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## NIJO ACCREDITATION

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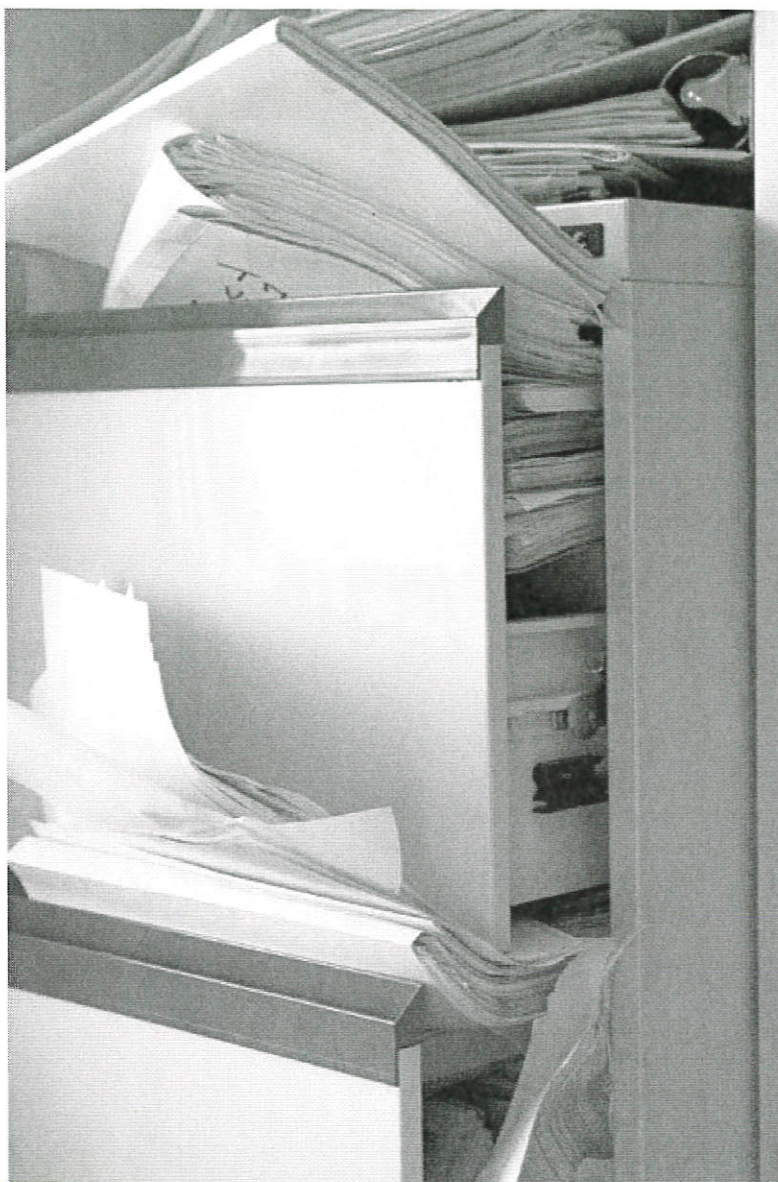
### BACKGROUND

NIJO Accreditation began in 2012, when numerous agencies began requesting an alternative to existing accreditations for correctional facilities. Of primary concern was the lack of benefits of associated with correctional accreditation bodies using questionable standards and inspection processes which were subjective in nature, did not adequately recognize the differences between prisons and jails, and were costly and labor intensive. Jail accreditation is an established process for jails to show their correctional facility complies with what courts have determined in operating constitutional jails. The process relies on legal-based jail guidelines promulgated by the National Institute for Jail Operations, utilized by hundreds of jails across the United States. Because the guidelines are based on case law, the requirements of the accreditation process are consistent among all jails, regardless of size and structure. The guidelines vary from state to state according to differences in state statutes and rulings by the Circuit Court of Appeals governing the participating agency. Accreditation is a voluntary, proactive, ongoing process. Agencies desiring to participate sign an accreditation intent agreement, pay a fee to cover the cost of the accreditation, conduct a self-audit of pre-determined legal-based guidelines and prepare for an on-site

