

**GENERAL RULES AND REGULATIONS
OF THE
BUCKS COUNTY PRISON OVERSIGHT BOARD
OF BUCKS COUNTY, PENNSYLVANIA**

I. PREAMBLE

These Rules and Regulations are promulgated to govern the powers, duties, and operation of the Bucks County Prison Oversight Board. The Bucks County Prison Oversight Board was created in compliance with the Memorandum and Order of July 9, 2002 of Diane M. Welsh, United States Magistrate Judge. A true and correct copy of the Memorandum and Opinion are attached to these Rules and Regulations.

As used below:

"Prison" shall mean the Bucks County Correctional Facility situated at 1730 S. Easton Road, Doylestown, PA 18901.

II. COMPOSITION OF THE BOARD

The Board shall consist of:

- (1) The Bucks County Commissioners.
- (2) The President Judge of the Court of Common Pleas of Bucks County.
- (3) The Bucks County Sheriff.
- (4) The Bucks County Controller.
- (5) The Bucks County Public Defender.
- (6) The Chief Probation Officer of the Bucks County Adult Probation and Parole Department.
- (7) Three citizen members:

The citizen members shall not be employees of any state, county or municipal governmental entity. The three citizen members shall be appointed by a majority of the other members of the Oversight Board. The initial three citizen members of the Oversight Board shall be appointed to staggered terms; that is, one shall serve for one year, one shall serve for two years and one shall serve for three years. Thereafter, the term for each citizen member shall be for three years. Citizen members may be reappointed and there is no limit to how many terms they may serve.

III. POWERS AND DUTIES

(a) The Board shall oversee the operation and maintenance of the Prison and all alternative housing facilities, oversee the health and safekeeping of inmates and confirm the Commissioners' selection of the warden.

(b) The Board shall insure that the living conditions within the Prison and alternative housing facilities are healthful and otherwise adequate.

(c) The Board shall, at least twice each year, conduct an unannounced inspection of the Prison's physical plant. During such inspections the Board shall interview a cross-section of inmates, out of the presence of the warden and the warden's agents, to determine the conditions within the Prison and alternative housing facilities. After each inspection, the Board shall prepare a written report setting forth its findings and determinations, which shall be available for public inspection.

(d) The Board shall insure that the Prison is being operated in accordance with the Prison's regulations, the Constitution, laws and regulations of Pennsylvania, the Constitution of the United States and any applicable laws of the United States.

(e) The Board shall investigate allegations of inadequate Prison conditions and improper practices occurring within the Prison and may make such other investigations or reviews of Prison operation and maintenance. The books, papers and records of the Prison, including, but not limited to, the papers and records of the warden and those relating to individual inmates, shall at all times be available for inspection by the Board.

(f) The Board shall, promulgate such rules, regulations and forms it deems necessary for the operation and maintenance of the Prison and alternative housing facilities.

(g) The Board shall review all existing local written policies required by 37 Pa. Code § 95.141 through § 95.248 and, if the Board deems necessary, it shall amend or rewrite the local written policies.

IV. WARDEN

(a) The County Commissioners shall appoint a warden subject to confirmation by the Board. The warden shall serve at the pleasure of the County Commissioners who shall fix an appropriate salary.

(b) The warden shall submit an annual written report to the Board, which shall contain information on the population, conditions and practices in the Prison and other matters as specified by the Board. The annual report shall be available for public inspection.

V. BOARD MEETINGS

(a) Time and Place

The Board shall meet on the second Thursday of each month in Judicial Wing Conference Room #3 (5th Floor) of the Bucks County Courthouse, or such other location as the Board shall designate, and shall keep regular minutes of its proceedings which minutes shall be open to public inspection.

The Board may hold special meetings as it shall, from time to time, deem necessary. Such special meetings shall be held upon a minimum two (2) day written notice to all Board members unless the Board members by written unanimous consent agree to lessen or waive such notice requirements.

(b) Transaction of Business

A majority of existing Board members shall be necessary to constitute a quorum for the transaction of business. A majority vote of the Board members present at a meeting, at which a quorum has been established, shall be necessary for any action to be taken by the Board.

The meetings of the Board shall otherwise be conducted in accordance with Robert's Rules of Order.

VI. OFFICERS

From its members, the Board shall elect one Chairperson, one Vice-Chairperson and one Secretary. Except for year 2003, each officer shall be elected for a one year term commencing in January. For year 2003, each officer shall be elected in March and each officer's term shall end December 31, 2003. Any officer shall be elected from a list submitted by the nominating committee or from nominations, if any, made by the Board.

The Chairperson, or in that person's absence, the Vice-Chairperson, shall preside at all meetings of the Board, decide all points of order or procedure and, perform any duties required by law or these rules.

The Secretary shall act as clerk of all meetings of the Board and record all the votes and the minutes of all its transactions in a book to be kept for that purpose. The Secretary shall perform like duties for all committees of the Board when required. When required, the Secretary shall give, or cause to be given, notice of all Board meetings to the members and shall perform such other duties as may be prescribed by the Board or the Chairperson. The Secretary shall keep in safe custody the records of the Board and when authorized by the Board, send out all official correspondence and notices.

