



# The Illinois Department of Corrections

1301 Concordia Court, P.O. Box 19277 • Springfield, IL 62794-9277 • (217) 558-2200 TDD: (800) 526-0844

May 11, 2017

President Gail Johnson Village of Oswego 100 Parkers Mill Oswego, Illinois 60543

Chief Jeff Burgner Oswego Police Department 3525 Route 34 Oswego, Illinois 60543

Dear President Johnson and Chief Burgner:

A copy of the recent inspection report for the Oswego Police Department lockup facility is enclosed. The *Illinois Compiled Statutes* [730 ILCS 5/3-15-2(b)] authorizes the Illinois Department of Corrections to inspect municipal adult lockup facilities and to make the results of such inspections available for public review. Your municipality should make this inspection report available for public review in the village's records and you are encouraged to give notice to the citizens of your municipality, by news release or other means, that this inspection report is available for the public's review. I have provided a courtesy copy of this letter and the inspection report to your municipality's clerk to help facilitate the public's review.

The Jail and Detention Standards Unit staff is available for consultation should you desire. Please call (217) 558-2200, extension 4212.

Sincerely,

Mike Funk, Manager

Jail and Detention Standards Unit

cc: Village Clerk Tina Touchette

Village Administrator Daniel Di Santo

Sergeant Chris Biggs Criminal Justice Specialist Michael Leathers

# STATE OF ILLINOIS DEPARTMENT OF CORRECTIONS OFFICE OF JAIL AND DETENTION STANDARDS

P.O. Box 19277

Springfield, Illinois 62794-9277 (217) 558-2200 ext. 4212 Fax Number (217) 522-3906

#### MUNICIPAL JAIL AND LOCKUP INSPECTION REPORT

Date: March 29, 2017 City: Oswego Police Department County: Kendall Village President: Gail Johnson Chief of Police: Jeff Burgner Phone Number: 6305517327 Address: 3525 Route 34, Oswego, IL Zip Code: 60543 City or Village Clerk: Tina Touchette Address: 100 Parkers Mill, Oswego, IL Zip Code: 60543 Date of Construction: 1991 Date of Renovation: N/A Total Capacity: 4 Men: 2 Women: 2 Juv. Male: Juv. Female: 0 Population on Inspection Date: 0 Men: 0 Women: 0 0 Juv. Female: 0 Juv. Male: Number of Cells: 4 Other: 0 Single: 4 Double: 0 Detention Rooms: 0 Male: 0 Female: 0 Employees specifically assigned full-time duties: Employees assigned part time jail duties: Male: 0 Female: 0 Non-jail staff persons performing jail duties: Male: 0 Female: 0 YES N/A NO 720.20 LEGAL RIGHTS OF ACCUSED 1) Is the right of a detainee to remain silent protected?  $\boxtimes$ Are employees prohibited from obtaining unlawful statements, admissions, or 2) confessions from detainees?  $\boxtimes$ Are all detainees treated humanely and provided food, shelter and, if required, 3) medical treatment?  $\boxtimes$ Are detainees given an opportunity to make telephone calls to an attorney and/or 4) family member within the first hour of custody?  $\bowtie$  $\Box$ If a detainee is transferred, is the right to communicate with an attorney and/or family member renewed?  $\boxtimes$ Are detainees allowed to consult privately with an attorney? 5)  $\boxtimes$ If a detainee is to be transferred beyond the limits of Illinois, is the detainee 6) entitled to a reasonable delay to obtain legal counsel?  $\boxtimes$ Are Notices of Rights in the English language posted? П 7)  $\boxtimes$ 

