

I-3 Occupancy Codes Task Force

Final Report / Proposed Code Changes



CAL FIRE – Office of the State Fire Marshal
March 2012



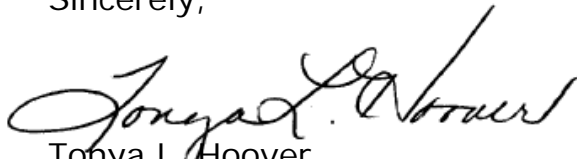
Message from the State Fire Marshal

The Office of the State Fire Marshal highly values the collaboration and information sharing that takes place with our stakeholders. These activities achieve positive support and impact on fire and life safety issues. This report is an example of such effort and dedication; a testimony to how diversified groups and professionals with a universal interest address code challenges while maintaining focus on public protection. Additionally, the recommendations are essential to a statewide understanding of panic safety regulations and building standards concerning facilities where persons are restrained and provided with sub-acute medical and mental health care.

I wish to thank each of the Task Force members and their agencies, departments and organizations for your continued active participation. I would also like to extend a special thank you to the Co-Chairs for their continued hard work and dedication to keeping this process on track.

Again, thank you to all of our stakeholders for your continued participation in our fire and panic safety efforts!

Sincerely,

A handwritten signature in black ink, appearing to read "Tonya L. Hoover". The signature is fluid and cursive, with a large initial "T" and "H".

Tonya L. Hoover
State Fire Marshal

Acknowledgements

This report was developed through a *collaborative* effort and many hours of research, analysis, and discussions. Excellent partnering *was* demonstrated by the many individuals, disciplines, experts, and stakeholders participating with the Office of the State Fire Marshal **I-3 Occupancy Codes Task Force**.

The Task Force consisted of the following agencies, departments, and organizations: CAL FIRE – Office of the State Fire Marshal (OSFM), Nacht Lewis Architects, Department of Corrections and Rehabilitation (CDCR), Rolf Jensen and Associates (RJA) Group, Department of Mental Health, Code Resource, HOK, City of San Diego, Lionakis, The Fire Consultants, San Bernardino Sheriff’s Department, California Medical Facility, Contra Costa Fire Protection District, ARUP, Deuel Vocational Institute, Kitchell CEM, Inc., International Code Council (ICC), Administrative Office of the Court (AOC), and Bureau Veritas Power and Utilities

Task Force Members

Steve Guarino, Chair
Lorenzo Martin Lopez, Co- Chair

(In alphabetical order)

Charlene Aboytes	Virgil Matheny
Sanjay Aggarwal	Joe McAtee
Syed Alam	Brian McLaughlin
Greg Anderson	Cindy Moore
Gale Bate	Troy Morris
Michael Bush	Michele Nachtmann
Carmelito Cataylo	Debi Nishimoto
Catherine Chan	Ernie Paez
Paul Chatham	Kevin Reinertson
Ali Fatah	Bill Robertson
Maynard Feist	Gordon Rogers
John Guhl	Kevin Scott
Richard Hoerner	Shawn Sen
Jeffrey Maddox	Jim Stephenson
Jon Marhoefer	Thomas Trimmerger
Robert Marshall	Ken Vollenweider

The Office of the State Fire Marshal thanks each member and their organization for their assistance with this important work.

Preface

On September 22, 2011, the Office of the State Fire Marshal convened representatives from various disciplines related to in-custody, correctional, and the rehabilitation industry. The I-3 Occupancy Task Force (Task Force) was to provide information and suggested recommendations to the State Fire Marshal on issues related to the changing correctional and in-custody infrastructure that California is currently facing. Key stakeholders include members of the California Fire Service, California Correctional Industry, Building Officials, Architects, Fire Protection Engineers, and State and County agencies.

A multitude of court orders and a change in a rehabilitative thought process, on both the local and state levels, has transformed construction methodologies for detention and correctional facilities.

In 2001, a federal class-action lawsuit alleged that the state of medical care in California state prisons violated the 8th amendment of the U.S. Constitution, which prohibits cruel and unusual punishment. In 2002, the State settled the lawsuit by agreeing to reform the system and provided within its secured facilities the ability to:

- Provide health care to 166,000 inmates (93% male, 7% female).
- Provide health care at 33 adult institutions in California

To achieve court mandates, California is tasked with constructing sub-acute medical and mental health care facilities (I-2 occupancies) for patient-inmates within the California state prison system (I-3 occupancies). The California Building Code (CBC) currently does not address the specific construction provisions for combining these occupancies. This Task Force has evaluated existing codes and has proposed code revisions that will clarify the specific provisions necessary to facilitate inmate care while maintaining a secure environment.

The purpose of this Task Force is to advise the State Fire Marshal on fire and panic safety regulations and building standards concerning facilities where persons are restrained. The Task Force was also tasked with identifying facilities or portions thereof, where persons could be restrained, that are not currently classified as group I-3 occupancies by the CBC.

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Executive Summary

California has a prison crisis. This crisis is compounded by prison overcrowding, increasing healthcare costs and a 70 percent recidivism rate. In an effort to address these issues, California expanded the mission of the Department of Corrections to include “rehabilitation.” This change in methodology has resulted in a need to re-evaluate how correctional facilities should be constructed.

Federal Judge Thelton E. Henderson, of the U.S. District Court for Northern California, presided over the *Plata v. Schwarzenegger* case in which medical care in California's adult prisons was found to be unconstitutional. After the State failed to make court-ordered corrections, Judge Henderson put the California Prison system into Receivership.

The Federally appointed Receiver has requested:

- \$6 billion to build a new stand-alone medical prison on the grounds of existing prisons in Stockton. The Receiver indicates that this facility is necessary in order to accommodate the needs of 10,000 inmates his office has identified as requiring long-term care (one-half of whom have primarily medical needs, while the other one-half have primarily mental health needs).
- \$1 billion to renovate, upgrade, and expand the existing medical space at 32 state prisons.
- \$1 billion mainly to build new dental facilities as part of the Perez court case regarding inmate dental care.

On May 23, 2007, the Governor signed into law Chapter 7, Statutes of 2007 (AB 900, Solorio), in order to relieve the significant overcrowding problems facing state prisons. Specifically, AB 900 authorized approximately \$7.7 billion for a broad package of prison construction and rehabilitation initiatives. The measure allocated:

- \$2.4 billion for 16,000 infill beds.
- \$2.6 billion to construct up to 16,000 beds at “secure reentry facilities”—including 500 beds for inmates within one year of being released from custody.
- \$1.1 billion to construct medical, dental, and mental health treatment facilities and housing for special needs inmates.
- \$1.2 billion to assist counties construct local jail facilities to address overcrowding in these facilities.

- \$300 million from the General Fund to address sewage, water, and other types of infrastructure problems at existing prisons.