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verification inspection by trained NIJO inspectors. The level of accreditation awarded is based on the percentage of compliance to the legal-based guidelines and the on-site verification inspections. Each year the Agency must provide required policy and proofs of compliance. Depending on the size of the Agency, a minimum of two NIJO inspectors will conduct an onsite verification inspection during the first year of the three year accreditation cycle. Proofs are required as part of the accreditation process:

- For policies, operational practices and procedures, training and physical facilities
- For historical documentation that policy and procedure is being followed
- For clear understanding of a particular standard by staff members by conducting interviews



## ACCREDITATION WITH NIJO

NIJO Accreditation differs with those conducted by other organizations as follows:

### Other Accreditations

Standards are often based on "best practices" determined by the accrediting organization body.

### NIJO Jail Accreditation

Accreditation guidelines are based on current case law specific to the agency's state statutes, circuit court, constitutional and federal rulings.

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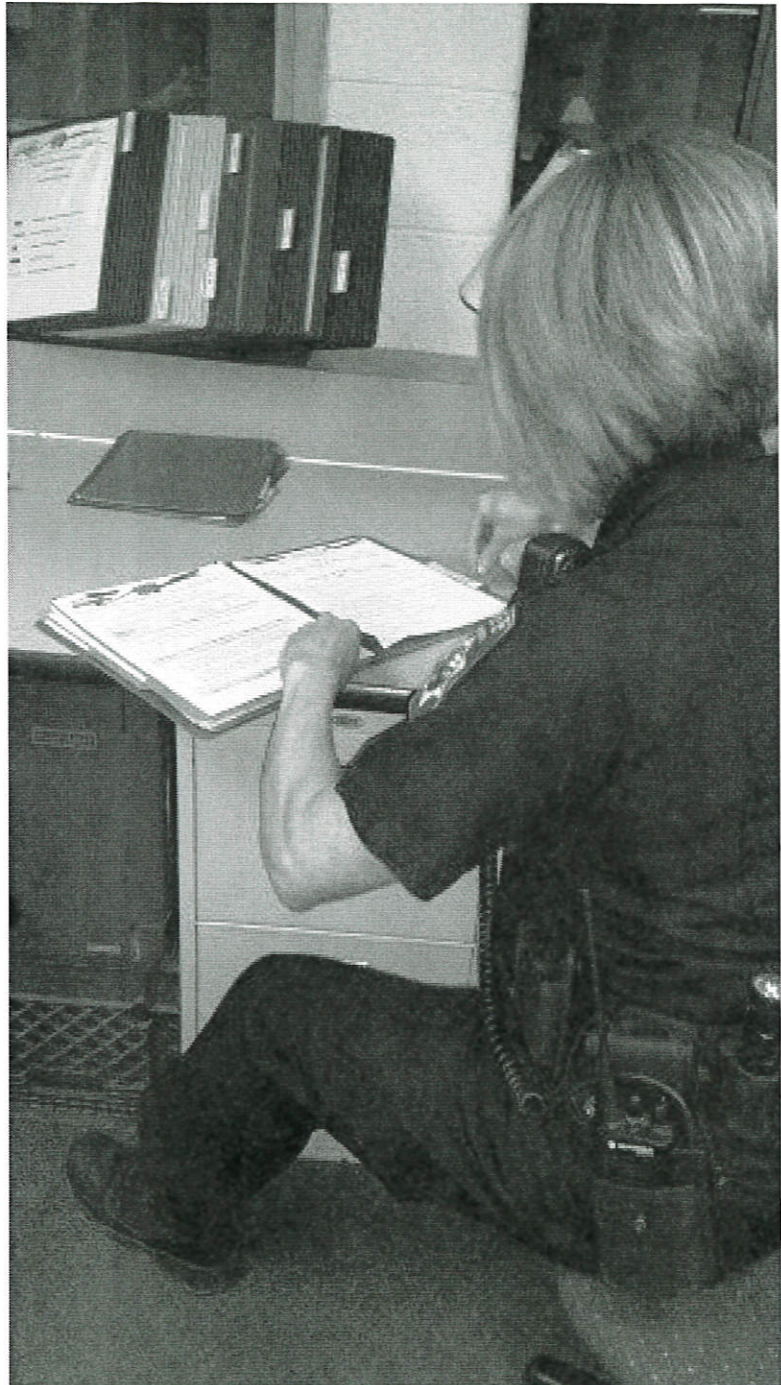


