

#336

MANUAL ON JAIL ADMINISTRATION

A handbook designed to ease the
difficult task of the jail administrator

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PROJECT DIRECTOR
Ferris E. Lucas
Executive Director
National Sheriffs' Association

PROJECT COORDINATOR
Henry J. Noble
Retired Warden
New York City Department of Correction

CONSULTANTS

Ross E. Boyer, Sheriff, Sarasota County, Florida
Michael N. Canlis, Sheriff, San Joaquin County, California
Arthur V. Huffman, State Criminologist, Illinois
Bernard L. Keiter, Sheriff, Montgomery County, Ohio
Milton Klein, Retired Warden, N.Y.C. Dept. of Correction
R. A. Miller, Coordinator of Consultative Services,
Bureau of Prisons, Washington, D. C.

EDITOR
Truman Walrod

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*Admin into
Personal*

Security

*Community
relations*

PREFACE

The jail has come into focus as an important factor in the crime problem. The more than 3,000 county jails and 10,000 city jails deal with more accused and convicted persons than any other type of correctional agency. The manner in which prisoners are treated therein will determine whether the jails will add to or reduce the incidence of crimes. The arrest, conviction, and incarceration of criminals will be of little lasting value if the same persons when released from our jails are as criminally-minded as they were before they entered them. To make matters worse, while in the process they improved their criminal capabilities and gained recruits for criminal careers.

"Experience has clearly demonstrated that far too many of these institutions corrupt rather than correct; contaminate rather than rehabilitate. In the great many instances, institutions are socially infectious breeding places which develop criminal careers. Too frequently our jails and prisons are little more than human warehouses where idleness, homosexuality, and brutality are commonplace occurrences. In some institutions, the toughest, most hardened criminals gain power and control over other inmates and use this power to satisfy their own depraved desires."

This quote from the *Congressional Record*, citing S2875 - *Introduction of a Bill to Amend the Omnibus Crime Control and Safe Streets Act of 1968* mentions similar criticisms that continually appear in textbooks, news media, and speeches.

It is toward the elimination of these causes of jail disrepute that this manual is directed.

Sheriffs do not desire these conditions. They are limited by budgetary considerations in their efforts to improve matters. Through the Law Enforcement Assistance Administration of the United States Department of Justice, help is on the way for planning and action grants to the states. The sheriff can now do more to serve the objectives of law enforcement than ever before. Funds have been made available for equipment, staff training and education, technical assistance, and guidance. The above-cited bill, S2875, is for the provision of funds for the construction of correctional institutions and facilities.

Guidance is the purpose of the *Manual On Jail Administration*. The sheriff responsible for a small jail will find much in this handbook that will assist him in

operating a jail in accordance with nationally accepted standards. While examining its chapters, he will also obtain knowledge of the correctional techniques which are practiced by the larger confinement facilities.

The chapters entitled: *SHORT-TERM TREATMENT PROGRAMS*, *COMMUNITY RESOURCES*, and *COMMUNITY RELEASE PROGRAMS* were written by William Nardini, Ph.D., Director of the Institute of Criminology, Indiana State University, as a contribution of the American Correctional Association to this Manual.

The *SHERIFF'S CIVIL LIABILITY AND THE RIGHTS OF PRISONERS* was written by Professor James P. Manak, Assistant Editor of the National District Attorneys' Association Magazine, The Prosecutor.

The chapters on *CONSTRUCTION OF A JAIL* and *FOOD SERVICES* were contributed by the Federal Bureau of Prisons.

The remainder of the chapters were written by former Warden Henry J. Noble, consultant to the National Sheriffs' Association.

All the material has been reviewed by members of the consultation staff and other experts in jail management, whose comments were based on many years of practical experience in the field.

The National Sheriffs' Association is appreciative of the contributions of all concerned with the publication of this Manual, including the many sheriffs whose departmental manuals were used as source material.

The National Sheriffs' Association is dedicated to public safety and the professionalization of its membership. It is pleased to offer this Manual, as well as other publications, to help achieve this goal. The National Sheriffs' Association is ready to improve the effectiveness of sheriffs' departments in jail management and other law enforcement functions.

I. Organizing the Jail

Every jail has a purpose and a staff with which to accomplish that purpose. The larger the institution, the more there is a need for an organizational structure setting forth a definite chain of command, divisions of responsibility, and channels of communication. The small jail with a minimum staff and charged with responsibility for various functions must also be properly organized to function efficiently.

STANDARDS

1. Only One Jail Administrator. A single officer should be designated as the chief administrative officer.
2. Jail Objectives. The goals of the jail should be established.
3. Organizational Structure. The relationship between units of the organization should be diagrammed.
4. Jail Functions. The principle operational responsibilities should be divided into general groupings.
5. Establish Posts. Duty posts and work assignments should be designated, defined, and published.
6. Manual of Procedure. A book setting forth standard procedures and governing regulations should be published.
7. Institutional Orders. Written directives, providing instructions for new and special situations, should be published.

DISCUSSION OF STANDARDS

1. Only One Jail Administrator.

For reasons of simplicity, the head of the jail,

whatever his title may be, will be referred to as the Jail Administrator within this manual. He is the person who is charged with the responsibility of operating the jail. All employees should be administratively responsible to him.

The jail administrator operates within the policy framework of the department. If the department chief is the sheriff, and he appoints an undersheriff to be responsible for the jail, the sheriff should prescribe a general policy for his guidance.