720.25	ADMINISTRATION	YES	N/A	NO
1)	Are all jail officers and persons assigned jail duties trained and oriented in jail procedures?			
	a. Does the training include security measures, special incidents, and suicide prevention?	$\boxtimes$		
	b. Does the training include identification and management of mentally impaired detainees?	$\boxtimes$		
	c. Does the training include CPR and first aid?	$\boxtimes$		
2)	Is staff training, familiarization, and orientation documented in writing?	$\boxtimes$		
3)	Are jail officers and other persons assigned jail duties familiarized with the Illinois Municipal Jail and Lockup Standards?			
	a. Is the familiarization documented in writing?			
4)	Has a jail operational manual been published?	$\boxtimes$		
	a. Is it current?			
	b. Is it accessible to each jail staff person?			
	c. Does the manual include procedures for fires, riots, escapes, hostage situations, major disturbances, use of chemical agents, medical emergencies, suicide prevention and intervention, bomb threats, severe weather, and natural disasters?			
5)	Is there a comprehensive written duty description of each operational jail position?			
	a. Are jail staff persons familiarized with the written post description, prior to assuming the post?			
6)	Are administrative records maintained and available for inspection by the Jail and Detention Standards Unit?			
7)	Are discrimination and harassment of employees and detainees prohibited?			
8)	Are there sufficient personnel to provide adequate supervision of detainees?	$\boxtimes$		
9)	Is there an officer or qualified staff, awake and alert, on continuous duty in the jail when detainees are confined?			
10)	Are detainees supervised by a person of the same sex, when feasible, during personal hygiene activities?			
11)	Are persons who are seriously ill or unconscious examined by a jail physician or designated physician prior to being admitted to the jail?			
	a. Are detainees removed from the jail to a hospital upon the recommendation of a jail physician or designated physician?			
	b. Are written records of all physician visits, exams, and treatment maintained?			
	c. Is a written log of detainee medication maintained?			
	d. Does the medication log contain the name of the detainee, the name of the employee providing medication, date and time the medication was provided, and the type and amount of medication provided?	$\boxtimes$		
12)	Does the Chief of Police determine what personal property a detainee may possess?	$\boxtimes$		

			YES	N/A	NO
	a. Are i	receipts issued for personal property that is confiscated or taken?	$\boxtimes$		
	b. Is pe	rsonal property returned and receipts obtained upon the detainee's release?			
720.30	USE O	F JAILS			
1)	Are detai or holida	nees held a maximum of 48 hours, except when detention occurs during a weekend y?			
2)	Are mino	ors under 16 years of age prohibited from confinement or secure detention?	$\boxtimes$		
3)	Are mino	ors under 17 years of age kept separate from adults while securely detained?	$\boxtimes$		
4)	Are all m	inors prohibited from being securely detained or confined for more than 6 hours?	$\boxtimes$		
5)		nees with a history of mental disorder or defect, or showing evidence of such detained temporarily until transferred?			
	a. Are s	uch detainees afforded appropriate supervision until transferred?	$\boxtimes$		
	b. Are a	ppropriate authorities notified of such detainees prior to transfer?			
720.40	MINIM	IUM PHYSICAL STANDARDS			
1)		building where the jail is located conform to building, fire, safety, h requirements of local, State, and federal authorities?	$\boxtimes$		
2)		lding well lighted to provide at least 20 footcandles at 30" above in the detention area and other parts of the jail?			
3)		uilding and detention area heated and cooled according to the season to temperatures within the normal comfort zone? (67–85 degrees)			
	a. Doe	s the system eliminate disagreeable odors?	$\boxtimes$		
4)		ailding and detention areas have electrical conduits, fixtures, switches, ts that are inaccessible to detainees?	$\boxtimes$		
	a. Are	the fixtures and wiring of tamper proof construction?	$\boxtimes$		
5)	Are all ex	sterior windows in the detention area security screened or barred?		$\boxtimes$	
	a. Are	exterior windows that can be opened insect screened?		$\boxtimes$	
720.50	CELL	AND DETENTION ROOM			
1)	Are male	and female detainees completely segregated from each other?			
		onfinement areas prevent physical, visual, and auditory contact between and female detainees?			
2)	Are juve	niles confined or securely detained in areas separate from adults?			
		minors under 17 years of age confined or securely detained in cells or nation rooms?	$\boxtimes$		
		minors under 16 years of age prohibited from confinement or secure ntion in cells?			
3)	Does eac	h cell floor measure at least 50 square feet?	П	$\bowtie$	П

