. 38, par. 1003-15-2(b)).
- 1) Variances: Variances connected with physical requirements may be granted by the Director of the Department of Corrections for existing facilities. Variance expiration dates will be determined at the time granted. Variance requests of an administrative nature will not be granted. In determining whether to grant a variance, the Department will consider, among other factors, the nature of the standard, previous noncompliance, the cost, the population, the alternative means of complying with the intent of the standard, the length of time requested for the variance, the consequences if the variance is not granted, and the safety and security of the facility or individuals.
  - 1) The variance request must be in writing and pertain to a specific standard. The request must describe the reasons for the variance; the period of time for the variance; any hardship the facility might experience by complying with the standard; plans to be implemented to eventually comply with the particular standard; and a statement that the variance would not adversely affect the health and safety of detainees or security of the jail. All these criteria will be considered in arriving at a decision.
  - 2) The approval or denial of a variance request will be returned by letter to the requesting governmental agency.
  - 3) The Director of the Department of Corrections, at his discretion, may grant a renewal of the variance provided documentation is received from the governing body which indicates a good faith effort on their part to effect necessary actions to comply with the standard in question.
  - 4) A permanent variance, depending on the circumstances, may be granted.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)



**Section 720.60 Supervision**

- a) There must be sufficient officers present in the jail, awake and alert at all times, to provide supervision while persons are confined. For most municipalities, a radio operator on duty will suffice, provided duties do not interfere with the conduct of the following supervisory checks required in the following paragraph (refer to Section 720.70(d)).
  - 1) A visual check by personal inspection of each person confined shall be conducted, not including observation by a monitoring device, at least once every 60 minutes, unless continuous audio and visual checks conducted with a monitoring device has been approved as a variance in accordance with Section 720.50(1).
  - 2) Visual checks shall be recorded by a mechanical device or logged in ink indicating:
    - A) Time of check.
    - B) Signature of responsible person.
    - C) Any relevant remarks.
- b) Under the following conditions, supervision shall be provided by a person of the same sex:
  - 1) When procedures require physical contact or examination, such as body searches.
  - 2) During periods of personal hygiene activities such as showers, toileting, and related activities. (This standard does not prohibit the use of necessary force by a staff member of a sex other than that of a detainee.)
- c) Persons confined beyond 48 hours shall be permitted to shower or bathe.
- d) Any seriously injured, seriously ill or unconscious person must not be admitted to the jail until a medical examination has been conducted by a physician.
  - 1) A physician shall have authority to order a detainee's removal to a hospital.
  - 2) A written record of all physicians' visits, examinations, and treatment shall be maintained.
  - 3) Medication administered to detainees shall be recorded in a log.

- e) Receipts must be issued for all personal property taken from a detainee.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.70 Security**

- a) Detainees shall be given an immediate frisk search.
- b) Strip Search.

The following has been extracted from Section 103-1 of the Code of Criminal Procedure of 1963 (Ill. Rev. Stat. 1985, ch. 38, par. 103-1:

- 1) NO PERSON ARRESTED FOR A TRAFFIC, REGULATORY OR MISDEMEANOR OFFENSE, EXCEPT IN CASES INVOLVING WEAPONS OR A CONTROLLED SUBSTANCE, SHALL BE STRIP SEARCHED UNLESS THERE IS REASONABLE BELIEF THAT THE INDIVIDUAL IS CONCEALING A WEAPON OR CONTROLLED SUBSTANCE.
- 2) "STRIP SEARCH" MEANS HAVING AN ARRESTED PERSON REMOVE OR ARRANGE SOME OR ALL OF HIS OR HER CLOTHING SO AS TO PERMIT A VISUAL INSPECTION OF THE GENITALS, BUTTOCKS, ANUS, FEMALE BREASTS OR UNDERGARMENTS OF SUCH PERSON.
- 3) ALL STRIP SEARCHES SHALL BE PERFORMED BY PERSONS OF THE SAME SEX AS THE ARRESTED PERSON AND ON PREMISES WHERE THE SEARCH CANNOT BE OBSERVED BY PERSONS NOT PHYSICALLY CONDUCTING THE SEARCH.
- 4) EVERY PEACE OFFICER OR EMPLOYEE OF A POLICE DEPARTMENT CONDUCTING A STRIP SEARCH SHALL:
  - A) OBTAIN THE WRITTEN PERMISSION OF THE POLICE COMMANDER OR AN AGENT THEREOF DESIGNATED FOR THE PURPOSES OF AUTHORIZING A STRIP SEARCH IN ACCORDANCE WITH THIS SECTION.
  - B) PREPARE A REPORT OF THE STRIP SEARCH. THE REPORT SHALL INCLUDE THE WRITTEN AUTHORIZATION REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION (f) (herein enumerated as subsection 720.70(b)(4)(A)): THE NAME OF THE PERSON SUBJECTED TO THE SEARCH, THE NAMES OF THE PERSONS CONDUCTING THE SEARCH, AND THE TIME, DATE AND PLACE OF THE SEARCH. A COPY OF THE REPORT SHALL BE PROVIDED TO THE PERSON SUBJECT TO THE SEARCH.
- 5) NO SEARCH OF ANY BODY CAVITY OTHER THAN THE MOUTH SHALL BE CONDUCTED WITHOUT A DULY EXECUTED SEARCH WARRANT; ANY WARRANT AUTHORIZING A BODY CAVITY SEARCH SHALL SPECIFY THAT THE SEARCH MUST BE PERFORMED UNDER SANITARY

CONDITIONS AND CONDUCTED EITHER BY OR UNDER THE SUPERVISION OF A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN ALL OF ITS BRANCHES IN THIS STATE.

- 6) ANY PEACE OFFICER OR EMPLOYEE WHO KNOWINGLY OR INTENTIONALLY FAILS TO COMPLY WITH ANY PROVISIONS OF THIS SECTION IS GUILTY OF OFFICIAL MISCONDUCT AS PROVIDED IN SECTION 103-8; PROVIDED, HOWEVER, THAT NOTHING CONTAINED IN THIS SECTION SHALL PRECLUDE PROSECUTION OF A PEACE OFFICER OR EMPLOYEE UNDER ANOTHER SECTION OF THIS CODE.
- c) No armed officer shall enter a cell or detention area where a person is confined.
  - d) No officer or other person responsible for detainee supervision shall enter an occupied cell or detention room without the presence of another qualified police employee.
  - e) Cells and detention rooms shall be examined for the presence of unauthorized objects before being reassigned to another detainee.
  - f) All fixtures, equipment, wiring, and conduits shall be properly maintained.
  - g) Eating utensils shall be removed from cells and detention rooms after each meal.
  - h) Open or contact visits must be closely supervised and the detainee shall be searched before and after the visit.
  - i) Visitors are subject to search and a search notice sign must be conspicuously posted.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.80 Food**

All detainees shall be furnished three meals per day.

- a) Food must be of sufficient nutritional value and provide a daily minimum of 1,800-2,000 calories for adults and 2,500-3,000 calories for juveniles.
- b) Food quantity must be sufficient to satisfy, within reason, the detainee's needs.
- c) Meals shall be provided at reasonable and proper intervals, i.e., adhering to recognized breakfast, lunch, and dinner schedules.
- d) A drink other than water shall be served with each meal.
- e) Of the three daily meals provided, at least one shall be a balanced and complete hot meal.
- f) Special diets shall be adhered to when prescribed by the contract jail physician, clinic or hospital.
- g) A copy of the menu served shall be maintained for a period of three months.
- h) Detainees shall be served in their cells or detention rooms.

**Section 720.90 Sanitation**

- a) When occupied, cells shall be cleaned daily.
- b) Areas adjacent to cells shall be maintained in a clean and orderly condition. Walkways and corridors shall not be used as storage areas.
- c) A vermin and pest control program shall be implemented.