As chief administrative officer, the jail administrator should *organize* his staff on the basis of areas of responsibilities such as security, program, and business management. Time requirements for the various tours of duty must be so arranged as to provide twenty-four hour coverage where needed. He should *deputize* by appointing heads of units and delegating responsibilities and authority to them. He then should *supervise* to ascertain that all institutional operations are carried out in the prescribed manner.

Organize - Deputize - Supervise. These are the key words to the professional administrator.

Staff conferences are valuable to the jail administrator as they provide him with information for decision making.

a. They should be held regularly on a daily, or at minimum, a weekly basis. Special staff conferences can be scheduled to discuss and prepare for unusual situations.

b. Key personnel are fully informed of institutional requirements and of the role each is expected to play as well as developing an understanding of responsibilities and duties of the other units. The success of an administrative or operational unit may depend upon the coordination and cooperation of the other units.

c. Each staff member learns about the operations of other members and units. When replacement for a staff member becomes necessary, another person is prepared either to fill the vacant position, to assume additional duties until a replacement is made, or to absorb the function into his own unit.

d. They provide excellent training for staff development.

e. Key staff members are provided with current policy decisions and directives which they can, in turn, communicate to members of their individual units. This assures an efficiently-functioning chain-of-command.

The jail administrator, more than any other individual, influences the morale and prevailing attitudes of

all within his sphere of authority, *i.e.*, both personnel and prisoners. The success or failure of any function or program depends upon the interest, support, and enthusiasm of the administrative head of the jail.

He must keep fully-informed about every unit of his institution. He must be in a position to observe, evaluate, encourage, or correct. Inspection "tours" provide an excellent way to maintain knowledgeability. Such tours are, naturally, most effective when they are totally unscheduled and unannounced. They should be made at varying hours of the day and night and on different days of the week. In this way, the administrator can assure himself of sufficient knowledge to gauge the success or failure of each unit and each individual within that unit.

2. Jail Objectives.

The final objectives of any correctional institution, including jails, is that of *the protection of society*. This is accomplished by:

a. Keeping safely incarcerated those persons whom the courts consider dangerous to society. Protection is effected only during the period of confinement.

b. Rehabilitation of those who can be taught to become law-abiding citizens.

There are more specific objectives of a jail which include:

a. Holding prisoners for hearings, trial, sentence, and transfer.

b. Short sentence confinement.

c. Reception and diagnostic procedures including pre-sentence preparation.

d. Housing for work-releasees returned from a prison for pre-release assistance.

3. Organizational Structure.

A diagram depicting the relationship of units should be designed and posted for ready reference.

Plan for a jail with a maximum of 100 prisoners follows:

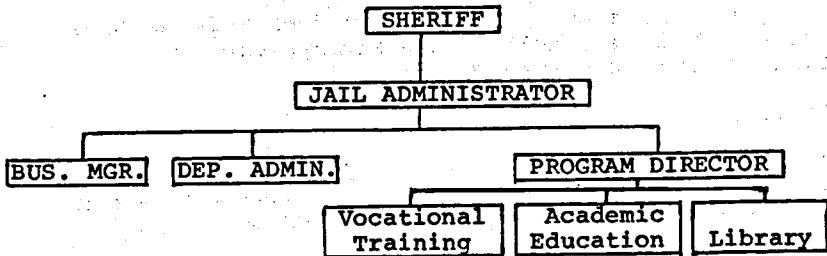
SHERIFF

JAIL ADMINISTRATOR

Secretary

BUSINESS MANAGER	DEPUTY ADMINISTRATOR	PROGRAM DIRECTOR
1. Budgets	1. Second in Command	1. Education
2. Payrolls	2. Security Function	2. Recreation
3. Procurement	3. Control Prisoner Movement	3. Counselling
4. Accounting	4. Discipline	4. Library
5. Commissary	5. Custodial Post Assignment	5. Psychological Ser.
6. Food Service	6. Receiving	6. Work Release
7. Food Storage	7. Discharging	7. Religion
8. Inmate Funds	8. Assignment	8. Social Work
9. Inmate Property	9. Mail	9. Classification
10. Maintenance	10. Visits	10. Community Volunteers
11. Industries	11. Sanitation	
12. Farm	12. Records	
13. Gen. Office	13. Staff Training	
	14. Investigation & Reports	
	15. Medical Services	

Any function within an area of responsibility, i.e., program, requiring the services of several employees performing different operations, should also be diagrammed.



The *Pyramidal Structure*, sometimes called the *Scalar Principle* is the arrangement of units from the highest (Jail Administrator) to the lowest (rank & file) level of authority.

Unity of Command is the principle that requires only one person to be responsible for the jail. In the diagram above, the sheriff is responsible to his electorate. He has delegated command responsibility to the Jail Administrator. Within the jail, the Administrator is the one person responsible for all activities. All lines of authority and responsibility converge on him.

Chain of Command is the linkage between the Jail Administrator and the rank and file. In the illustration, the Administrator would issue instructions to the Program Director on matters relating to academic education. The Program Director would pass such orders down to the employee responsible for that function. In like manner, requests from that employee would go to the Administrator through the Program Director.

Channels of Communication generally follow the same procedure except when there is lateral communication, *i.e.*, when the Librarian coordinates an activity with the Director of Vocational Training, who is on the same level of authority within the Program Unit.

The Span of Control describes the operations immediately under the direction of the Administrator. In the illustrations, the Business Manager, Deputy Administrator, and the Program Director are within the span of control of the Jail Administrator. The employees responsible for Vocational Training, Academic Education, and the Library are under the Program Director's span of control and not that of the Jail Administrator.