In addition to addressing the construction needs for the changing correctional industry, the California Court System is revamping its infrastructure.

On September 26, 2008, the Governor signed into law Chapter 311, Statutes of 2008 (SB 1407, Perata) that provided urgently needed funding for courthouse improvement projects in California. The following statistics illustrate the critical need for replacement and renovation of California's court buildings and facilities:

- More than 40 percent of court facilities have no means to bring in-custody defendants into courtrooms without using public hallways.
- More than two-thirds have inadequate security.
- One-quarter of courtrooms have no space for a jury.
- More than three-quarters lack adequate access for people with disabilities.
- More than a quarter is at risk of significant damage in an earthquake.

Providing safe, secure, accessible, and fire safe courthouses is a critical priority for California. The most immediate and critical needs for courthouse construction focuses on buildings that have been identified for years as in need of replacement or renovation which includes in-custody defendants transfer and holding facilities.

Scope

The Task Force was charged with the review and evaluation of the current California Code of Regulations, Title 24 – California Building and Fire Codes, specifically Group I-3 provisions and other facilities or occupancies where persons can be restrained. The Task Force reviewed these codes to determine if revisions (amendments) are needed for the next California Code cycle in answer to the above noted needs and methodologies.

The Task Force has developed, and provided in this report, recommendations to the State Fire Marshal for consideration and adoption into California Code of Regulations, Title 24 – California Building and Fire Codes.

Goals

The Task Force goals were to evaluate existing building and fire codes, and to evaluate the industry through a consensus process in order to:

1. Provide clarity to all stakeholders.
 - Re-evaluate existing code and State Fire Marshal code interpretations
 - Facilitate better communication between stakeholders regarding new code and interpretations
 - Provide balance between fire and life safety and security
2. Provide unified consensus for regulations and standards.
 - Look at all regulations and codes for accuracy, ambiguity and consistency as they relate to areas where persons are restrained
 - Review and make recommendations for proposed code changes to the State Fire Marshal in accordance with Health and Safety Code Section 18930

Consensus on Recommendations

The Task Force compiled this report and agreed on the content, with some exceptions. The Task Force agreed to ensure that any recommendations provided to the State Fire Marshal would represent a strong consensus of the voting members. Therefore, the members required that each recommendation obtain a 2/3 majority vote. All recommendations received Task Force consensus.

Recommendations

The following are the I-3 Occupancy Codes Task Force's core recommendations. These recommendations will clarify, define, and amend Jail, Prison, and Courthouse construction in California, and enhance fire and life safety throughout the industry.

Proposed modification to Part 2 and/or Part 9

Section: 202 Definitions

~~**CELL (Group I-3 occupancy).** A room within a housing unit in a detention or correctional facility used to confine inmates or prisoners.~~

1. ***Cell [SFM].*** *A sleeping or housing unit in a detention or correctional facility for the confinement of not more than two inmates or prisoners*
~~*A housing unit in a detention or correctional facility for the confinement of not more than two inmates or prisoners.*~~

Rationale:

The I-3 Occupancy Codes Task Force reviewed the definition of "Cell" and proposes to change the definition to clarify use conditions already in practice throughout the state. The current definition does not adequately define "cell" as used within the content of the California Code of Regulations, Title 15, entitled "Crime Prevention and Corrections".

California Code of Regulations, Title 15, §3269, Inmate Housing Assignments, provides operational expectations that all inmates are housed in a double cell. Single cell housing status may be considered for those inmates who demonstrate a history of in-cell abuse, significant in-cell violence towards a cell partner, verification of predatory behavior towards a cell partner, or who have been victimized in-cell by another inmate.

2. ***COURTROOM DOCK.*** *Courtroom Dock shall mean an area within a courtroom where persons may be restrained and are awaiting court proceedings.*

Rationale:

The I-3 Occupancy Codes Task Force reviewed existing definitions and found no definition for "Courtroom Dock". The Administrative Office of

the Courts advised SFM that the current common use term for an area within a courtroom where persons may be restrained and are awaiting court proceedings is "Courtroom Dock". The I-3 Occupancy Codes Task Force proposes to add this definition to clarify use conditions already in practice throughout the state.

3. **COURTHOUSE HOLDING FACILITY [SFM].** *Courthouse Holding Facility shall mean; a room, cell, cell complex, or separate building for the confinement of persons for the purpose of a court appearance for a period not to exceed 12 hours*

Rationale:

The I-3 Occupancy Codes Task Force reviewed the current definitions and found no definition that adequately describes rooms, cells, cell complex, or building specific to court facilities where persons are confined for the purpose of a court appearance for a period not to exceed 12 hours. The addition of this term "Courthouse Holding Facility" would differentiate between temporary holding rooms, temporary holding cells, cells where persons are kept for less than 24 hours, and housing cells within jails and prisons.

4. **DETENTION ELEVATOR [SFM].** *Detention Elevator shall mean an elevator which moves in-custody individuals within a secure and restrained environment.*

Rationale:

The I-3 Occupancy Codes Task Force reviewed the current definitions and found no definition that adequately describes an elevator which serves only in-custody individuals within a secure and restrained environment such as high-rise jails and courthouses. The addition of the term "Detention Elevator" would differentiate between passenger or freight elevators and provide for appropriate fire, life safety, and security regulations.

5. **DETENTION TREATMENT ROOM. [SFM].** *Detention Treatment Room shall mean a lockable room or rooms within Group I-3 occupancies used for recreational therapy, group rooms, interdisciplinary treatment team rooms, and interview rooms not classified solely as an Group I-2 occupancy.*

Rationale:

The I-3 Occupancy Codes Task Force reviewed the current definitions and found no definition that adequately describes a room or rooms in which various treatments or procedures requiring special equipment may be performed. These rooms may also be used for person's in-custody or inmates receiving therapeutic interaction or treatment contracted by a trained professional. Detention Treatment Rooms may be used by law enforcement personnel or legal counsel for interviews and interrogation.

Detention Treatment Rooms in detention areas are defined to allow for special circumstances which exist when persons are systematically escorted and locked in rooms with doors equipped with paracentric (security bolt) hardware which are incompatible with closers and self closing devices.

6. **RESTRAINT [SFM].** Restraint shall mean the physical retention of a person within a room, cell, cell block, holding cells, temporary holding cell, rooms or area, holding facility, secure interview rooms, Courthouse holding facilities, courtroom docks, or similar buildings or portions thereof, by any means, or within the exterior walls of a building by means of locked doors inoperable by the person restrained. "Restraint" shall also mean the physical binding, strapping or similar restriction of any person in a chair, walker, bed or other contrivance for the purpose of deliberately restricting the free movement of ambulatory persons.