**Section 720.100 Fire Protection**

- a) Based on the size of the facility, there shall be at least one fire extinguisher installed in the basement and on each floor for each 5,000 square feet of floor area.
  - 1) Extinguishers shall be readily accessible to staff but not to detainees. The local fire department shall be contacted regarding the location, type, and number of fire extinguishers required.
  - 2) Extinguishers shall be examined not less than once each year and tagged with the date of inspection and initials of the inspector.
  - 3) All jail personnel shall be familiar with the characteristics and operation of all types of extinguishers in the facility.
- b) Emergency exit doors shall be clearly indicated with at least 4 ½ inch block lettering stating "Exit" in all capital letters; their location shall be made known to all jail personnel; and the keys for the doors shall be immediately available to jail staff. There shall be at least two exits from each floor of detention.
- c) There shall be at least one full set of keys, separate from those in use, stored in a safe place accessible only to police department personnel for use in the event of an emergency.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.110 Emergency Plan**

- a) Each jail shall have, in writing, detailed plans that include procedures for emergencies, such as:
  - 1) Fires, severe weather periods, civil disaster.
  - 2) Riots or major disturbances.
  - 3) Battery on jail officers.
  - 4) Battery on detainees.
  - 5) Escapes or escape attempts.
  - 6) Contagious diseases.
  - 7) Medical (epilepsy, heart attacks, etc.).
- b) Emergency plans must be known and understood by all personnel.



**Section 720.120 Detainee Records**

- a) Minimum identification data and information shall be recorded for each person detained as follows:
- 1) Name.
  - 2) AKA and nicknames.
  - 3) Address.
  - 4) Marital status.
  - 5) Age and date of birth.
  - 6) Person to notify in case of emergency, including address and telephone number.
  - 7) Physical description, sex, and characteristic marks.
  - 8) Occupation.
  - 9) Religion or religious affiliation.
  - 10) Offense.
  - 11) Date and time of admission and authority.
  - 12) Name and title of officers presenting and receiving detainee.
  - 13) Name and telephone number of detainee's attorney.
  - 14) Previous arrest record and convictions.
  - 15) Itemized record of detainee's cash and other valuables, expenditures, and receipts while in custody.
  - 16) Disposition of case and authority.
  - 17) Date of release or transfer.
- b) Juvenile and adult records shall be kept separate from each other.

**Section 720.130 Reports to the Detention Standards and Services Unit**

- a) **Population Reports** - The Chief of Police, or any other responsible supervisor designated by him, shall furnish quarterly reports to the Unit, utilizing appropriate forms supplied by the Unit. The report will include:
  - 1) Total number of adult males and adult females detained during the month.
  - 2) Total number of juvenile males and juvenile females detained during the month.
  - 3) Reports shall be submitted by the tenth day of each month following the end of each quarter, including those months in which no persons were detained. Reports shall indicate only those persons actually confined and not those merely arrested.
- b) **Extraordinary or Unusual Occurrences** - All extraordinary or unusual occurrences which involve or endanger the lives or physical welfare of jail officers or detainees shall be reported to the Unit utilizing appropriate forms supplied by the Unit.
  - 1) Reports shall be forwarded within 72 hours of the occurrence.
  - 2) Extraordinary or unusual occurrences shall mean:
    - A) Death, regardless of cause.
    - B) Attempted suicide (if hospitalization or medical treatment is required).
    - C) Serious injury, to include accidental or self-inflicted.
    - D) Escape.
    - E) Attempted escape.
    - F) Fire.
    - G) Riot.
    - H) Battery on a staff member by a detainee.
    - I) Battery on detainee by a staff member.
    - J) Battery on detainee by another detainee (only if hospitalization or extensive medical treatment is required).
    - K) Sexual assaults.

- L) Occurrences of serious infection, disease or illness within the facility.**

**(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)**

**Section 720.140 Use of Force**

- a) Officers shall not strike or lay hands on a detainee except:
  - 1) In self-defense.
  - 2) To prevent escape.
  - 3) To prevent serious injury or damage to person or property.
  - 4) To quell a disturbance.
  - 5) To effect detention.
  - 6) To establish control.
- b) Only the amount of physical force necessary to gain control of the detainee is authorized.