4. Jail Function.

As indicated in the charts, the main operational responsibilities should be fitted into general groupings, each under one administrative head. The jail administrator desiring to discuss the jail operation, would not

have to assemble his entire staff to do so. Instead, he would hold a staff conference with those in his span of control. They, in turn, would relay the orders and comments down to their subordinates, adding their specific instructions for implementation.

5. Establish Posts.

A complete survey of the jail should be made, and later re-evaluated, to determine the necessary locations at which to place security officers. All posts should be:

- a. numbered in order of priority.
- b. established for specified hours of operation
- c. described as to location and specific duties.
- d. designated for one or more officers.
- e. supervised by a superior officer.
- f. published in the jail manual of procedure.

6. Manual of Procedures.

This necessary official publication should be issued to every employee who should be required to sign for its receipt. The manual should contain the following:

- a. The Objectives of the jail
- b. The Organizational Structure
- c. Personnel Requirements (Rules & Regulations)
- d. Personnel Management
- e. Prisoner Requirements
- f. Prisoner Management Procedures
- g. Security Practices
- h. Coordination Instructions for Relationship to Police, Courts, Probation, Parole, News Media, and other Community Agencies.
- i. Types of Records in use and their application.

7. Institutional Orders.

The Manual of Procedures prescribes standing operations. At times, new programs such as Work Release and Self-Evaluation may be introduced. In such cases, a complete directive specifying the purpose, procedure,

and responsibilities, should be published.

A special situation may occur, such as an anticipated mass arrest because of a demonstration. It is essential to prepare for such an eventuality by careful and detailed staff planning. Supplemental operational instructions should be published in a special institutional order.

Such orders should be numbered serially beginning with Order Number 1 each year. They should not be in conflict with those published in the Manual of Procedures.

To assure that all persons involved are informed, these orders should be circulated and initialled, read at three consecutive roll-calls, posted for a determined period of time, and then filed.

BIBLIOGRAPHY

MUNICIPAL POLICE ADMINISTRATION
Institute for Training in Municipal Administration
International City Managers' Association
1961

POLICE ORGANIZATION AND MANAGEMENT
By V. A. Leonard
Foundation Press
1964

PUBLIC ADMINISTRATION
By John M. Pfiffner
The Ronald Press Co., New York
1946

MANUAL OF CORRECTIONAL STANDARDS
By American Correctional Association
Shoreham Building, Washington, D. C.
1966

PRINCIPLES OF ADMINISTRATION
Vol. IV of the series - The Economics of National Security
Industrial College of the Armed Forces, Wash., D. C.
1958

II. Personnel Management

Of all the essentials for the operation of a jail, none is more important than Personnel. The most securely constructed jails and prisons have not prevented escapes by way of the front door and over a thirty foot guarded wall, because of deficiencies in numbers and the quality of the guard force.

The climate of the jail can be depressive, detrimental to constructive resocialization programs and contributory to recidivism. It can also be conducive to good morale, good discipline and a desire for self improvement. Either condition is the result of the attitude and efficiency of the jail personnel, all the way down the chain of command.

The need for a competent staff, dictates the need for personnel management practices that would aid in job satisfaction, more efficient job performance, and the operation of a jail in accordance with acceptable standards.

STANDARDS

1. Ranks and Titles. Appropriate designations should be made in accordance with the organizational structure.
2. Job Satisfaction. Working conditions and compensation should lead to retention of employees due to good morale.
3. Recruitment. Every potential manpower pool should be approached for qualified applicants.
4. Basis for Selection. Qualifying and competitive testing should be the means of obtaining employees.
5. Employee Probation. A period of time for the purposes of training, observation, and evaluation should be established.
6. Training. A program designed to prepare employees to perform their duties efficiently and to advance within the

profession should be provided.

7. **Personnel Officer.** A qualified staff member should be given the responsibilities of personnel administration.
8. **Discipline.** A system for dealing with employee disciplinary matters should be prescribed.
9. **Assignments.** Posts and responsibilities should be assigned on an objective basis.
10. **Duty Schedules.** A means of advising employees, well in advance, of their duty and pass days should be devised and posted.

DISCUSSION OF STANDARDS

1. Ranks and Titles.

Military ranks have frequently been adopted in quasi-military organizations. They are a good basis for determining the relative status of staff members, below the rank of Jail Administrator, as their gradations are more easily recognized.

The second in command, or executive officer should be designated as the Captain (Deputy Administrator). If there is more than one person with this title, then it will be necessary to specify who would act for the Administrator in his absence.

These ranks may be followed by Lieutenant, Sergeant and Officer.

The Lieutenant may be a tour commander or responsible for an administrative department. The Sergeant is a working supervisor assigned to an area of responsibility in which he directs and works with a group of officers.

For the sake of pride in the job, professional attitude, self-respect, and respect from the public, such references to officers as Turnkeys, Jailers, and Keepers should be avoided.

The non-custodial staff should also be clearly designated to reflect their responsibilities. Consider the following titles:

Institutional Physician
Director of Medical Services
Chief of Mental Health Services
Business Manager
Director of Education
Administrative Assistant
Engineer
Chief Clerk
Mess Steward

The number and designation of ranks and titles could be adjusted to suit the situation of any jail regardless of its size.

Uniformed personnel should be given a numbered shield together with an identification card containing his name, photograph, and badge number. A name tag should be worn on the uniform with the shield. Other employees should be furnished with the identification card.

A history record for each shield should be established indicating the name of the possessor and the period of time in which the shield was assigned to him.

A cross-reference file should be retained for ready identification of name and identification number of all employees.

Each rank and position should be fully described including qualifications, specific duties and salary.