		YES	N/A	NO
4)	Does each detention room floor measure at least 64 square feet?	$\boxtimes$		
5)	Are cells and detention rooms designated single occupancy?	$\boxtimes$		
	a. Is multiple occupancy prohibited unless all cells are in use? (No more than two detainees may be housed in a single cell or detention room.)			
6)	Is each cell and detention room equipped with:			
	a. A rigidly constructed metal bed, with a solid or perforated steel bottom, anchored to the floor or wall, if detention exceeds eight hours?			
	(1) A metal bench, if detention is eight hours or less?		$\boxtimes$	
	b. A washbasin with piped hot and cold water, if detention exceeds eight hours?			
	(1) Access to a washbasin with cold water, contiguous to cells or detention rooms. if detention is eight hours or less?			
	c. A toilet, if detention exceeds eight hours?	$\boxtimes$		
	(1) Access to toilet facilities, contiguous to cells or detention rooms, if detention is eight hours or less?			
	d. A security light fixture?	$\boxtimes$		
	(1) Does it provide sufficient lighting for distinct visual supervision from the cell door?	$\boxtimes$		
	e. If light fixtures are installed in the inspection corridors, are they inaccessible to detainees?	?⊠		
7)	Are cells or detention rooms constructed of fire-retardant material?			
8)	If cells or detention rooms are located in a basement, are they adjacent to the office of the jailer responsible for supervision?			
	a. Is the area provided with adequate light, heat, and forced-air ventilation?		$\boxtimes$	
9)	Are all requirements of a physical nature complied with?			
10)	Has the Illinois Department of Corrections previously given any written approvals for architectural plans of new construction or remodeling?			
	a. If yes, has the construction or remodeling been initiated within one year of the approval?		$\boxtimes$	
11)	Has the Director of the Illinois Department of Corrections granted any variances to the physical requirements of the standards?			$\boxtimes$
	a. If yes, the expiration date of the variance is $\underline{N/A}$ .			
	b. If yes, is the variance approval in writing?		$\boxtimes$	
	c. If yes, is the variance currently in place a renewal of a previous variance?		$\boxtimes$	
720.60	SUPERVISION			
1)	Are there sufficient jail officers or qualified staff present in the jail to provide adequate supervision?	$\boxtimes$		
	a. If radio operators are used for detainee supervision, is the arrangement satisfactory?	$\boxtimes$		

2)		a visual check by personal inspection of each detainee conducted at least once every minutes?	YES	N/A □	NO
	a.	Are continuous audio and visual checks conducted with an approved monitoring device?			
	b.	Are the checks logged in ink or recorded by a mechanical device?	$\boxtimes$		
	c.	Do the records indicate time of check and signature of a responsible person?	$\boxtimes$		
	d.	Do the records include any relevant remarks?	$\boxtimes$		
3)		e physical restraints used only to prohibit detainees from injuring themselves or others, from damaging or destroying property?			
	a.	If restraints are applied, is there written documentation of the time, date, and purpose for the use of restraints?			
	b.	Are persons placed in therapeutic restraints monitored as recommended by the jail physician, or designated physician?			
	c.	Are persons placed in therapeutic restraints reviewed at least once each shift to ensure the necessity for such restraints?			
		1) If yes, is the review documented in writing, noting the person conducting the review, date and time of the review, and justification for continued use or removal of the restraints?			
4)		use of force prohibited against a detainee, based solely on the gender of the jail officer staff member being different from the detainee?			
5)	Ar	e detainees supplied on an as needed basis, the following materials:			
	a.	Toilet tissue?	$\boxtimes$		
	b.	Soap?	$\boxtimes$		
	c.	Paper towels?	$\boxtimes$		
	d.	Feminine hygiene items, as applicable?	$\boxtimes$		
	e.	Disposable drinking cups, if the washbasin is not drinking fountain equipped?	$\boxtimes$		
6)	Is	clean bedding issued to detainees confined overnight?	$\boxtimes$		
	a.	Does bedding consist of a flame retardant mattress, and a mattress cover, if mattress cannot be sanitized after use?			
	b.	Blankets appropriate to the season of the year or temperature of the facility?	$\boxtimes$		
	c.	Are bedding, sheets, pillow cases, blankets, and pillow case covers sanitized or laundered before re-issue?			
	d.	Are mattresses, or mattress covers soiled with body fluids handled with standard universal precautions to reduce exposure to bloodborne pathogens?			
	e.	Are mattresses, or mattress covers appropriately laundered, sanitized, or discarded?			
7)	Ar	e detainees confined beyond 48 hours permitted to shower or bathe once every 48 hours?			
	а	Are such detainees provided with clean towels when showering or bathing?	M	П	