**Section 720.150 Juvenile Detention**

All standards in the preceding Sections apply equally to minors under 17 years of age except where prohibited. The following standards for juvenile detention provide added requirements:

- a) Two classifications of youth are identified:
  - 1) Minors under 16 years of age are those youth who are less than 16 years of age.
  - 2) Minors under 17 years of age are those youth who are 16 or older but under 17 years of age.
- b) Minors under 16 may be detained on a strictly temporary basis, pursuant to identification and being taken into custody, in a police station when confinement is in a room, not a cell, that is completely separate and independent from any other area of confinement in the same building. Arrangements shall be made to transfer minors under 16 to a facility authorized to detain juveniles. Temporary shall mean a period not to exceed ten hours.
- c) Close supervision of minors under 16 shall be maintained.
  - 1) Male and female youths shall not be confined in the same room.
  - 2) A female jail officer or other trained female employee shall provide all supervision of female detainees confined in the detention room during periods of personal hygiene and care such as showers, toileting, and related activities.
- d) Minors under 17 may be confined in cells, rooms or yards in a jail or place ordinarily used for confinement of prisoners at a police station, but these cells, rooms or yards must be separate and distinct from the cells, rooms or yards in which adults are confined. Separate and distinct shall mean no visual or auditory contact with confined adults.
- e) Only those youth charged with the alleged commission of a delinquent offense or for whom a delinquency petition has been filed shall be detained.
- f) Records of juveniles must be maintained separate from adult records.
  - 1) Names of juveniles shall not be recorded in records that are subject to public review.
  - 2) Records may not be open to public inspection or their contents disclosed to the public except by order of the court; or when the institution of criminal proceedings has been permitted; or the person has been convicted of a crime

and is the subject of presentence investigation or proceedings on an application for probation.

- g) Any evidence of child abuse shall be reported to the Illinois Department of Children and Family Services.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)

**Section 720.160 New Construction**

- a) All plans and specifications for the construction of municipal jails or the remodeling or renovation of existing facilities must be approved by the Illinois Department of Corrections. The Department is concerned with all aspects of jail construction, maintenance, and operation which affect the rights, safety, security, care, and welfare of all persons detained and of the staff.
  - 1) One set of preliminary drawings shall be submitted to the Department for review and approval.
  - 2) One set of final drawings and specifications shall be submitted to the Department for review and approval, to include:
    - A) Architectural design.
    - B) Heating and ventilating system.
    - C) Plumbing specifications.
    - D) Electrical specifications.
    - E) Specifications for materials.
    - F) Equipment.
    - G) Furnishings.
  - 3) Plans showing the proposed building location must be submitted to the Illinois Department of Transportation, Division of Water Resources, to determine compliance with the Regulation of Construction within Flood Plains (92 Ill. Adm. Code 706) and Construction Activities in Special Flood Hazard Areas (Executive Order 79-4, effective June 1, 1979).
- b) All minimum standards for existing facilities (Section 720.50) shall apply in addition to the following:
  - 1) Design and Layout of Cell Block

The cell block shall adjoin the police quarters.
  - 2) Cell, Detention Room, and Cell Block Corridor Walls and Ceilings
    - A) Either steel or reinforced masonry is required.
      - i) Masonry must be at least six inches thick.