2. Job Satisfaction.

Efficiency and loyalty may be achieved by creating acceptable conditions for employees.

Job satisfaction is attained by:

- a. a competitive pay scale.
- b. opportunities for advancement.
- c. training.
- d. educational opportunities.
- e. an important role in program participation.
- f. grievance procedures.
- g. fringe benefits comparable to those in private industry.
- h. a retirement system.
- i. Esprit de corps.
- j. the prestige of the job.

3. Recruitment.

In the selection process, care must be exercised to obtain the type of person who will be an asset rather than a detriment to the jail. Ideally, the candidate for employment should have at least a high school education, be career minded, capable of development for higher responsibilities, interested in correctional work, and physically and mentally capable of efficient performance.

A reservoir of potential candidates can be found among:

- a. high school graduating classes,
- b. college students,
- c. professional organizations,
- d. community organizations,
- e. referrals by present employees,
- f. military personnel.

4. Basis for Selection.

A procedure for eliminating the unqualified and rating the qualified should include:

- a. a written examination.
- b. an oral examination administered by a qualified group of examiners.
- c. a physical examination.
- d. a medical examination which includes vision and hearing perception.
- e. a psychological examination, comprehensive enough to identify those applicants who are emotionally unstable, pre-psychotic, or psychotic.
- f. an investigation to determine:

(1) the veracity of the information listed on the application.

(2) the applicant's background to learn if there is anything to indicate that he should not be assigned to correctional duties.

5. Employee Probation.

Each new employee should be in a probationary status for at least a six month period of time for purposes of observation and evaluation. Despite an excellent showing on examinations, some candidates just do not measure up to standard in performance on the job.

A procedure should be established for processing probationary employees. It should include:

a. Placing the probationer under the guidance of a supervisor.

b. Periodical reports from the supervisor to the Administrator.

c. Conferences between the supervisor and the probationer.

d. A final rating report containing a recommendation for retention or dismissal.

6. Training.

A structured and properly supported training program should be established with necessary staff, equipment, and funds.

Types of programs:

- a. Recruit or Basic Training.
- b. In-service Refresher Courses.
- c. Supervision and Management.
- d. New and Special Procedures, e.g., escape plans.
- e. Study of Incident Reports.
- f. Supervised On-The-Job Training.
- g. Roll-Call.
- h. Correspondence courses.

Staff for planning, administration, and instruction should include at least one qualified superior officer who is designated as the Training Officer.

Budgetary allowances for training should provide for:

- a. space,
- b. equipment,
- c. instructors,
- d. tuition costs at regional training institutes,
- e. personnel to cover posts while others receive training.

Training should be planned to achieve its objectives; some of which are:

- a. To develop necessary skills and knowledge for performance of assigned duties.
- b. To increase the capacities of trainees to recognize, understand, and solve the problems which they may encounter in the jail setting.

c. To assist all employees to prepare themselves for growth and advancement in the organization.

d. To instill the proper attitudes and concepts for the practice of modern jail techniques.

e. To inform supervisory, professional, custodial, and service personnel of current developments in correctional philosophy and practices.

A training schedule should be published and adhered to. To be more valid and effective, it should involve supervisory officers and specialists on the jail staff as planners and instructors.

Employees should be encouraged and assisted to attend schools of higher education. Community colleges offer courses in the field of correction. Some have programs leading to an associate degree in Correctional Administration. A number of four year colleges offer Bachelor degrees in Correctional Administration, and some universities have programs leading to a Masters degree or Doctorate in the field of Correction.

Most schools will permit qualified students to take special courses on a non-matriculated basis. Thus, this interested jail employee can arrange to study Criminology, Penology, Sociology, Psychology, Public Administration, Business Management, and other courses applicable to duties in a jail.

Special institutes on correctional subjects of short duration, such as a day or a week, may be arranged with a college or university.

The Academic Education Assistance Programs of the Law Enforcement Assistance Administration (Section 406, Public Law 90-351, 90th Congress, House of Representatives 5037, June 19, 1968) offers inducement for law enforcement officers to pursue higher education.

Recognition should be given for training and educational achievement:

- a. A graduation exercise should be held.
- b. A diploma or certificate should be issued.
- c. Publicity should be obtained for the recipient, the jail, and the sheriff's department.
- d. An entry on the student's personnel record should be made.
- e. Credit towards advancement should be granted.

7. The Personnel Officer.

Personnel Administration should be assigned to a qualified staff member whose activities include:

- a. payroll,
- b. personnel records,
- c. preparation of personnel budgetary requirements,
- d. supplying of information on pensions and payroll deductions for taxes, social security, insurance, vacations, assignments, etc.
- e. preparation of working schedules.
- f. processing of requests and grievances.

A personal history folder should be initiated for each new employee, and retained by the personnel officer. It should contain:

- a. copies of communications regarding the employee,
- b. applications,
- c. requests for days off, vacations, etc.,
- d. reports,
- e. attendance record,
- f. commendations and disciplinary actions,
- g. evaluation reports,
- h. personal history information.

8. Discipline.

Procedures to deal with employee disciplinary matters should be established. In serious cases they should include:

- a. a memorandum of complaint.
- b. notification to employee of the charges and date of hearing,
- c. a departmental trial or administrative hearing.
- d. findings and punishment.
- e. steps for appeal.

9. Assignments.

The post or duty detail for an employee should be

assigned on an objective basis.

Qualifications for a duty assignment should be:

- a. ability to do the job,
- b. capacity to get along with people, *i.e.*, general personality,
- c. experience,
- d. education,
- e. training.