720.70	SECURITY	YES	N/A	NO
1)	Are detainees given an immediate frisk search when admitted to the jail?	$\boxtimes$		
2)	Are strip searches conducted in accordance with the law?	$\boxtimes$		
	a. Does a staff member of the same gender as the detainee conduct all strip searches?	$\boxtimes$		
	b. Is written permission obtained from the police commander or designee, authorizing the strip search?	$\boxtimes$		
	c. Is a written report completed documenting the strip search, noting the name of the person being searched, the name(s) of the person conducting the search, name of the person giving written permission authorizing the search, and the date, time and place of the search?	$\boxtimes$		
3)	Are body cavity searches other than the mouth prohibited, except when authorized by a search warrant and performed under sanitary conditions by or under the supervision of a physician?			
4)	Are armed officers prohibited from entering the detention area?			
5)	Is a backup man present when opening an occupied cell or detention room?	$\boxtimes$		
6)	Are cells and detention rooms examined for contraband prior to reassignment to another detainee?			
7)	Are all fixtures, equipment, wiring, and conduit properly maintained?			
8)	Are eating utensils removed from cells and rooms after each meal?			
9)	Are open or contact visits closely supervised?			
	a. Is the detainee searched before and after each visit?	$\boxtimes$		
10)	Is a visitor search notice sign conspicuously posted?	$\boxtimes$		
11)	Is a record maintained of all keys inventoried and issued?			
720.75	TELEPHONE AND VISITS			
1)	Are detainees required to bear the cost of telephone calls?			$\boxtimes$
	a. Are detainees required to place only collect telephone calls?			$\boxtimes$
2)	Are all telephone calls monitored?			
	a. Are arrangements available to make or received confidential calls from a detainee's attorney?			
	b. Is there a sign posted to advise detainees that all telephone calls may be monitored or recorded?	$\boxtimes$		
3)	Are rules established by the Chief of Police for detainee use of telephones?	$\boxtimes$		
	a. Does the disciplinary process allow for suspension of telephone privileges for detainees who violate the rules?	$\boxtimes$		
720.80	FOOD			
1)	Are those detainees held 24 hours served three meals daily?	$\boxtimes$		

		YES	N/A	NO
2)	Are meals of sufficient nutritional value?			
3)	Is food quantity sufficient?	$\boxtimes$		
4)	Are meals provided at reasonable and proper intervals?	$\boxtimes$		
5)	Is a drink other than water served at each meal?	$\boxtimes$		
6)	Are special diets adhered to, if prescribed by a jail physician, clinic, or hospital designated by the Chief of Police?			
7)	Is at least one meal a balanced and complete hot meal, if the detainee is confined more than 24 hours?			
8)	Is a copy of the menu served maintained for at least three months?			
9)	Are detainees served meals in their cells or detention rooms?			
720.90	SANITATION			
1)	Are occupied cells cleaned daily?			
2)	Are adjacent areas clean and orderly?			
3)	Are walkways and corridors prohibited for use as storage areas?			
4)	Is there a vermin and pest control program?			
	a. Was the jail free of vermin and pests?			
720.100	FIRE PROTECTION			
1)	Is there at least one fire extinguisher in the basement and on each floor of detention for each 5,000 square feet of floor space?			
2)	Are the fire extinguishers readily accessible to staff and not to detainees?			
3)	Are extinguishers examined at least annually?			
4)	Are jail personnel familiar with the operation of all types of facility extinguishers?			
5)	Are all emergency exit doors clearly indicated with 4 ½ inch block letter signs?			
	a. Are exit door locations known to jail personnel?			
	b. Are exit door keys immediately available to staff?	$\boxtimes$		
6)	Is there an emergency fire alarm system?			
	a. Is it tested periodically?			
7)	Are smoke detectors installed?			
8)	Are there at least two exits from each floor of detention?	$\boxtimes$		
720.110	EMERGENCY PROCEDURES			
1)	Is there an emergency plan in writing?	$\boxtimes$		
2)	Does it contain detailed procedures for emergencies listed in the Standards?	$\boxtimes$	П	П