"Restraint" shall not be practiced in licensed facilities classified as Group I-1, I-2, R-3.1 and R-4 occupancies unless constructed as Group I-3 occupancy. For Group I-3 occupancies see Section 308.2.

Rationale:

The I-3 Occupancy Codes Task Force reviewed the definition of "restraint" and proposes to change the definition to clarify use conditions already in practice throughout the state. The current definition does not adequately define "restraint". This revision makes clear "restraint" is applied in the same fashion to:

- holding cells and temporary holding adjacent to courtrooms
- courtroom docks in courtrooms
- secure interview rooms
- handcuffed/shackled secured to or not attached to chair/bench

Restraint shall not be practiced in hospitals as well as the other care occupancy groups already listed in the current code language.

7. **SECURE INTERVIEW ROOMS [SFM]:** *A lockable room used to hold and interview detainees for further processing.*

Rationale:

The SFM I-3 Occupancy Codes Task Force on Prisons, Law Enforcement, and Jails reviewed the current definitions and found no definition that adequately describes a room/s where persons are kept by law enforcement for the purpose of interviewing either witness, persons of interest or detainees less than 24 hours.

8. **TEMPORARY HOLDING CELL, ROOM or AREA [CSA and SFM].** *Temporary Holding cell, room or area shall mean a room for temporary holding of inmates, detainees, or in-custody individuals for less than 24 hours.*

Rationale:

The SFM I-3 Occupancy Codes Task Force reviewed the current definitions and found no definition that adequately describes a room/s where persons are kept for less than 24 hours. The addition of this term "Temporary Holding" would differentiate between temporary holding rooms where persons are kept for less than 24 hours, and housing cells where persons sleep overnight and/or reside.

9. **TEMPORARY HOLDING FACILITY [SFM]:** *A building or portion of a building, operated by law enforcement personnel, with one or more temporary holding cells or rooms.*

Rationale:

The SFM I-3 Occupancy Codes Task Force reviewed the current definitions and found no definition that adequately describes a group of rooms where persons are kept for less than 24 hours. The addition of this term "Temporary Holding Facility" would differentiate between groups of temporary holding rooms where persons are kept for less than 24 hours, and housing cells where persons sleep overnight and/or reside.

10. **TENABLE ENVIRONMENT [SFM]:** *Tenable environment shall mean an environment in which the products of combustion, toxic gases,*

smoke, and heat are limited or otherwise restricted to maintain the impact on occupants to a level that is not life threatening.

Rationale:

The I-3 Occupancy Codes Task Force reviewed the current definitions and found no definition that adequately describes “tenable environment”. This definition helps to quantify requirements found in CBC Section 408.9 and 909. This definition is in-line with nationally recognized codes and standards. [From NFPA 92B, 2009 Edition – Smoke Management Systems in Malls, Atria, and Large Spaces.]

Chapter 3

11. **308.5 Group I-3.** This occupancy shall include buildings *or portions of buildings* and structures that are inhabited by ~~more than five~~ *one or more* persons who are under restraint or security. An I-3 facility is occupied by persons who are generally incapable of self preservation due to security measures not under the occupants’ control, which includes persons restrained. This group shall include, but not be limited to, the following:

- Correctional centers
- Courthouse Holding Facility
- Detention centers
- Detention Treatment Room
- Jails
- Juvenile Halls
- Prerelease centers
- Prisons
- Reformatories
- Secure Interview Rooms
- Temporary Holding Facility

Buildings of Group I-3 shall be classified as one of the occupancy conditions indicated in Sections 308.5.1 through ~~308.5.5~~ 308.5.8 (see Section 408.1).

308.5.1 Condition 1. This occupancy condition shall include buildings in which free movement is allowed from sleeping areas, and other spaces where access or occupancy is permitted, to the exterior via *means of egress* without restraint. A Condition 1 facility is permitted to be constructed as Group R.

308.5.2 Condition 2. This occupancy condition shall include buildings in which free movement is allowed from sleeping areas and any other occupied *smoke compartment* to one or more other *smoke compartments*. Egress to the exterior is impeded by locked *exits*.

308.5.3 Condition 3. This occupancy condition shall include buildings in which free movement is allowed within individual *smoke compartments*, such as within a residential unit comprised of individual *sleeping units* and group activity spaces, where egress is impeded by remote controlled release of *means of egress* from such a *smoke compartment* to another *smoke compartment*.

308.5.4 Condition 4. This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Remote-controlled release is provided to permit movement from *sleeping units*, activity spaces, and other occupied areas within the *smoke compartment* to other *smoke compartments*.

308.5.5 Condition 5. This occupancy condition shall include buildings in which free movement is restricted from an occupied space. Staff-controlled manual release is provided to permit movement from *sleeping units*, activity spaces, and other occupied areas within the *smoke compartment* to other *smoke compartments*.

12. **308.5.6 Condition 6.** This occupancy condition shall include buildings which include one Temporary Holding Facility with five or fewer persons under restraint or security when the building protected throughout with a monitored automatic sprinkler system installed in accordance with Section 903.3.1.1 and protected with an automatic fire alarm system with notification appliances throughout the holding facility. A Condition 6 facility is permitted to be constructed as Group B.

13. **308.5.7 Condition 7.** This occupancy condition shall include buildings which include one Temporary Holding Facility with nine or fewer persons under restraint or security located on the first or second floor and constructed to comply with Section 408.1.2.6. A Condition 7 facility is permitted to be constructed as Group B.

14. **308.5.8 Condition 8.** *This occupancy condition shall include buildings which include not more than 4 Secure Interview Rooms located within the same fire area and where not more than 6 occupants under restraint are located in the same fire area. A Condition 8 facility is permitted to be constructed as Group B if the requirements in Section 408.1.2.7 are satisfied.*

Rationale:

These new definitions and conditions are necessary for two uses that currently are utilized in law enforcement buildings but do not meet the definitions of other conditions listed in the model code or CBC. These codes technically employ the use of restraint (locked doors) and therefore are I-3 occupancies, but fall well below the security and danger levels described in the other conditions. As temporary rooms for interviews or staging, which are continuously observed by law enforcement personnel, they should not be held to the type of restrictive construction required for other I-3 conditions.

These newly defined uses should be allowed in sheriff's offices, police stations, border patrol buildings, FBI offices, the DEA, etc., which are B occupancies. The inclusion of a small number of lockable rooms which are under supervision should not require the entire building to meet I-3 conditions. The alternative would be to handcuff or shackle detainees to a desk or bench, which would be more risk to life safety. These code additions allow CSA and the SFM to regulate a use which already is in practice.

Since these requirements are in addition to the regulations in Section 1231, these specific definitions do not conflict with section 1231.1. Section 1231.2.2 requires bunks for inmates held for more than 12 hours. Chapter 1231 may not apply to facilities operated by Federal law enforcement located in leased buildings such as those by the FBI or DEA and CBP and ICE.