Steady posts, *i.e.*, posts that are manned at all times, are designated for key positions. Usually twenty-five per cent of the jail personnel are assigned to such posts.

10. Duty Schedules.

A schedule of duty days and days off duty should cover all personnel. It should be planned and posted in advance to cover a period of at least two weeks.

It should provide for adequate coverage of all posts. Any officer should be able to determine his duty days and days off, in advance, by examining the schedule.

BIBLIOGRAPHY

THE MANUAL FOR TRAINING OF SHERIFFS
By National Sheriffs' Association
1250 Connecticut Avenue, Washington, D. C. 20036
1969

MANUAL OF CORRECTIONAL STANDARDS
By American Correctional Association
Shoreham Building, Washington, D. C. 20005
1966

RULES AND PROCEDURES
Department of Correction, City of New York
100 Centre Street, New York, New York 10013
1966

CORRECTIONAL OFFICERS TRAINING GUIDE
By American Correctional Association
1962

JAIL ADMINISTRATION
By Myrl Alexander
Publisher: Charles C Thomas, Illinois
1957

III. Leadership and Supervision

Because an officer is charged with the supervision of a group of prisoners, he becomes, in a very real sense, their leader. While inmate leadership qualities may or may not be present; while the officer may never before have been in a position requiring leadership abilities; he is nevertheless required to manage, direct, command, and correct a group of men, who, if given a choice, would prefer not to follow his orders.

Men with the intelligence and knowledge to obtain an officer's position through competitive examinations, etc., may be assumed to be endowed with potential leadership capabilities. Although the so-called "born" leader may require less training to develop his latent abilities, almost all men can be taught to be leaders, with proper instruction and supervision.

Leadership, by its very nature, must include the practice of Human Relations as it relates to those persons under the leader's supervision. It implies the sensitive touch of consideration for the other fellow's feelings and the most likely manner of getting him to do what the leader wants him to do by using persuasion rather than coercion in the process.

The techniques of leadership and the characteristics of a good leader can be summarily described as follows:

1. He carries a banner, not a whip.
2. He takes the lead by setting the example and uses influence rather than force.
3. He is "in the know" because:
 - a. he knows his job.

- b. he knows his men.
 - c. he knows what is going on.
 - d. he knows when to advance and when to stop.
4. He can be relied upon to be decisive.
5. He issues orders so that they are understood and follows through to see that they are carried out.
6. He is consistent and does not allow his private life to interfere with his job.
7. He is emotionally stable and exercises control over himself and control over emergency situations.
8. He is considerate of his men and looks after their well-being.
9. His men are well disciplined because:
- a. their morale is good.
 - b. they work as a team under his direction.
 - c. they desire to please their leader.
 - d. they can depend on their leader to see that they get what they are entitled.
10. He obtains the confidence, loyalty, and respect of his men.
11. His self respect is conducive to respect from others. It is evidenced by his bearing, manners, and personal attire.
12. He gets the job done through teamwork.

The twelve characteristics listed above apply to all leadership situations. They are equally applicable to the superior officer's relationship to his subordinate officers and to the individual officer as he relates to the prisoner whom he is assigned to supervise.

The following points on supervision are mentioned with the superior-officer relationship in mind. Here, too, they should also be considered for their application to the officer-inmate relationship.

1. Make the most effective use of available resources. Know your men and use them within their capabilities. Keep them informed and learn from them.
2. Make sure your orders are understood.
 - a. Express them clearly.

b. Ask questions.

c. Have orders repeated.

3. Issuance of an order does not in itself assure its accomplishment. It is necessary to follow through and make sure each order is properly executed.

4. Correct mistakes discreetly, immediately, and to avoid a recurrence.

5. Recognize good performance of duties:

a. Let the officer know he is doing a good job.

b. Written recognition should be given when appropriate.

6. Interest yourself in your officers. Stop to talk with them from time to time.

7. Look after the working conditions of your officers, e.g.:

a. Relief for meals.

b. Rotation on uncomfortable posts.

c. Receiving pay checks on time.

8. Be loyal to your subordinates; loyalty is a two way street.

9. Check unusual situations thoroughly:

a. Get reports.

b. Question action taken.

c. Determine causes.

d. Take corrective action.

10. Never reprimand an officer in the presence of others:

a. Even the other officers resent it.

b. It aggravates rather than corrects an undesirable situation.

c. It puts the officer in a position of having to defend himself. Face-saving is not exclusively for orientals.

11. Be objective in your relationship with your men. Do not be wrongfully influenced solely by friendship, prejudice, or sympathy.

12. Be fair and firm. Undesired assignments are less resented when meted out on a fair and impartial basis.

The negative effects of jail incarceration can be alleviated and temperment within the jail greatly improved with good leadership of prisoners by officers, and of officers by their supervisors. A fitting concluding remark to this chapter is this finding from a five year study:

"In terms of total selections, as either most liked or most disliked, the custodial officers were highest, and may, therefore, be thought of as having the greatest impact on inmates." (Chapter 6, The Effectiveness of a Prison and Parole System).

Good leadership by officers can make this impact constructive and beneficial to the community.

BIBLIOGRAPHY

THE EFFECTIVENESS OF A PRISON AND PAROLE SYSTEM

By Daniel Glaser

Publisher: Boobs-Merrill Co., Inc., New York
1964

MILITARY LEADERSHIP - FM 22-100

Department of Defense

ELEMENTS OF POLICE SUPERVISION

By Wm. B. Melnicoe and Jan Mennig

Publisher: Glencoe Press, California

POLICE LEADERSHIP

By Arthur R. Pell

Publisher: Charles C Thomas, Illinois
1967

LEADERSHIP FOR THE POLICE SUPERVISOR

By Clifford L. Scott

Publisher: Charles C Thomas, Illinois
1960

FIRST LINE SUPERVISOR'S MANUAL

By Glen D. King

Publisher: Charles C Thomas
1961

IV. Communication

Communications may be defined as the passage of information from sender to receiver.