		YES	N/A	NO
3)	Are emergency plans known and understood by all personnel?	$\boxtimes$		
4)	Is one full set of keys, other than those in use, available for emergency use?	$\boxtimes$		
720.120	DETAINEE RECORDS			
1)	Are minimum identification data and information as listed in the Standards recorded for each detainee?			
2)	Are juvenile and adult records kept separate from each other?			
720.130	REPORTS TO THE JAIL AND DETENTION STANDARDS UNIT			
1)	Are quarterly population reports properly submitted?			
2)	Are unusual occurrence reports properly submitted?			
720.140	USE OF FORCE			
1)	Is use of force against detainees prohibited, except as outlined in the standards and by law?			
2)	If chemical agents are utilized, are appropriate measures taken to minimize the effects?			
720.150	JUVENILE DETENTION			
1)	Are juveniles detained? (If not, explain in comments)			
	a. If yes, are juveniles held in detention or secure custody more than 6 hours?			
2)	Are juveniles who are detained or held in secure custody under periodic supervision?			
3)	Are juveniles prohibited from coming into or remaining in contact with adults?			
4)	Are juveniles who are detained or held in secure custody informed of the purpose, expected duration, and maximum allowable detention time for their confinement?			
5)	Is a written log maintained for juveniles that notes the basis for detention, reasons and circumstances for detention, and length of the detention?			
6)	Are juveniles under age 16 prohibited from confinement in the jail or police station?			
7)	Are juveniles under age 17 kept separate from confined adults and prevented from being in the same cell, room, or yard with confined adults?			
	a. Are all juveniles kept separate from adults by sight and sound?			
8)	Is a parent, legal guardian, or person with whom the juvenile resides notified of the detention, if not already done so by the law enforcement officer?			
9)	Are all records of juveniles under age 17 maintained separately from adult records?			
	a. Are the juvenile records maintained separately from records available to the public?			
	b. Are juvenile records only released by order of the Court, or for appropriate criminal and pre-sentence activities?			
10)	Are juveniles supervised by persons of the same sex when following procedures requiring physical contact or examinations?			
	a. During periods of personal hygiene and related activities?	$\boxtimes$		

		YES	N/A	NO
11)	Are periodic checks of juveniles conducted at least once every 15 minutes?	$\boxtimes$		
12)	Are juveniles detained only in detention areas or rooms?	$\boxtimes$		
13)	Are juveniles provided with meals when being detained during a normal meal period?	$\boxtimes$		
14)	Is any evidence of child abuse reported to the Department of Human Services?			
15)	Are juveniles provided with meals when being detained during a normal meal period?			
16)	Is any evidence of child abuse reported to the Department of Human Services?			
720.160	NEW CONSTRUCTION			
1)	Are plans and specifications for the construction of jails, remodeling, or renovation of jails approved by the Illinois Department of Corrections?		$\boxtimes$	
	a. Were such approvals obtained prior to the construction, remodeling, or renovation?		$\boxtimes$	
2)	Are the plans for construction, remodeling, or renovation in compliance with the specific criteria set forth in this section of the Illinois Municipal Jail and Lockup Standards? (If not, explain in detail the non-compliance items in the Comments section)		$\boxtimes$	

### IMPROVEMENTS SINCE LAST INSPECTION:

None

## NONCOMPLIANCES WITH ILLINOIS MUNICIPAL JAIL AND LOCKUP STANDARDS:

None

#### **RECOMMENDATIONS:**

None

#### **INSPECTOR COMMENTS:**

- 1. The lockup is comprised of a booking area and four detention rooms located in three separate clusters. Rooms 1 and 2 are in a cluster with a shower. Room 3 is in a separate cluster. Room 4 is in a separate cluster with a shower.
- 2. The lockup has three interview rooms.
- 3. The booking area is video monitored and equipped with a LiveScan, breathalyzer, first aid kit, a metal table secured to the floor which has four cuffing rings and a secure metal bench with three cuffing rings.
- 4. The facility is CALEA accredited and was last accredited in 2014.
- 5. If meals are purchased from local restaurants as needed.
- 6. Personal observation checks are required by policy every 15 minutes, exceeding the Standards requirement of 30 minutes.
- 7. Arresting officers perform jail duties and receive refresher training during in-service roll call periods.
- 8. The facility receives fire safety inspections every August and February by the Oswego Fire Protection District.
- 9. The lockup is inspected daily by the third shift supervisor who completes a checklist.

# Official Emails:

Village President Gail Johnson - gjohnson@oswegoil.org Village Clerk Tina Touchette - ttouchette@oswegoil.org Village Administrator Daniel Di Santo - ddisanto@oswegoil.org Chief of Police Jeff Burgner - jburgner@oswegopoliceil.org Sergeant Chris Biggs - cbiggs@oswegopoliceil.org

Exit Interview Conducted with: Sergeant Chris Biggs

Michael Leathers Criminal Justice Specialist