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## BENEFITS

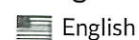
These are the most cited benefits of those agencies seeking NIJO Accreditation:

- Discover dysfunction, misconduct and noncompliance before it results in litigation, embarrassment or other harm
- Proactively defend against lawsuits by measuring current policies and practices to what is required by the law
- Justify requests for additional funding
- Improve staff training, development and professionalism
- Create safer environment for staff and offenders
- Reduce liability insurance costs



## ACCREDITATION GUIDELINES.

Legal-Based Jail Guidelines© are entirely derived by constitutional, federal and state law and operational correctional practices safeguarding life, safety and health of the officers and offenders. Each guideline provides not only the guidance and instruction regarding case law





and statutes but also articulates the rationale behind each guideline. They also include compliance discussion requirements. Additionally, annotation with statutory requirements (e.g., ADA, RLUIPA, PREA) and study findings is included as a reference to the facilities when preparing for accreditation. Pre-inspection requirements and the audit team's onsite checklist are also included for each guideline. This mitigates the subjectivity of the auditors. Currently, there are 630 guidelines divided into 15 sections. The number of guidelines varies slightly state to state based on state statutes, circuit court rulings, etc. This number does NOT include the DOJ PREA standards, as they are not based on case law and are purely voluntary in nature for all agencies except those under the authority of the Department of Justice. Some guidelines are not weighted into the accreditation scoring due to their limited compliance requirements.

## CORE GUIDELINES

The NIJO Legal-Based Jail Guidelines are weighted according to risk management as they associate with safety and litigation. A number of guidelines are referred to as "Core Guidelines" given their importance. Examples of critical core guidelines include key, tool and weapon control, use of force, searches, restraints, exercise, religion, suicide, inmate communication, and gender issues. These are often areas that are the most litigiously contested in inmate-filed lawsuits against correctional administrators and areas that the highest concern for inmate, staff and public safety. Depending on the level of accreditation, compliance to specified core guidelines are required.

## ACCREDITATION ACHIEVEMENT LEVELS

Levels of accreditation exist to recognize the good-faith efforts various agencies may have to be compliant to the guidelines and case law. While many can achieve Level I Accreditation status, some cannot due to limited resources outside of their budget and control. NIJO awards accreditation levels I, II, III and Recognition by percentage compliance to both Core Guidelines and overall compliance. The level of accreditation is scored and announced following the onsite and final review.

ACCREDITATION LEVEL	REQUIRED PERCENTAGE OF COMPLIANCE	
	Core Guidelines	Total
One	100% minimum	100% - 95%
Two	95% minimum	94% - 90%
Three	90% minimum	89% - 85%
Recognition	85% minimum	84% - 75%

([https://jailtraining.org/beta/wp-content/uploads/2015/12/Accreditation\\_Level.png](https://jailtraining.org/beta/wp-content/uploads/2015/12/Accreditation_Level.png))

## ACCREDITATION PROCESS

Receiving the designation of a “NIJO Accredited Facility” is a process that requires fundamentally sound policies, procedures and consistency in correctional operations. The process to become accredited is as follows:

1. Facility sends written correspondence to NIJO to request the intent to become accredited. All correspondence should be sent to: National Institute for Jail Operations  
RE: NIJO Accreditation PO Box 1115 Midway, UT 84049
2. NIJO sends the facility an Accreditation Contract Agreement, formalizing the facility's intent and commitment to become accredited.
3. The name of the individual identified by the facility to serve as the key contact representing the facility throughout the accreditation process. This role is referred to as the “Accreditation Manager.”