- ii) Joints between concrete blocks shall not exceed 3/8 inch.
- B) Bars across the cell tops are not permitted.
- C) Paint, if used, must be fire retardant.
- 3) Cell and Detention Doors and Fronts
  - A) Each door shall contain a food pass no larger than twelve inches wide by five inches high, and a viewport in solid doors with the smaller dimension not to exceed five inches.
  - B) Cell front shall be steel grille (bars) or reinforced solid masonry.
    - i) Grille construction shall be no less than 7/8 inch steel bars, round or hexagonal.
    - ii) Bar openings shall be no more than 5 inches from their centers.
  - C) Detention room doors shall be hollow metal with the door frames being at least 12-gauge metal.
  - D) There shall be a manual override for all doors that are electrically operated.
- 4) Cell Block Entrance Door
  - A) A grille door or hollow steel door, equipped with a safety glass observation panel with the smaller dimension not to exceed five inches, shall be used.
  - B) The entrance door shall be no less than three feet wide and the area on either side shall be unobstructed.
- 5) Plumbing
  - A) Each cell and detention room shall be equipped with a toilet and washbowl, preferably a stainless steel prison-type with bubbler.
    - i) The toilet shall be seatless (integral seat) and tankless with a push button flush valve.
    - ii) The washbowl shall be hot and cold water equipped with push button controls.
    - iii) The water shutoff valve for each cell shall be installed outside the cell.



- B) A shower shall be provided in the detention area to permit bathing for those persons detained 48 hours or more.

6) Windows

- A) Windows in the detainee's living quarters must be security type.
- B) The maximum dimension of the lesser side of any security sash in the cell shall not exceed five inches.
- C) Any public view into the living area is prohibited.
- D) Translucent glass shall be used.
- E) All cell block external windows shall be security screened. Windows that can be opened must also be insect screened.
- F) Windows are not required when artificial illumination, cooling, and ventilation (air conditioning) is adequate.

7) Cell and Cell Block Floors

- A) Floors must be concrete and may have nonskid material.
- B) Floor shall be pitched one to two inches above corridor floor for drainage purposes.

8) Cell Block Corridors

Cell block corridors shall be no less than four feet wide.

9) Water Drains

- A) Water drains shall be located only in cell block corridor floors with one drain for every three cells.
- B) Drain covers must be securely anchored.
- C) In certain sections, notably cells used for offenders under the influence of alcohol, floor drains shall be located inside the cells so that these areas may be cleaned without washing debris into the corridor.

10) Heating

Any standard heating system is acceptable.

- A) System must assure comfort during cold or damp weather.

- B) No heating equipment, such as radiators, shall be located in the cells.
- C) Radiators, if used, shall be located outside the cells and adequately shielded to prevent accidental injury.
- D) Thermostats shall not be located in cells or detention rooms.

11) Ventilation

- A) The system shall be capable of moving a sufficient volume of air to each cell to remove foul air and odors.
- B) Air duct openings to cells and detention rooms shall be security screened and secured with tamper proof screws or welded to the floor or wall.

12) Lighting

- A) Prison-type security light fixtures shall be installed in cells.
- B) Illumination level must be, for supervision purposes, of sufficient intensity to clearly light cells at all times.
- C) Lights must be switch controlled from outside cells or detention rooms.
- D) Standard, safe fixtures are acceptable in corridors or vestibules.

13) Cell Bunks

Bunks shall be of metal construction securely anchored to walls or floor or otherwise integrally constructed.

14) Monitor System

- A) An auditory or auditory-visual monitoring system shall be installed.
- B) Cells shall be monitored with at least an auditory system to allow the jailer to check activities and for a confined person to advise the jailer of emergency situations.

15) Emergency Exits

- A) There shall be at least one direct emergency exit from a cell block in addition to the cellblock entrance door, where the detention area totals 1200 square feet or

more, or where the corridor has a dead end exceeding 50 feet.

- B) Every exit sign shall have the word "Exit" in legible capital letters, not less than 4  $\frac{1}{2}$  inches high with the principal strokes of letters not less than  $\frac{1}{2}$  inch wide.

16) Visiting Area

Semi-private compartments or a visiting room shall be provided to allow detainees to communicate with authorized visitors.

17) Emergency Power Source

- A) An emergency electrical power source must be available in the event of a power failure.
- B) The emergency power source must be of sufficient capacity to operate electrical locking devices and other electrical equipment and to provide minimum lighting within the jail and its perimeter.

(Source: Amended at 12 Ill. Reg. 12452, effective October 1, 1988)