
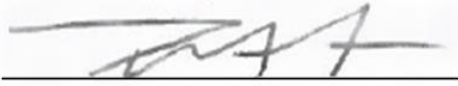


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POLICY NUMBER: 1.5.1		
CHAPTER: ADMINISTRATION, ORGANIZATION, AND MANAGEMENT		
	STATE of MAINE DEPARTMENT of CORRECTIONS Approved by Commissioner:	PROFESSIONAL STANDARDS: See Section VIII
		
EFFECTIVE DATE: September 12, 2016	LATEST REVISION: March 11, 2021	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

Adult and Juvenile Facilities

III. POLICY

It is the policy of the Department of Corrections to maintain a process of monitoring and assessing facility operations to ensure compliance with Department policies, directives, training, applicable state and federal law, and professional standards.

IV. DEFINITIONS

1. Staff - Department employee or person providing services to adult facility or juvenile facility residents under contract or by agreement with the Department, but not including a volunteer or student intern.

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VI. ATTACHMENTS

[Attachment A: Corrective Action Plan](#)

VII. PROCEDURES

Procedure A: Facility Operations Assessments, General

1. The Department's Director of Operations, or designee, shall maintain a Correctional Operations Assessment Team (COAT) for the purpose of conducting facility operations assessments at all departmental facilities on a regular basis.
2. Each facility shall have an Accreditation Manager, or a supervisory level staff assigned to act as an Accreditation Manager by the Chief Administrative Officer, or designee, who is responsible for, but not limited to, the following:
 - a. monitoring and ensuring facility compliance with Department policies, directives, training, applicable state and federal law, and professional standards;
 - b. establishing and maintaining documentation folders for each applicable American Correctional Association (ACA) accreditation expected practice;
 - c. ensuring that no less than one internal operations assessment is completed at the facility each month; and
 - d. completing an ACA Standards & Accreditation Annual Report and submitting the report to the Manager of Correctional Operations, or designee, for review and approval. If applicable, a completed Significant Incident Summary and Outcome Measures Worksheet shall be included with the required Annual Report.
3. Assessment reports are for departmental use only and are not to be released to the public or used as the foundation for employee discipline. Results and written reports of assessments are considered confidential due to the security-sensitive information contained in them.

Procedure B: Manager of Correctional Operations Responsibilities

1. The Manager of Correctional Operations, or designee, oversees and is responsible for the following:
 - a. selecting Correctional Operations Assessment Team (COAT) members;
 - b. scheduling facility assessments;
 - c. assigning COAT members to specific assessments;
 - d. identifying the standard(s) that will be applied to each assessment (e.g., ACA, Prison Rape Elimination Act (PREA), National Institute of Corrections

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(NIC), etc.)) and operational component(s) of the assessment (e.g., sanitation, counts, investigations, key control, tool control, unit management, programs, etc.);

- e. coordinating preparation and submission of final assessment reports;
- f. recording, filing, maintaining, and distributing all assessment reports to appropriate departmental staff;
- g. attending audits conducted at departmental facilities by outside corrections accreditation agencies or by other state agencies, such as Department of Health and Human Services, State Fire Marshals, etc.;
- h. ensuring corrective actions are tracked, monitored and completed;
- i. providing and/or identifying training opportunities that will increase skills of Correctional Operations Assessment Team (COAT) members;
- j. serving as liaison to the Department's Policy Development Coordinator to ensure policy compliance with professional standards; and
- k. reviewing and submitting an American Correctional Association (ACA) Standards & Accreditation Annual Report and, if applicable, a completed Significant Incident Summary and Outcome Measures Worksheet to the Performance Based Standards & Expected Practices Accreditation Department by the anniversary of the accreditation date on an annual basis for each facility that is ACA accredited. *5-ACI-1A-19*

Procedure C: Correctional Operations Assessment Team (COAT) Members

- 1. The COAT shall consist of:
 - a. the Manager of Correctional Operations, or designee;
 - b. the Assistant Manager of Correctional Operations, or designee; and
 - c. COAT members.
- 2. Any staff being considered for the COAT shall not have any formal disciplinary action within the past year prior to assignment to the COAT.
- 3. Any staff being considered for the COAT must receive approval from his or her supervisor and provide an endorsement from his or her Chief Administrative Officer, or designee.
- 4. When selecting a COAT member, preference shall be given to staff who have experience as a:
 - a. facility Accreditation Manager;
 - b. Compliance Monitor;
 - c. Prison Rape Elimination Act (PREA) Coordinator;
 - d. Health Services Coordinator; or