Chapter 4

Section 407.2.2

15. **407.2.2 Nurses' stations.** *Spaces for doctors' and nurses' charting, communications and related clerical areas shall be permitted to be open to, or located within, the corridor provided the required construction along the perimeter of the corridor is maintained ~~when such spaces are constructed as required for corridors.~~ Construction of*

nurses' stations or portions of nurses' stations, within the envelope of the corridor is not required to be fire-resistive rated. Nurses' stations in new and existing facilities see the California Code of Regulations, Title 19, Division 1, Chapter 1, Subchapter 1, Article 3, Section 3.11(d) for storage and equipment requirements.

In detention or secure mental health facilities, the provisions above apply to enclosed nurses' stations within the corridor.

Rationale:

In Group 1-3 occupancies where glazing separates nurses stations from the corridor due to security requirements, the addition of glazing should not require the walls surrounding such a nurses station (which may be located entirely within a rated corridor) to be rated. This provision should apply since the addition of glazed walls provides greater fire and life safety elements than an open nurse station does because it would decrease the spread of smoke or fire from entering the corridor. The addition of fire and smoke protected glazing and wall assemblies add to both the cost and complexity of construction without the benefit of any additional fire and life safety measures.

16. **407.3.1.1 Swing of corridor doors.** Corridor doors, other than those equipped with self-closing or automatic-closing devices, shall not swing into the required width of corridors.

Exception:

Doors may swing into required width of corridors in I-3 facilities as long as 44" clear is maintained with any one door open 90 degrees and clear corridor widths required in Chapter 12 can be maintained with doors open 180 degrees.

Rationale:

This code section provides challenges for doors in detention and/or secures mental health facilities for the following reasons:

- closers are not safe in secure environments
- doors must swing out of rooms (to avoid the potential for barricades)
- doors should not be located in alcoves (to maximize visual control)
- 1227.5.1 requires 8'-0" clear corridors

- Inmates are moved one at a time in these secure facilities eliminating the possibility of bed movement conflicting with others in the corridor and thus easing the requirements for 8' corridors

For these reasons, Section 407.3.1 would require corridors to 16'-0" wide to meet all requirements.

Section 408

17. ~~**408.1.2.2 Cells with open bars.** *In buildings protected throughout by an automatic sprinkler system and automatic fire detection system, corridor doors or walls of cells and dormitories, may be of open bars, perforated metal, grilles, or other similar construction.*~~

408.1.2.2 Intervening spaces; Egress within I-3 Occupancies can be considered an intervening space in accordance with 1014.2, and not considered a corridor, when they meet any of the following:

1. The inmate and/or staff movement within cell complexes, medical housing wings, and mental health housing wings of Type I construction.
2. Areas within any temporary holding area of non-combustible construction.
3. Areas within secure mental health treatment facilities of non-combustible construction.

Rationale:

CBC Section 1018 requires a corridor whenever the occupant load is 6 or more. This does not consider the concept of intervening spaces per section 1014.2. Table 1018 should be clarified so that 1014 can apply. CBC Chapter 10, Table 1018 already refers to 408.1.2.2 which allows for open bar construction in housing units. CBC is also more restrictive than the IBC with greater fire resistance requirements. Furthermore, detention grade glazing cannot be constructed to meet fire resistance requirements.

In B occupancies, open offices do not automatically require corridors amidst cubicles when the occupant load is greater than 30. Likewise, corridors should not automatically be required in I-3 occupancies when the occupant load is greater than 6. Just like dayroom space in cells is

not required to be rated (the dayroom is essentially an intervening space), circulation in housing wings should not be required to be rated which is why open barred fronts are allowed. As long as there is a clear and discernable path to an exit, the circulation should be considered an intervening space until it discharges into a collector corridor or leads to the exterior.

18. **408.1.2.3 Courthouse Holding** Group I-3 courtroom holding areas may be considered a separate and distinct building for the purpose of determining the type of construction from the remaining courthouse building where all of the following conditions are met:

1. 2-hour fire barrier construction in accordance with 707 and horizontal assemblies in accordance with 711 separate holding from all other portions of the courthouse
2. Structure to support holding areas meets requirements for the I-3 portion of the building
3. Courtroom holding above the ground floor is less than 1,000 SF per holding area, and designed to hold 10 or fewer in-custody defendants per holding area
4. Courtroom holding above the ground floor must include an internal stair discharging to the main holding at the ground floor or basement
5. Additional exits from courtroom holding above the ground floor may exit through courtrooms
6. The main holding on the ground floor or basement shall have at least one exit directly to the exterior and additional required means of egress may pass through a rated corridor or lobby in the courthouse.

Rationale:

For small courthouses, construction type is driven by I-3 portion occupancy, which typically only occupies less than 10 percent of the overall area of the building. It is unreasonable to require a very small portion of the building to dictate the construction of the entire building; hence exceptions for courthouse facilities need to be allowed.

This proposed change would still require the I-3 portion to be constructed in a manner consistent with what is required for that occupancy.

19. **408.1.2.4 Group I-3/Group B Occupancy, Horizontal building separation.** A Group B Administration building one story in height may be located above a Group I-3 (or Group I-3/I-2) housing/treatment building which is one story above grade and shall be classified as a separate and distinct building for the purpose of determining the type of construction, and shall be considered a separate fire area, where all of the following conditions are met:

1. A 3-hour floor-ceiling assembly below the administration building is constructed as a horizontal assembly in accordance with Section 711.
2. Interior shafts for stairs, elevators, and mechanical systems complete the 3-hour separation between the Group B and Group I-3 (or Group I-3/I-2)
3. The Group I-3 occupancy (or Group I-3/I-2 occupancies, correctional medical and mental health uses) below is minimum Type I-B construction with 2-hour fire resistive rated exterior walls
4. No unprotected openings are allowed in lower roofs within 10 feet of unprotected windows in the upper floor
5. The Group B building above is of non-combustible construction and equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1
6. The Group B occupancy building above has all required means of egress capable of discharging directly to the exterior to a safe dispersal area

Rationale:

Administration space and inmate treatment space have different building requirements and ideally would be constructed next to one another. However, space limitations are requiring them to be stacked. Administration areas above Type I detention occupancies (similar to podium construction), when separated by 3-hour horizontal

construction, should be allowed to be of less restrictive construction provided independent free egress is allowed for the administration area. This arrangement provides a higher degree of fire and life safety than requiring the administration area to fall within the I-3 requirements and exit into locked portions of the building below. This configuration provides separate and distinct emergency egress for non-law enforcement support and professional staff, thus improving egress times and allows correctional staff to focus on inmate evacuation.