It is the lubricant that keeps the administrative machinery operating. Talking-listening, writing-reading, and demonstrating-watching are all elements of communications.

It is a very important element in preventing disturbances within the institution. It gives inmates with dangerous pent-up tensions a means of reducing them by talking them out, rather than acting them out in a physical disturbance.

When studying reports of riots and of unsuccessful operations in a jail, one cannot help but conclude that the lack of communication is a frequently recurring cause.

STANDARDS

1. Communication Between Staff. There must be a means of communication between all levels of the jail staff.
2. Communication Between Prisoners and the Jail Administrator. A system of communication between the administrator and the prison population should be established.
3. Communication Between Prisoners and Jail Staff. The prisoners should be encouraged to communicate with all levels of the jail staff.
4. Communication with Counsel. Prisoners must be permitted to communicate with their counsels.
5. Communication with Public Officials. Communication from prisoners to the courts and other public officials must be forwarded.

DISCUSSION OF STANDARDS

1. Communication Between Staff.

Communications should flow from the administrator down to the rank and file and up through all channels of supervision to the administrator.

Every staff member should be kept informed of the jail operation, and anything effecting it. A better understanding of what is going on results in a more efficient operation.

It is good administration to involve all staff personnel in the overall picture. This includes planning as well as operations.

The administrator would do well to listen to his subordinates as they have "ground floor" experience and a better perspective of their individual functions as they relate to the entire institutional operation.

In communicating orders, the superior should formulate, in his own mind, a clear cut idea of what he desires to convey. He should make himself understood; then ascertain that the recipient of his orders understands them thoroughly.

Written reports are very important in a jail operation.

- a. They keep the administrator informed of what is going on in the jail.
- b. They are the basis for administrative decisions.
- c. They point out needs.
- d. They contain recommendations for improvements.
- e. They indicate security weaknesses.
- f. They defend the jail against false accusations.
- g. They are a source of information for court testimony and reports to higher authorities.
- h. They are good subjects for staff conferences and staff training.
- i. They are a basis for personnel evaluation.
- j. They comprise a history of activities within the jail.

Part of the officer's basic training should include a course in Report Writing and the subject should be reviewed during refresher in-service training.

Any report should include answers to the basic questions: *Who?, What?, When?, Where?, Why?, and How?* as they relate to the situation.

A good report should be brief, but should include essential information. It should be as accurate as the writer can make it and be written so that the reader can understand it.

A report of an incident on a jail post which is serious enough to be presented in writing, should go through channels. The working supervisor should check it carefully to see that it is factual and in presentable form. Others up the chain-of-command should also review it. However, the thoughts and observations of the reporting officer should not be altered.

A suggested format for a report could include the following information:

Date: 5 January 1969

From : Officer Albert Beta, Shield No. 3

To : The Jail Administrator

Subject: Fight between prisoners Jones and Ingot.

1. *A brief statement introducing the subject, e.g.;*

This is a report of a fight between prisoners John Jones, No. 6-421-49, and Harry Ingot, No. 6-421-68, in which Jones was injured sufficiently to require surgery.

2. *Facts.* In this paragraph state:

a. Who was involved (include the names of officers, prisoners, and witnesses.)

b. What occurred.

c. The time and date of the incident.

d. Where it took place.

e. How and with what instruments the assault was committed.

f. Why the incident occurred.

3. *Exhibits.* This paragraph identifies all written documents and statements, *e.g.;*

Exhibit A - Statement by Prisoner Albert Foy,
No. 6-421-55.

Exhibit B - Statement by C.O. Harvey Luke, Shield No. 18

Exhibit C - Statement by Joseph Dienst, M.D.

Exhibit D - Statement by Mr. Robert May, in charge of the Machine shop.

4. *Findings.* In this paragraph present clear and concise statements of the results of your investigation of the incident, e.g.:

- a. Prisoner Jones was the aggressor.
- b. The knife used by Ingot was manufactured in the machine shop where he is assigned.
- c. Prisoner Ingot was physically resisting homosexual advances by Jones and another unknown prisoner.

5. *Recommendations.*

That prisoner Ingot be transferred to Cell Block 3 for closer observation as this is the fourth incident involving suspected homosexuality during the six weeks he has been in this jail.

Signature _____
Officer, Shield No. 3

In view of the felonious nature of the offense, the administrator may be required to forward the report with his comments to the Sheriff. It then may be forwarded to the County Prosecutor for possible court action.

Means of communication to staff include the following:

- a. A book of rules and procedures for all jail personnel.
- b. General orders.
- c. Special orders.
- d. Directives.
- e. Circulars.
- f. Memoranda.
- g. Bulletin Board.
- h. Roll-Call announcements.
- i. Staff conferences.
- j. Training sessions.

2. Communication Between Prisoners and the Jail Administrator.

a. A book of rules for prisoners should be issued in the name of the jail administrator.

b. The administrator must establish a reputation for integrity and dependability. Prisoners are quick to evaluate him and to determine whether or not he is as good as his word. The trusted administrator will be approached with jail problems that can be resolved before they erupt into serious incidents.

It should be possible for the inmate to communicate with the administrator. A personal interview in private is best. If not feasible, other means may be employed such as:

(1) A locked message box which is located where all inmates pass during the day. The entrance to the common dining room is an example. Only one trusted employee is assigned to open these boxes daily and extract all messages which are then taken directly to the administrator.