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- e. departmental staff that has a demonstrated proficiency in a specific area, such as tool control, key control, fire safety, Haz-Com, programming, training, etc.
5. The COAT may include representation from the following positions:
 - a. Chemical Control Officers;
 - b. Fire Safety Officers;
 - c. Food Services professionals;
 - d. Key/Lock Control Officers;
 - e. Health care professionals;
 - f. Tool Control Officers;
 - g. Security administrators (e.g., Operations Deputy); and
 - h. Programs administrators (e.g., Programs Deputy).
 6. Several factors shall be considered when assigning members, including, but not limited to, the classification of facility being assessed, the experience of the member(s), the frequency of assessments at a specific facility, the demographics of the overall assessment team, travel requirements, and prior assessment performance.
 7. After consultation with the facility Chief Administrative Officer, or designee, and the Department's Director of Operations, or designee, the Manager of Correctional Operations, or designee, may select or refuse to select a candidate for membership in the COAT for any reason the Manager of Correctional Operations, or designee, determines to be in the best interests of the Department.

Procedure D: Training and Other Requirements of the Correctional Operations Audit Team (COAT)

1. All new COAT members shall receive a minimum of sixteen (16) hours of audit/assessment training within six (6) months following assignment to the COAT. This may be achieved through an outside agency (National Institute of Corrections (NIC), American Correctional Association (ACA), etc.) or internally through the Manager of Correctional Operations, or designee. Minimum topics to be covered include, but are not limited to:
 - a. ACA, Prison Rape Elimination Act (PREA), Maine Jail Standards overview;
 - b. assessment process;
 - c. physical plant review;
 - d. log review;
 - e. primary and secondary documentation review;
 - f. assessment reports; and

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- g. other training, as needed.
- 2. All COAT members shall be available to provide a minimum of four (4) days of assessment services a year.
- 3. All COAT members shall be familiar with assigned professional standards and all relevant policies, directives, and training.

Procedure E: Resignation, Suspension and Removal from the Correctional Operations Audit Team (COAT)

1. The Manager of Correctional Operations, or designee, may recommend to the Department’s Director of Operations, or designee, to suspend or discontinue the assignment of any team member, other than a facility Accreditation Manager, based upon, but not limited to, the following:
 - a. concerns about the member’s conduct or performance;
 - b. failure to participate in the minimum required assessments per year, unless the assessment schedule precludes participation;
 - c. at the request of the facility Chief Administrative Officer, or designee;
 - d. a formal disciplinary action having been incurred by the member;
 - e. failure to complete required training; or
 - f. any condition which might prevent or limit the COAT member’s performance as a member of the COAT.
2. The Manager of Correctional Operations, or designee, may recommend removal of a COAT member from the COAT or that the COAT member be required to meet specific conditions, which may include additional training, to the Chief Administrative Officer, or designee, and may suspend that member from the COAT pending a review by the facility Chief Administrative Officer, or designee, and a decision by the Department’s Director of Operations, or designee.
3. In the event that the facility Accreditation Manager is involved in any of the above, the Manager of Correctional Operations, or designee, shall consult with the facility Chief Administrative Officer, or designee, as to whether or not the facility Accreditation Manager is allowed to continue to be a member of the COAT or not.
4. After review, the Manager of Correctional Operations, or designee, and the Chief Administrative Office, or designee, shall make a recommendation regarding removal to the Director of Operations, or designee. The Director of Operations, or designee, shall make the final decision as to removal.
5. The Department’s Director of Operations, or designee, may remove a COAT member from the COAT for any other reason the Director of Operations, or designee, determines to be in the best interests of the Department, including, but not limited to, any incident leading to a criminal, professional review, or personnel investigation, regardless of the outcome of the investigation.

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Procedure F: Assessment Schedule

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1. The Manager of Correctional Operations, or designee, shall generate an annual assessment schedule in coordination with each facility Chief Administrative Officer, or designee, by the end of each year for the following year.
2. The Manager of Correctional Operations, or designee, shall determine and coordinate the areas, operations, standards and policies, etc. in which the facility will be assessed.
3. Assessments shall be conducted at departmental facilities on a random basis to minimize complacency and increase the likelihood of success during audits conducted by outside agencies.
4. A minimum of two assessments shall be conducted at each departmental facility annually.
5. All mandatory American Correctional Association (ACA) standards shall be audited at each facility annually.
6. Accredited facilities shall receive an audit from the ACA on a reoccurring three (3) year cycle.
7. Each adult and juvenile facility shall receive a Prison Rape Elimination Act (PREA) audit by a licensed federal inspector on a reoccurring three (3) year cycle.
8. Unannounced facility assessments may be conducted at the discretion of the Manager of Correctional Operations, or designee, upon authorization by the Director of Operations, or designee, and once authorized, the facility Chief Administrative Officer, or designee, shall be notified.
9. The Manager of Correctional Operations, or designee, may withhold the notification of the areas and the policies that will be assessed until the initiation of the assessment.