20. **408.1.2.5 Temporary Holding Area.** In buildings protected with automatic sprinklers, corridors serving temporary holding rooms shall be one hour fire resistance rated when the temporary holding occupant load is greater than 20.

Rationale:

The I-3 Occupancy Codes Task Force reviewed the fire-resistance rating requirements for corridors that serve cell complexes and temporary holding rooms, including courthouse holding. The proposed change would differentiate the level of protection based upon the difference in fire risk between temporary holding rooms where persons are kept for less than 24 hours, and housing cells where persons sleep overnight and/or reside.

Temporary holding rooms, including courthouse holding areas, have far less combustible content and sources of ignition and should not be held to the same restrictions as I-3 sleeping areas. Occupants of these spaces are there for limited periods of time. These spaces impose lower risk than housing units because occupants cannot accumulate or store combustibles. A temporary holding area is generally an incidental use that is provided with a 2-hour occupancy separation as required by the Code. Therefore, a fire-resistance rating is not necessary for corridors serving temporary holding occupancy with an occupant load of 20 or less due to the presence of lower fire load, incidental use, supervision, and occupancy separation.

21. **408.1.2.6 Temporary Holding Facility.** Temporary holding facilities with nine or fewer persons under restraint shall be classified as Group B when located in a buildings complying with the following conditions:

1. The building shall be protected throughout with a monitored automatic sprinkler system installed in accordance with Section 903.3.1.1
2. The building shall be protected with a automatic fire alarm system with notification appliances throughout the holding facility in accordance with Section 907.2
3. The building shall be constructed of Type IIA, IIIA, or VA construction.

Rationale:

The IBC and CBC are overly restrictive for buildings where restrained occupants are held. Regardless of the duration or the number of occupants restrained, or the degree of supervision, construction requirements for jails and prisons are imposed for facilities used to interview detainees. This code change addresses temporary holding facilities that include up to nine restrained occupants within the building such as may occur at ports of entry into the United States, police substations, and certain court facilities. Since no sleeping will occur, smoke control should not be required. Furthermore, requiring non-combustible fire resistive construction throughout is overly restrictive. Requiring at least fire resistant construction will allow detainees to be located on the second floor. These requirements allow for a level of “defend in place” protection, which is assumed in most institutional occupancies. This requirement provides notification, fire suppression, and construction components. The limited number of restrained and supervised individuals will allow for timely evacuation of individual detainees held by members of law enforcement. While not limiting the number of rooms and restrained persons in a building, this change limits the number of restrained occupants in fire areas and therefore requires fire barriers and horizontal assemblies to include more than six restrained occupants or four interview rooms in a temporary holding facility.

These requirements are in addition to the regulations in Section 1231 and do not conflict with 1231.1. Section 1231 may not apply to facilities operated by Federal law enforcement located in leased buildings.

22. **408.1.2.7 Secure Interview Rooms.** *Secure Interview Rooms used for law enforcement may be locked, and shall not be classified as Group I-3 occupancies when all of the following conditions are met:*

1. *A monitored automatic sprinkler system shall be provided throughout buildings and portions thereof including Secure Interview Rooms. The automatic sprinkler system shall comply with Section 903.1.1.*
2. *Secure Interview Rooms shall be located in non-combustible construction.*
3. *Secure Interview Rooms have glazed or barred openings with direct, continuous observation from law enforcement personnel who have a means to open the secure interview room.*
4. *Not more than 6 occupants in Secure Interview Rooms shall be located in the same fire area.*
5. *An automatic smoke detection system shall be installed within Secure Interview Rooms and mechanical and electrical rooms.*

Rationale:

In buildings where occupants are restrained for limited periods of time, the construction requirements by both the IBC and CBC are overly restrictive. This code change addresses temporary holding facilities, or portions thereof, used to interview detainees or process paperwork prior to their release or transport to jail and prisons. This code change addresses interview rooms where detainees are held or interviewed typically by members of law enforcement. While not limiting the number of rooms and restrained persons in a building, this change limits the number of restrained occupants in fire areas and therefore requires fire barriers and horizontal assemblies to include more than six restrained occupants or four interview rooms in a building.

23. **408.2 Other occupancies.** *Buildings or portions of buildings in Group I-3 occupancies where security operations necessitate the locking of required means of egress shall be permitted to be classified as a different occupancy. Occupancies classified as other than Group I-3 shall meet the applicable requirements of this code for that occupancy provided provisions are made for the release of occupants at all times.*

Means of egress from detention and correctional occupancies that traverse other use areas shall, as a minimum, conform to requirements for detention and correctional occupancies.

Exceptions:

3. For the purpose of occupancy separation only ~~prisoner docks~~ courtroom docks that are directly accessory to courtrooms need not be separated from a courtroom.

Rationale:

The I-3 Occupancy Codes Task Force reviewed the existing use of the term “prisoner dock” and found no definition for “prisoner dock” as it’s used in Section 408.2 Exception 3. The Administrative Office of the Courts has advised SFM that the current common use term for areas within a courtroom where persons may be restrained and are awaiting court proceedings is “Courtroom Dock”. The I-3 Occupancy Codes Task Force proposes to change the term prisoner docks to courtroom dock to clarify use conditions already in practice throughout the state.

24. **408.2.1 Correctional medical and mental health uses.** *Where a Group I-2 occupancy in accordance with Section 308.4 and a Group I-3 occupancy occur together in a building or portions of buildings, the following sections of 407 as it relates to hospital uses in correctional institutions shall apply: 407.2.1; 407.2.2; 407.2.3; 407.3.1; 407.4; 407.10.2.*

Rationale:

In 2001, a federal class-action lawsuit alleged that the state of medical care in California state prisons violated the 8th amendment of the U.S. Constitution, which prohibits cruel and unusual punishment. In 2002, the State settled the lawsuit by agreeing to reform the system and provided within its secured facilities the ability to:

- Provide health care to 166,000 inmates (93% male, 7% female).
- Provide health care at 33 adult institutions in California.

To achieve court mandates, California is tasked with constructing sub-acute medical and mental health care facilities (I-2 occupancies) for patient-inmates within the California state prison system (I-3 occupancies). The code currently does not address the specific construction provisions for combining these occupancies. The proposed code revision will clarify the specific provisions that are necessary to facilitate inmate care while maintaining a secure environment.

25. **408.3.10 Travel Distance.** *The travel distance may be increased to 300 feet for portions of Group I-3 occupancies open only to staff or where inmates are escorted at all times by staff.*

Rationale:

The I-3 Occupancy Codes Task Force suggests that the 200 foot travel distance is overly conservative for staff areas within an institution. Staff areas such as storage, control rooms, tunnels, and officer areas have a similar or smaller fire load than Group B office areas which are permitted the 300 ft distance. Even this distance is based on a slow travel speed to accommodate a wide variety of movement speeds. The staff in an institution should be moving at faster speeds than the average person.