(2) An inmate newspaper. This publication should include a Jail Administrator's Column through which communication with the inmates may be maintained. The newspaper may also contain, either openly or otherwise, information which should be brought to the attention of the administrator.

(3) The administrator's rounds. In making his tour of the jail, the administrator should stop and talk with inmates.

An organized system of "squealing" should be avoided, as it tends to undermine discipline and is unnecessary. Other means of communication, such as those mentioned directly above, can obtain the same results.

A good system of communication nullifies the effectiveness of the "grapevine" or the rumor channel. The grapevine often passes on untrue or inaccurate information which may be dangerous. If the rumor is evaluated by an interview with the administrator who has their confidence, the wrong impression can be dispelled.

The administrator should be particularly concerned with informing the prisoner group when there is a change in policy or procedure which affects the status quo. Such changes are readily acceptable when the prisoners benefit by them; otherwise, they are fraught with danger. Therefore, they should be explained to the jail population before the grapevine exaggerates or distorts the true facts.

3. Communications Between Prisoners and Jail Staff.

A function of the staff is to help with the adjustment and improvement of each prisoner in the jail. The

counselling of a staff member may be a healthful factor in the prisoner's resocialization, or at least his ability to adjust to the prison environment. This relationship has particular application to the officer who, because of his position, has an important influence on the prisoner.

There may be an urgent need to convey information or to receive information. Such communication, if acted upon at the proper time, may prevent an escape, suicide, or riot.

4. Communication with Counsel.

After having been arrested, it is the prisoner's right to communicate with his counsel, his family or friends.

Conferences with counsel within the jail should be private and privileged. They should be conducted in a special room or cubicle constructed for the purpose. The usual practice is to permit such visits during business hours of the court. However, the senior officer on duty should be authorized to use his discretion for special visits from a prisoner's lawyer.

5. Communication with Public Officials.

This is a matter of right. It often relates to petitions for redress of grievances and sometimes brings matters of vital and urgent concern to the attention of the authorities.

BIBLIOGRAPHY

LEGAL ASPECTS OF JAIL AND DETENTION SERVICES

By Allan Ashman

Publisher: Institute of Government

University of North Carolina at Chapel Hill

1968

PUBLIC ADMINISTRATION

By John M. Pfiffner

Publisher: The Ronald Press Co., New York

1946

PRINCIPLES OF ADMINISTRATION

Volume IV of the Economics of National Security

Industrial College of the Armed Forces, Washington, D.C.

1954

BASIC POLICE REPORT WRITING

By Allen Z. Gammage

Publisher: Charles C Thomas, Springfield, Illinois

1961

V. Construction of a Jail

The purpose of this chapter is to provide guidelines for the sheriff and the committee concerned with the problem of constructing a new jail.

One of the first considerations is the decision as to whether the new jail should be a more modern structure for the secure retention of prisoners (a human warehouse with modern features), or one which will be in accord with the present day philosophy of resocializing the prisoner.

The consensus of sheriffs and observers of the correctional scene is that many jails need replacement as they lack the modern facilities that were unavailable in the nineteenth century at the time they were built. It is also true that often an old jail was replaced with a modern structure but the traditional repressive attitudes and treatment policies remained.

President Nixon in his introduction to his Thirteen Point Program stated "A nation as resourceful as ours should not tolerate a record of such futility in our correctional institutions. Clearly, our rehabilitative programs require immediate and dramatic reform."

The need for rehabilitation programs in our jails has been established. The replacement of antiquated and overcrowded existing city and county jails is a necessary step in our efforts to convert prisoners to law-abiding and constructive members of society.

STANDARDS

1. Community Involvement. The support of the community for the guiding principles, construction, and program of the new jail must be obtained.

2. Planning Committee. A representative group should meet frequently to plan the jail. The committee should consist of a citizens advisory group, representation from law enforcement agencies, and the personnel who will administer the jail.

3. Planning factors. The requirements for construction should be based on the factors affecting the need for the jail such as the projected jail population and the treatment programs to be adopted.

4. Security. The security features of the jail should be suitable for the type of its prisoners and its programs.

DISCUSSION OF STANDARDS

1. Community Involvement.

The support of the community is essential in order for the role of the jail to be effective in a correctional program which will depend on the community for program resources and financial backing.

To earn this support, the very unfavorable image of jails throughout the country must be changed. Any change for the better would be the result of a public relations program specifically directed toward creating an understanding of the eventual effects of imprisonment on the safety of the community. The public must be made aware of the relationship of the treatment of prisoners to the problem of law enforcement. All citizens should know the deplorable conditions created by an inadequate jail building that is difficult and expensive to maintain, is understaffed, and has no facilities for treatment programs that would give an inmate an opportunity to help himself to become a law-abiding and productive citizen. The community must be made aware that it is supporting an educational system, within the jail, that will improve the capabilities of its students to commit crimes and which graduates many beginners into the ranks of accomplished criminals.

The resources of all news media should be marshalled for the education of the community in order to make it more receptive and willing to support the construction of a new jail that would pay off by reducing recidivism, enhancing public safety, and creating a reason for civic pride.

2. Planning Committee.

A citizens advisory committee can be of considerable assistance in the planning stage. It can help to obtain the cooperation of influential individuals and agencies as well as to advise on the use of community resources. Therefore, the committee should consist of persons who can make valuable suggestions and wield the influence that is needed. The need to achieve a closer working relationship between the agencies concerned with the administration

of the law stands a better chance of realization when representatives of the police, the office of the prosecutor, the courts, probation, and parole participate.