VII. COMMITTEES

A. Standing Committees

1. Inspections

The Board shall establish a standing committee of no less than six members to perform the semiannual inspections referred to in Article III(c) above.

2. Investigations

The Board shall establish a standing committee of no less than three members to preliminarily perform the investigations referred to in Article III(a) and Article III(e) above.

3. Promulgation of Rules, Regulations and Forms

The Board shall establish a standing committee of no less than three members to preliminarily perform the functions referred to in Article III(b) and Article III(f) above.

4. Policy Review

The Board shall establish a standing committee of no less than three members to preliminarily perform the policy review referred to in Article III(g) above.

5. Nominating Committee

The Board shall establish a nominating committee of no less than three members to nominate the chairperson, vice chairperson and secretary as well as the citizen members referred to in Article II above. For year 2003, the nominating committee shall meet prior to the regular Board meeting of March 2003 and shall nominate, by majority vote, one Board member for each of the offices. The list of

nominees shall be provided in writing to the other members of the Board no less than seven days prior to the March 2003 Board meeting. Commencing December 2003 and each December thereafter, the nominating committee shall nominate, by majority vote, one Board member for each of the offices for the one year term commencing the following January. The list of nominees shall be provided in writing to the other members of the Board no less than seven days prior to the January Board meeting

Also commencing December 2003 and each December thereafter, the nominating committee shall nominate, by a majority vote, one qualified individual to serve as a citizen member as provided in Article II. The nominee shall be provided to the other members of the Board no less than seven days prior to the January Board meeting. The citizen members shall be approved at the January Board meetings commencing January 2004 from the name submitted by the nominating committee or from a nomination, if any, made by the Board. (The appointments of the current citizen members are hereby reconfirmed and ratified).

B. Additional Committees

The Board may establish such additional committees as it shall deem necessary for the operation of its business. Upon establishment of such committee, the Board shall appoint a minimum of five members to serve on such committee.

C. General

The Chairman of the Board shall, from the Board members, appoint the committee members subject to final approval by the Board. Each committee shall, by majority vote, appoint a chairperson and otherwise conduct its affairs. Any member of the Board not designated to serve on a standing committee or special committee may nonetheless participate in the activities of any committee. Each committee upon completion of a specific review or action shall report to the full Board, which shall take such action as it deems necessary. Committee members shall serve a one-year term commencing in January.

VIII. AMENDMENTS

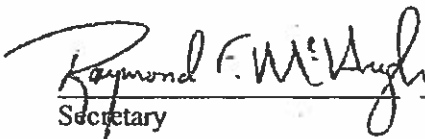
These Rules And Regulations may be amended by the Board in the manner specified for the transaction of business in Article V.(b).

IX. EFFECTIVE DATE

These Rules and Regulations have been approved at the regularly schedule meeting of the Board held on January 9, 2003 and are effective as of such date.

ATTEST:

ATTEST:


Secretary _____ Date 3/13/03


Chairperson _____ Date 3/13/03

**AMENDED AND RESTATED
GENERAL RULES AND REGULATIONS
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- (5) The Bucks County Public Defender.
- (6) The Chief Probation Officer of the Bucks County Adult Probation and Parole Department.
- (7) Three citizen members.
- (8) The Bucks County District Attorney.

The citizen members shall not be employees of any state, county or municipal governmental entity. The three citizen members shall be appointed by a majority of the other members of the Oversight Board. The initial three citizen members of the Oversight Board shall be appointed to staggered terms; that is, one shall serve for one year, one shall serve for two years and one shall serve for three years. Thereafter, the term for each citizen member shall be for three years. Citizen members may be reappointed and there is no limit to how many terms they may serve.

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V. BOARD MEETINGS

(a) Time and Place

The Board shall meet on the second Wednesday of each month in the Bucks County Administration Building, 55 East Court Street, Doylestown, PA 18901 or such other location as the Board shall designate, and shall keep regular minutes of its proceedings which minutes shall be open to public inspection.

The Board may hold special meetings as it shall, from time to time, deem necessary. Such special meetings shall be held upon a minimum two (2) day written notice to all Board

members unless the Board members by written unanimous consent agree to lessen or waive such notice requirements.

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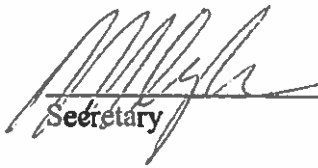
VIII. AMENDMENTS

The Rules and Regulations may be amended by the Board in the manner specified for the transaction of business in Article V(b).

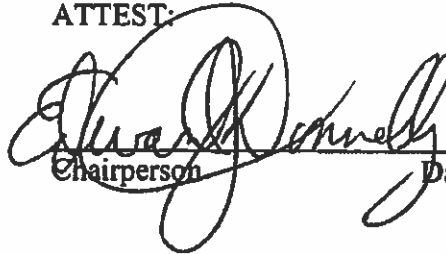
IX. EFFECTIVE DATE

These Rules and Regulations have been approved at the regularly scheduled meeting of the Board held on January 9, 2003, effective as of such date, and amended at the regularly scheduled meeting of the Board held on November 9, 2016 and are effective as of such date.

ATTEST:

 12/14/16
Secretary Date

ATTEST:

 12-14-16
Chairperson Date