26. **408.3.11 Number of exits required.** *In temporary holding areas of non-combustible construction, a second means of egress is required when the occupant load is greater than 20.*

Rationale:

The 2010 CBC section 1015.1 item 4 indicates "In detention and correctional facilities and holding cells" two means of egress are required when the occupant load exceeds 20. Table 1015.1 indicates the maximum occupant load for 1 means of egress is 10. We have reviewed the 2001 CBC and in our opinion section 1015.1 item 4 is a combination of 2001 CBC 1004.2.3.3 exception 2 and Appendix 3 section 331A.1. The first code section establishes the required occupant load of 20 for holding cells while the second code section establishes 20 occupants for the occupancies related to Appendix 3A (prisons, jails, reformatories, and other detention facilities). It is our opinion that the intent was to carry over the 2001 requirements but the IBC number in the table was missed.

27. **408.6.1 Smoke compartments.** The maximum number of residents in any smoke compartment shall be 200. The travel distance to a door in a smoke barrier from any room door required as exit access shall not exceed 150 feet. The travel distance to a door in a smoke barrier from any point in a room shall not exceed 200 feet.

Exception: *The travel distance may be increased by 50 feet from areas open only to the staff.*

Rationale:

The I-3 Occupancy Codes Task Force suggests that the 150/200 foot travel distance is overly conservative for staff areas within an institution. Staff areas such as storage, control rooms, tunnels, and officer areas have a similar or smaller fire load than Group B office areas which are permitted a greater distance. Even this distance is based on a slow travel speed to accommodate a wide variety of movement speeds. The staff in an institution should be moving at faster speeds than the average person and can travel the extra 50 foot.

28. **408.9 Windowless buildings.** For the purposes of this section, a windowless building or portion of a building is one with non-openable windows, windows not readily breakable or without windows. ~~Windowless buildings shall be provided with an engineered smoke control system to provide a tenable environment for exiting from the smoke compartment in the area of fire origin in accordance with Section 909 for each windowless smoke compartment.~~

Section 408.9.1 Smoke Venting. *Windowless building containing use conditions 4 or 5 shall be provided with an engineered smoke control system in accordance with Section 909, windows or doors, smoke vents, or equivalent means to provide a tenable environment for exiting from the smoke compartment in the area of fire origin. If windows or doors are used to meet this section, at least 2 windows or doors to the exterior must be provided at or above the highest occupied level in each smoke compartment, and the windows or doors must be operable or readily breakable and arranged to manually vent smoke.*

Exception:

1. *Local adult detention facilities, CDCR, and CDCR mental health housing facilities shall be exempt from this section when they meet each of the following criteria:*

a. *Are Type I-B or I-A construction*

b. *Are protected with sprinklers throughout in accordance with 903.1.1*

c. *Include a fire alarm system with smoke detection in accordance with NFPA 72 in the dayroom and/or corridor serving as exit access from the cells, reporting to a 24 hour central control at the institution*

d. *Include at least one exit from each housing unit that discharges directly to the exterior*

e. The building is divided into at least two smoke compartments per Section 408.6.1

f. Staffing in the institution is sufficient to evacuate inmates from the smoke compartment 24 hours per day, as approved by the AHJ or the facility is provided with gang or electric locks.

2. No venting or smoke control is required when an engineering analysis shows an acceptable safe egress time compared to the onset of untenable conditions within a windowless building or portion of a windowless building and approved by the AHJ.

Rationale:

The design community has struggled with understanding the intent of this code section, and the benefit it provides to life safety. Section 408.9 is based on the need for operable windows which pose a security threat in I occupancies. Operable windows provide limited benefits to fire and life safety because they must be manually operated. However, we understand the need to address the tenability of areas where inmates might be asleep and their escape is delayed by the need to unlock their cells. The proposed language clarifies the intent of code by limiting the requirement to overnight sleeping areas where inmates are locked in their cells, and provides exceptions for commonly built housing types. The proposed language should result in cost savings.

29. **408.12 Windows.** *In security areas within ~~in cell complexes~~ Group I cell complexes sprinklered throughout, the area of glazing in one-hour corridor walls and smoke barrier walls shall not be restricted, provided:*

- 1. All openings are protected by fixed glazing listed and labeled for a fire-protection of at least 3/4 hour; or*
- 2. Fixed security glazing set in noncombustible frames. Shall comply with the minimum requirements of one of the following test standards: ASTM F 1233-98, Class III glass, or; California Department of Corrections, CDC 860-94d, or H.P. White Laboratory, Inc., HPW-TP- 0500.02, Forced Entry Level III.*
- 3. In lieu of the sizes set forth in CBC, the size and area of glazed assemblies shall conform to the following:*

- a. *Windows are required to have a three-fourths-hour fire-resistive rating.*
- b. *Windows protected by fixed security glazing, as delineated in Items 1 and 2 above, may have an area not greater than 84 square feet with neither width nor height exceeding 12 feet.*

Rationale:

The addition of this section (408.12) clarifies correctional medical and mental health use occupancies (Or all I occupancies).

Chapter 5

30. **Table 503 footnote 'e'**
~~*e. See Section 408.1.1 for specific exceptions for one-story Type IIA, Type IIIA or Type VA construction 408.1.2 for specific exceptions to construction type, allowable building areas and allowable heights.*~~

Rationale:

This correlates to the new Section 408.1.2

Chapter 9

31. **903.2.6.2 Group I-3.** Every building, or portion thereof, where inmates *or persons* are *in custody* or restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

~~Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:~~

- ~~1. Automatic fire sprinklers shall be mounted outside the cell a minimum of 6 feet (1829 mm) on center and 12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.~~

- ~~2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.~~
- ~~3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).~~
- ~~4. The provisions of the exception in Section 804.4.2 shall not apply.~~

Rationale:

The I-3 Occupancy Codes Task Force reviewed the history and current correctional operation associated with this Section and its exceptions and proposes to repeal the exceptions in this rule making. These exceptions are a holdover from barred cell front construction. It is no longer allowed to apply to cells with solid cell fronts.

32. **[F] 907.2.6.3 Group I-3 occupancies.** Group I-3 occupancies shall be equipped with a manual fire alarm system and automatic smoke detection system installed for alerting staff.

Exception: An automatic smoke detection system is not required within temporary holding cells.

Rationale:

This is intended to clarify that this code section, which eliminates the need for smoke detection in temporary holding cells in I-3 occupancies as is permitted for sleeping rooms per California Fire Code Section 907.2.6.3.3. Temporary holding cells have far less combustible content and sources of ignition. Occupants of these spaces are there for limited periods of time. These spaces impose less risk than sleeping cells and day rooms which are exempted per 907.2.6.3.3.