Procedure G: Conducting the Assessment

1. The facility Chief Administrative Officer, or designee, shall provide a room for use by the Correctional Operations Assessment Team (COAT) during the assessment.
2. The COAT shall have an initial meeting with the facility Chief Administrative Officer, or designee, and other appropriate staff to make introductions and to discuss any pertinent information before the assessment.
3. The COAT shall tour the facility in order to become familiarized with the facility, staff, operations, and programs and services.

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4. After the facility tour, the COAT members shall assess areas of the facility as assigned.
5. Systems checks, ICS Drills, locating contraband, missing tools, emergency counts, etc. may only be authorized by the Department's Manager of Correctional Operations, or designee, and the Department's Director of Security, or designee, or the Department's Director of Operations, or designee, and only after notification and authorization from the facility Chief Administrative Officer, or designee.
6. To the extent possible, COAT members shall ensure that regular facility operations are not interrupted at any point in time during an assessment.
7. COAT members may interview staff and/or residents.
8. COAT members shall review findings and corrective actions from the previous assessments and/or audits to ensure previous recommendations were implemented.
9. COAT members may return to areas as necessary to follow up on issues or concerns.
10. A COAT member shall immediately notify the Shift Commander or Juvenile Facility Operations Supervisor, as applicable, and the Chief Administrative Officer, or designee, of any observation that a COAT member identifies as a threat to the safety of any person.
11. The Chief Administrative Officer, or designee, shall take temporary corrective action to mitigate safety and security risks for any deficiency that cannot be immediately remedied that a COAT member has identified as a compromise to safety and security of the facility.
12. Prior to completion of the on-site portion of the assessment, the Manager of Correctional Operations, or designee, shall facilitate an exit briefing to discuss findings and recommendations with the facility Chief Administrative Officer, or designee, and other appropriate staff.

Procedure H: Post-Assessment

1. The Manager of Correctional Operations, or designee, shall forward assessment reports from Correctional Operations Assessment Team (COAT) members who have completed an assessment within ten (10) business days following completion of the assessment to the following:
 - a. the facility Chief Administrative Officer, or designee;
 - b. the Director of Operations, if American Correctional Association (ACA), National Institute of Corrections (NIC), or Prison Rape Elimination Act (PREA) standards apply;

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- c. the Associate Commissioner for Correctional Programs, if program or services standards apply;
 - d. the Associate Commissioner for Juvenile Services, if juvenile standards apply; and
 - e. the Director of Security, if National Institute of Corrections (NIC) security standards apply.
2. If the Chief Administrative Officer, or designee, disagrees with the findings, the matter shall be referred to the Department's Director of Operations, or designee, for resolution.
 3. The Chief Administrative Officer, or designee, shall have (10) ten business days from date of receipt of the assessment report to submit a Corrective Action Plan (Attachment A) to the Manager of Correctional Operations, or designee, that addresses any deficiencies listed in the assessment report.

Procedure I: Consulting and Other Services

1. The Manager of Correctional Operations, or designee, may approve consulting services or perform special audits when requested by a facility Chief Administrative Officer, or designee, or member of the Central Office executive staff.
2. Preparatory audit services, to include American Correctional Association (ACA), Maine Jail Standards, and Prison Rape Elimination Act (PREA), may be provided to outside agencies (county jails) at the discretion of the Manager of Correctional Operations, or designee, or the Department's Director of Operations, or designee.

VIII. PROFESSIONAL STANDARDS

ACA

- 5-ACI-1A-17** Written policy, procedure, and practice provide for a system to monitor operations and programs through inspections and reviews. This monitoring is conducted by the warden/superintendent or designated staff at least annually and by qualified professionals not affiliated with the facility or system at least every three years.
- 5-ACI-1A-19** An Annual Report shall be submitted to the Performance Based Standards & Expected Practices Accreditation Department. This report is due on the anniversary of the accreditation date. Where applicable, the agency must submit a completed Significant Incident Summary and Outcome Measures Worksheet with the required Annual Report.

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