

NOTICE OF SUBMITTAL TO THE WISCONSIN LEGISLATIVE COUNCIL
OF PROPOSED RULE OF THE DEPARTMENT OF CORRECTIONS
TO REPEAL AND RECREATE DOC 350

NOTICE IS HEREBY GIVEN that pursuant to § 227.15, Wis. Stats., the Department of Corrections proposes to repeal and recreate DOC 350, relating to jails.

SUBJECT MATTER OF THE PROPOSED RULE:

The Department of Corrections is authorized under s. 301.37, Statutes, to develop “reasonable standards and regulations” for facilities, including county jails and houses of correction. The last comprehensive review and revision of the current rule was in 1990. Subsequent changes in the law and accepted correctional practices necessitate revisions to DOC 350, including new standards.

The rule addresses two primary needs:

1. Repeal and recreate the DOC 350 to update, renumber, and reorder for clarity. The Department is seeking revision of DOC 350, which not only reflects changes in law and correctional practice, but also clarifies existing standards. Since the last revision, it became apparent that clarification of many sections was necessary.
2. Clarify and update standards for the physical plant of a jail and jail operations. The department is responsible for establishing standards for the construction and operation of county jails and houses of correction. The department is also responsible for inspecting the facilities on an annual basis and as necessary. The current rule which was last reviewed and amended in 1992 establishes minimum standards in jail operations. The issues addressed in the rule include: the review and approval of construction plans, physical plant requirements, occupancy limitations and requirements for single and double celling, health care, including health screening upon admission, medication administration, suicide prevention, and crisis intervention, fire safety, security, administrative confinement, discipline, programming, mail, visitation, canteen, religious programming, recreation, reading materials, records and reporting, and variances.

WHETHER PUBLIC HEARING IS REQUIRED:

Public hearing is required under s. 227.16(1), Wis. Stats., and will be scheduled at a later date.

ORGANIZATIONAL UNIT THAT IS PRIMARILY RESPONSIBLE FOR PROMULGATION OF THE RULE:

Department of Corrections, Office of Detention Facilities

DATE SUBMITTED TO THE WISCONSIN LEGISLATIVE COUNCIL:

May 14, 2013

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APPROVAL OF STATEMENT OF SCOPE:

This rule is not subject to s. 227.135 (2), Stats., as affected by 2011 Wis. Act 21. The scope statement for this rule, published in Register No. 655, on July 31, 2010, was sent to LRB prior to June 8, 2011.

APPROVAL BY SECRETARY OF THE DEPARTMENT OF CORRECTIONS:

Date

Edward F. Wall
Secretary