The facility executes the Accreditation Contract Agreement and returns it to NIJO along with the following:

Check made payable to AARMS for 100% of the implementation for the online system. Check made payable to NIJO for 50% of the 1<sup>st</sup> year accreditation as agreed in the Accreditation Contract Agreement.

NIJO activates AARMS web-based accreditation audit module and grants access for users to manage the accreditation process online. Access is also provided to access the following:

Accreditation Online Self-Audit Checklist – (conducted by the facility)

Accreditation Inspection – (conducted by NIJO Auditor Team)

The facility may begin conducting the Accreditation Self-Audit Checklist, documenting compliance and attaching required policy and proof

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statements found in the MORE INFO area of each guideline. Once fully completed, the facility notifies NIJO.

NIJO reviews the Accreditation Self-Audit Checklist and ensure the policies, proofs and documentation submitted provides the potential to meet the minimum scoring required for accreditation. Once verified, NIJO will assign dates for the onsite accreditation inspection, notify the facility and audit team assigned to conduct the onsite accreditation inspection. This team will immediately begin reviewing policy and procedure to verify compliance.

The facility is billed for the remaining 50% due for the cost of accreditation. Once paid, the onsite accreditation inspection is authorized to take place. The onsite accreditation inspection is conducted by the assigned audit team. It consists of two inspectors trained by NIJO. The facility should anticipate accreditation inspectors to be onsite approximately three (3) days verifying procedures, inspecting facilities and interviewing staff. At the end of the last day, the audit team holds an exit conference attended by the facility administrator, commanding officers and any other staff invited by the facility. This is to provide a summary recap of the initial onsite accreditation inspection and answer any questions about the inspection before the audit team leaves and submits their findings to the NIJO Accreditation Board.

The audit team submits its final report to NIJO. Within 30 days after the onsite accreditation inspection is completed, the results are tabulated and scored based on compliancy with the Accreditation Self-Audit Checklist requirements and the onsite accreditation inspection. Accordingly, the facility is recommended to receive accreditation or denied by the NIJO Accreditation Board. A Notification of Recommendation or Denial is sent to the individual with oversight responsibilities of the facility (Sheriff, Warden, etc.) and the Executive Director of NIJO with the complete results.

If a facility scores below the minimum percentage required for the accreditation level being sought, the facility has the opportunity to correct non-compliant findings using the corrective action tools found within the online accreditation management system. The facility is to complete any corrective action within 90 days of receiving the Notification of Recommendation or Denial. If the corrective action required must be verified by a return onsite accreditation inspection, it will be at the expense of the facility.

An appeal or challenge may be submitted in writing within 30 days of receiving the Notification of Recommendation or Denial if the facility believes the audit team inaccurately reported findings of a particular standard. An appointed Accreditation Review Panel (selected by NIJO) reviews the challenge and will make a ruling based on the evidence provided by the facility and the audit team. The Panel's finding is final. Accreditation is formally awarded and recognized by NIJO and posted on the NIJO website. Recognition is also generally given at NIJO Regional Conferences general sessions.

In order to maintain the status of being accredited each year, the facility must submit proofs as directed for standards for Year 2 and Year 3. For "off years" the facility is required to submit annual documentation of procedural, policy updates and any major changes occurring within that given year to maintain its accreditation status. This is facilitated using the online accreditation management tool. NIJO, in extenuating circumstances, reserves the right to conduct an announced inspection anytime between the second and third year to verify ongoing compliance for the Agency. NIJO inspectors would conduct this on-site inspection in the same fashion as the initial onsite inspection.