33. **[F] 907.2.6.3.3 Automatic smoke detection system.** *An automatic smoke detection system shall be installed throughout resident housing areas, including sleeping units and contiguous day rooms, group activity spaces and other common spaces normally accessible to inmates.*

Exception:

2. For Department of Corrections, prison cell or cell complex automatic smoke detection system shall not be required when all of the following conditions are met:

2. For detention housing and/or mental health housing area(s), including correctional medical and mental health uses, Department of Corrections, prison cell or cell complex automatic smoke detection system in sleeping units shall not be required when all of the following conditions are met:

1. All rooms, including the inmate cells are provided with an automatic sprinkler system in accordance with Section 903.3.1.1.
2. Building is continuously staffed by a correctional officer at all times.
3. The exception to Section 903.2.6.2 shall not apply.

3. Smoke detectors are not required to be installed in inmate cells with 2 or fewer occupants in detention facilities which do not have a correctional medical and mental health use.

4. Smoke detectors are not required to be installed in inmate day rooms of detention facilities where 24 hour direct visual supervision is provided by correctional officer and a manual fire alarm box is located in the control room.

Rationale:

Exception 2: This clarifies that this code section, which eliminates the need for fire and smoke detection in cells in I-3 facilities, also applies to medical/mental health facilities which are a correctional medical and mental health facilities.

Exception 3: The SFM is proposing this exception regarding smoke detection in inmate cells or cell cases that house two or fewer inmates. These inmate cells located in housing units are being continuously monitored by correction staff. The cells are constructed with noncombustible materials. Inmate cells are required to have automatic fire sprinkler protection and smoke detection in corridors. Inmate cells are also limited in the amount of combustible materials. Correctional staff can manually activate the fire alarm if needed.

Note: this exception does not apply to medical facilities.

Exception 4: The SFM is proposing this exception regarding smoke detection in dayrooms located in inmate housing units of detention

facilities where 24 hour direct supervision is provided by correctional staff. The high ceilings in these dayrooms prohibit the operational effectiveness of smoke detectors installed on the ceiling. Dayrooms are constructed with noncombustible materials and have automatic fire sprinklers throughout. Dayrooms are under continuous supervision by correctional staff that can manually activate the fire alarm if needed.

34. **907.3.2.1** In other than Group I, R-2.1 and Group R-4, occupancies for single-story buildings smoke detectors shall be installed at ceilings throughout all occupied areas and mechanical/electrical spaces. For multiple-story buildings smoke detectors shall be installed throughout all occupied areas and mechanical/electrical spaces for the story where delayed egress devices are installed. Additional detectors are required on adjacent stories where occupants of those stories utilize the same means of egress.

Exception: Refer to 907.3.2.4 for Group A courthouse occupancies.

35. **907.3.2.4 For Group A Courthouse occupancies, Approved automatic smoke detection system shall be installed at ceilings in all occupied corridors and mechanical/electrical spaces of smoke-compartments where delayed egress devices are installed.**

Rationale:

Delayed egress doors are required in order to secure secondary exits from courthouses. The alternative would be to allow terrorists or other criminals to open a secondary exit from the inside to allow other armed or otherwise dangerous individuals to enter. Courthouses are heavily staffed and are equipped with sprinklers and smoke detection, and therefore delayed egress poses no threat to life safety. In order to allow for delayed egress, which actually increases life safety, the requirements for smoke detection should only be required in corridors, mechanical and electrical spaces to be covered by smoke detection.

36. **1008.1.9.7 Delayed egress locks.** *Approved, listed,* delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A, E, H, and L occupancies.

Exception: Group A occupancies courtrooms are permitted to utilize delayed egress locks.

~~in~~ Buildings that are with delayed egress locks shall be equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 and an *approved* automatic smoke detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items one through nine below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an *exit*. *Delayed egress devices shall conform to all of the following:*

1. The doors unlock upon actuation of the *automatic sprinkler system* or automatic *smoke* detection system.
2. The doors unlock upon loss of *electrical power to any one of the following:*
 - 2.1 *The egress-control device itself.*
 - 2.2 *The smoke detection system.*
 - 2.3 *Means of egress illumination as required by Section 1006*
3. The door locks shall have the capability of being unlocked by a signal from *a switch located in an approved location.*
4. The initiation of an irreversible process which will release the latch in not more than 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only. *The time delay established for each egress-control device shall not be field adjustable. For applications listed in Section 1.9.1 regulated by the Division of the State Architect- Access Compliance, see Chapter 11B, Section 1133B.2.5.*

Exception: *In facilities housing Alzheimer's or dementia clients, a delay of not more than 30 seconds is permitted.*

5. A sign shall be provided on the door located above and within 12 inches (305 mm) of the release device reading: *"KEEP PUSHING. THIS DOOR WILL OPEN IN 15 [30] SECONDS. ALARM WILL SOUND"* Sign lettering shall be at least *1 inch (25 mm)* in height and shall have a stroke of not less than *1/8 inch*).

5.1. A tactile sign shall also be provided in Braille and raised characters, which complies with Section 1117B.5.1.1, Item 1.

6. Emergency lighting shall be provided at the door.

7. Actuation of the panic bar or other door-latching hardware shall activate an audible signal at the door.

8. The unlatching shall not require more than one operation.

9. Regardless of the means of deactivation, relocking of the egress-control device shall be by manual means only at the door.

Rationale:

Delayed egress doors are required in order to secure secondary exits from courthouses. The alternative would be to allow terrorists or other criminals to open a secondary exit from the inside to allow other armed or otherwise dangerous individuals to enter. Courthouses are heavily staffed and are equipped with sprinklers and smoke detection, and therefore delayed egress poses no threat to life safety.

Requirements for smoke detection throughout, in order to allow for delayed egress, which actually increases life safety, should require only corridors and mechanical/electrical specification spaces to be covered by smoke detection.

Chapter 10

37. **Table 1015.1:** add footnote b: For holding cells, see 408.3.11.

Rationale:

The 2010 CBC Section 1015.1 item 4 indicates "In detention and correctional facilities and holding cells" two means of egress are required when the occupant load exceeds 20. Table 1015.1 indicates the maximum occupant load for 1 means of egress is ten. We have reviewed the 2001 CBC and in our opinion section 1015.1 item 4 is a combination of 2001CBC 1004.2.3.3 exception 2 and Appendix 3 section 331A.1. The first code section establishes the required occupant load of 20 for holding cells while the second code section establishes 20 occupants for the occupancies related to Appendix 3A (prisons, jails, reformatories, and other detention facilities). It is the

Task Force's opinion that the intent was to carry over the 2001 requirements but the IBC number in the table was missed.