The fee for ongoing maintenance, support and the updating of the online accreditation system payable to AARMS, who administers the online accreditation management tools, is billed monthly throughout the





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## **BALDWIN COUNTY JAIL EARNS NIJO NATIONAL ACCREDITATION**

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([HTTPS://JAILTRAINING.ORG/CATEGORY/FEATURED/](https://jailtraining.org/category/featured/))

› BALDWIN COUNTY JAIL EARNS NIJO NATIONAL ACCREDITATION

## **BALDWIN COUNTY JAIL EARNS NIJO NATIONAL ACCREDITATION**

FOR IMMEDIATE RELEASE:

*September 26, 2018*

The Baldwin County Sheriff's Office (AL) has successfully met national accreditation requirements through the National Institute for Jail Operations (NIJO).



## The NIJO Accreditation



(<http://sheriff.baldwincountyal.gov/home>)

### Baldwin County AL Earns NIJO Accreditation

(<https://jailtraining.org/accreditation/>) process requires agencies pursuing accreditation to provide policies and documented proofs of compliance to determine whether their policies meet requirements of the law and that they are being practiced and followed. There were 584 applicable Legal-Based Guidelines™, specific to correctional case law governing the state of Alabama, the 11<sup>th</sup> Circuit Court of Appeals, Supreme Court rulings and federal acts and regulations applicable to Baldwin County Jail. After extensive review of policies and a thorough on-site verification inspection conducted by NIJO, the jail received Level II Accreditation.

Sheriff Huey Hoss Mack, who initiated the accreditation process, stated, "This was a great milestone for our organization. We have been improving and developing our correction center since I took office in 2007. This milestone represents years of hard work."

Keeping policies and procedures up-to-date with current case law is challenging and demands an administration to consistently maintain a high, professional level of operations. Baldwin County's commitment to operating their facility within compliance requirements of the Legal-Based Guidelines (<https://jailtraining.org/guidelines/>)<sup>TM</sup> has enhanced jail operations, increased professionalism and proactively served to protect against liability and other risk management issues. The Legal-Based Guidelines<sup>TM</sup> were developed and are maintained by renowned corrections expert Gary W. DeLand (DeLand & Associates), which NIJO fully and exclusively promulgates.

Historical statistics show counties that actively participate with the NIJO Legal-Based Jail Guidelines<sup>TM</sup> accompanied with the Verification Inspection or Accreditation program account for 28% – 33% of jail liability losses, compared to the national average of 71%, a significant decrease and savings for those participating counties. Sheriff Mack expressed the importance of seeking national accreditation through NIJO, stating, "I believe NIJO's Legal-Based Guidelines system for correction centers and jails is the best way to identify potential issues and resolve those issues in the most expedient matter. Making sure that your operating procedures are consistent with the most relevant and current court decisions is a way in which to improve overall operations which not only protect the sheriffs' office, but inmates' rights as well. We pursued national accreditation so that we could recognize the years of effort and preparation our employees have participated in to make our correction center what it is today. I believe the final accreditation has validated our efforts."

Tate McCotter, NIJO Executive Director, explained, "There are few professions which are as volatile and subject to change as corrections. In order to be compliant with the law and run a constitutionally safe facility, jail administrators must be proactive and stay ahead of the curve, constantly updating policies and procedures, looking for ways that safety and security might be compromised. That is exactly what the accreditation process accomplishes. Baldwin County Sheriff's Office did a remarkable job by proactively discovering and addressing potential liability and risk management issues.



Accreditation benefits the jail staff, the inmates and the entire public. For most counties, the jail is the largest liability in county government and the process itself becomes a significant risk management and liability defense.”



Baldwin County Sheriff's Office receives NIJO Level II Accreditation at JAILCON18 South Awards Banquet August 30, 2018, in New Orleans.

*Appreciate  
Sgt. Kim Klos  
- Process.*

## ABOUT NIJO

The National Institute for Jail Operations (NIJO) was formed as the primary resource dedicated to serve those that operate jails, detention and correctional facilities.

Recognizing the enormous liability an increasing litigation facing administrators, NIJO