38. **1015.1 Exits or exit access doorways from spaces**

(Strike through (eliminate) 1015.1 Exception 4 only if the addition of 408.3.11 is adopted.)

Exception:

4. In detention and correctional facilities and holding cells, such as are found in courthouse buildings, a minimum of two means of egress shall be provided when the occupant load is more than 20.

Rationale:

If the changes to 408.1.2.5 are incorporated into the CBC, this exception, which is unclear, should be eliminated. However, if 408.1.2.5 is not adopted, then this section must remain. Refer to rationale for 408.1.2.5.

39. **TABLE 1016.2 a. Section 408.3.10 for increased limitation in I-3 Occupancies.**

Rationale:

This change is required for the addition of 408.3.11. The I-3 Occupancy Codes Task Force suggests that the 200 foot travel distance is overly conservative for staff areas within an institution. Staff areas such as storage, control rooms, tunnels and officer areas have a similar or smaller fire load than Group B office areas which are permitted the 300 ft distance. Even this distance is based on a slow travel speed to accommodate a wide variety of movement speeds. The staff in an institution should be moving at faster speeds than the average person.

40. **Table 1018.1 footnote 'b'**

b. For a reduction in the *fire-resistance rating* for occupancies in Group I-3, see Section ~~408.8~~ 408.1.2.

Rationale:

This correlates to the new Section *408.1.2*

41. Section 1025.4 Capacity of refuge area. The refuge area of a horizontal exit shall be a space occupied by the same tenant or a public area and each such refuge area shall be adequate to accommodate the original occupant load of the refuge area plus the occupant load anticipated from the adjoining compartment. The anticipated occupant load from the adjoining compartment shall be based on the capacity of the horizontal exit doors entering the refuge area. The capacity of the refuge area shall be computed based on a net floor area allowance of 3 square feet for each occupant to be accommodated therein.

Exception: The net floor area allowable per occupant shall be as follows for the indicated occupancies:

1. Six square feet per occupant for occupancies in Group I-3.
2. Fifteen square feet per occupant for ambulatory occupancies in Group I-2.
3. Thirty square feet per occupant for non-ambulatory occupancies in Group I-2.

The refuge area into which a horizontal exit leads shall be provided with exits adequate to meet the occupant requirements of this chapter, but not including the added occupant load imposed by persons entering it through horizontal exits from other areas. *In other than I-3 Occupancies, A at least one refuge area exit shall lead directly to the exterior or to an interior exit stairway or ramp.*

Rationale:

Often in I-3 occupancies, horizontal exits are required to achieve the exiting requirements and maintain security. In group I-3 occupancies, an exit is not necessary from each individual fire compartment if there is access to an exit through other fire compartments without passing through the fire compartment of fire origin. This provision is intended to promote the use of horizontal exits in detention and correctional occupancies. Horizontal exits provide an especially effective egress system for an occupancy in which the occupants, due to security concerns, are not commonly released to the outside.

42. **Section 1028.1 General.** ~~A room or space used for assembly purposes~~ *All Occupancies in Group A and assembly occupancies accessory to Group E, including those which contain seats, tables, displays, equipment or other material shall comply with this section.*

Exceptions: Group occupancies within I-3 facilities are exempt from egress requirements of 1028.

Rationale:

The I-3 Occupancy Codes Task Force reviewed the current requirements for Group A occupancies found with correctional and detention facilities. The requirements of section 1028 are not compatible with I-3 facilities. Since I-3 facilities are already built to more restrictive requirements than necessary for Group A occupancies, and because quantity and size of exits are spelled out in other areas of Chapter 10, this code section creates confusion on buildings that are Group I-3 occupancies as their primary occupancy. The provision found in Section 1028 are less stringent than the requirements for Group I-3 occupancies.

Task Force Members List

Steve Guarino (Co-Chair)	CAL FIRE – Office of the State Fire Marshal	Steve.Guarino@fire.ca.gov
Lorenzo Martin Lopez (Co-Chair)	Nacht & Lewis Architects	LLopez@nlarch.com
Charlene Aboytes*	CDCR	charlene.aboytes@cdcr.ca.gov
Syed Alam*	Department of Mental Health	Syed.Alam@dmh.ca.gov
Sanjay Aggarwal	Rolf Jensen and Associates (RJA)	saggarwal@rjagroup.com
Greg Andersen	CAL FIRE – Office of the State Fire Marshal	Greg.Andersen@fire.ca.gov
Michael Bush	CDCR	Michael.bush@cdcr.ca.gov
Carmelito Cataylo	CDCR	Cataylo@cdcr.ca.gov
Catherine Chan	HOK	catherine.chan@hok.com
Paul Chatham	CDCR	paul.chatham@cdcr.ca.gov
Ali M. Fatah	City of San Diego, Development Services Dept.	AFattah@sandiego.gov
Maynard Feist	Lionakis	Maynard.Feist@lionakis.com
Richard Hoerner*	Lionakis	Richard.hoerner@lionakis.com
Jeffrey Maddox	The Fire Consultants	jmaddox@thefireconsultants.com
Jon Marhoefer	San Bernardino County Sheriff's Department	jmarhoefer@sbcasd.org
Robert Marshall	Contra Costa County Fire Protection District	rmars@cccfd.org
Virgil C. Matheny	CDCR: Joint Commission Accreditation Unit	Virgil.Matheny@cdcr.ca.gov
Joe McAtee	California Medical Facility	joe.mcatee@cdcr.ca.gov
Cindy Moore	CALFIRE – Office of the State Fire Marshal	cindy.moore@fire.ca.gov
Troy Morris	Deuel Vocational Institution	troy.morris@cdcr.ca.gov
Michele Nachtman	CALFIRE – Office of the State Fire Marshal	michelle.nachtmann@fire.ca.gov
Debi Nishimoto	Department of Mental Health	Debi.Nishimoto@dmh.ca.gov
Ernie Paez	CALFIRE – Office of the State Fire Marshal	Ernie.Paez@fire.ca.gov
Kevin Reinertson	CALFIRE – Office of the State Fire Marshal	Kevin.reinertson@fire.ca.gov
Bill Robertson	CALFIRE – Office of the State Fire Marshal	bill.h.robertson@fire.ca.gov
Gordon W. Rogers	Kitchell CEM, Inc.	grogers@kitchell.com
Vickie Sakamoto	CALFIRE – Office of the State Fire Marshal	Vickie.Sakamoto@fire.ca.gov
Shawn Sen*	Administrative Office of the Courts	Shawn.sen@jud.ca.gov
Kevin Scott	International Code Council	KScott@iccsafe.org
Jim Stephenson	Administrative Office of the Courts	Jim.Stephenson@jud.ca.gov
Thomas Trimberger	Bureau Veritas Power and Utilities	thomas.trimberger@us.bureauveritas.com

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