Legislative support in the various governmental levels can be obtained more readily when the sheriff has the backing of his community. Such support is not limited to enabling legislation and financial backing; it also can be extended to national programs that can assist the county effort with technical assistance and supplementary funds for construction purposes.

Every jail has a number of employees who are familiar with the character of the building, its good points, and its limitations. They may have ideas, which have crystallized from years of experience, as to what is needed to operate a jail in accordance with accepted standards. The operational problems and the many small but important details of the construction of the jail are familiar matters to them; therefore, they should be consulted and permitted to examine proposed plans and to comment on them.

The personnel who will be charged with administering the new jail should participate in its planning. It is advantageous for them to be familiar with the thinking behind the decisions and to express their own philosophy on jail administration.

The planning authority should enlist the services of an experienced correctional architect, or as a consultant to the project architect. The intricacies of jail construction, and the dire consequences of mistakes in planning, dictate the need for an architect with the specific expertise required for the type of institution decided upon.

Consultation services should be obtained from other jurisdictions in order to obtain the benefit of their capabilities and experience in jail design, construction, programs, and operations. Service organizations such as the National Sheriffs' Association and the American Correctional Association have rosters of qualified consultants who are experienced in all phases of correction and are familiar with the new programs and required standards.

3. Planning Factors.

The achievement of a goal can be accomplished more effectively and economically by planning for it. Planning involves weighing the relative merits of each factor supporting or adversely affecting the objective and then arriving at a decision.

In deciding on a new building, the following factors must be carefully considered:

- a. Needs. The question arises as to when a new jail

is needed. Sometimes the need becomes obvious, as when there are numerous escapes because of construction deficiencies, when the jail is inadequate for the number and type of prisoners it has to retain, when it has been condemned by inspecting agencies, or when it fails to suit the purposes of a jail in a modern society.

(1) The need is affected by changes going into effect in the community and those that may be anticipated. The various alternatives to incarceration may reduce the need for a larger institution. These may be counter-balanced by such matters as increased police efficiency resulting in more arrests, and changes in social conditions that create more crime. The projected growth of the community and the number and types of prisoners the community may expect, are also important factors.

(2) The need for funds and the necessity of determining the portion of available funds to be allotted to elements of the new program such as construction, administration, and the treatment programs, must also be considered in addition to the sources of financial allowances.

(3) The principal needs will be determined by the correctional philosophy of the community. As an example: space for an expanding jail population may be an obvious need; but the amount of space to be devoted to such activities as educational programs, and diagnostic and classification activities, is contingent upon the county's desire to correct rather than to merely retain prisoners.

b. The type of jail. The kind of jail to be erected will also be a manifestation of correction philosophy. Several types for consideration are:

- (1) A maximum security structure.
- (2) A medium security structure.
- (3) A minimum security structure.
- (4) A single unit jail.
- (5) A multiple unit jail.

The selection of a type of jail depends upon the type of prisoners to be accommodated such as:

- (1) trial prisoners.
- (2) post conviction prisoners.
- (3) felons.
- (4) misdemeanants.

- (5) females.
- (6) juveniles.
- (7) alcoholics.
- (8) family cases.
- (9) traffic cases.
- (10) state prison inmates for community supervised programs.

The need to house female and juvenile prisoners properly, and to provide rehabilitation programs for them, must be considered in the planning process. The planned building may include a separate annex for female prisoners which will accommodate the anticipated female jail population and female prisoners from other jurisdictions who are retained on a contractual basis. It may be decided to board the female prisoners in a regional facility specifically operated for female prisoners, and the availability of a juvenile home may obviate the need for a separate juvenile section in the new building. Both these arrangements are important considerations in planning the type and size of the jail.

A different type of jail is required if a therapeutic approach to treatment will be used, than one that serves mainly to keep prisoners securely confined.

The services that the jail will render to the community will also affect the selection of the type of building. A jail with a diagnostic and classification clinic can supply this service to other community agencies such as the court, probation, and parole. The inmate manpower may be employed to produce goods and services for government supported projects such as hospitals and schools.

c. The location of the jail. The choice of the jail site should be based on a careful consideration of the following:

- (1) The cost of the real estate.
- (2) The availability of community resources, such as education, health, labor, volunteer, and work release assignments.
- (3) The transportation of prisoners to the courts and other institutions.
- (4) The transportation facilities for the staff to get to the jail.
- (5) The access of roads for supplies.

(6) The climate. (Foggy areas, for example, present a security hazard.)

(7) The utilities, e.g., availability of electricity, water, heat, and other services.

(8) The condition of the foundation for the building.

(9) The topography.

(10) The amount of acreage needed for buildings, farming, and recreation.

(11) The accessibility of the jail for visits to prisoners by their families and attorneys.

(12) The availability of personnel for employment in the jail.

d. Design and function. The design of the jail building must be based on the functions of the institution. Many progressive administrators have courageously fitted treatment programs and other functions into structures that were designed for secure detention only. Some jails were expensively constructed for a specific function only to be used for other purposes because of the press of unforeseen circumstances. These costly changes focus on the need to project into the future and select a design suitable for the present and anticipated role of the jail.

This list of design items from which the architectural requirement of a jail can be formulated mentions the functions to be considered.

1. Administrative Section

a. How many people work in the administrative office?

b. Who are they?

(1) Administrator, Warden, Sheriff, Jailor.

Does the Administrator need a private office? Private toilet? Coat Closet?

(2) Clerical office - number of desks? Record room or vault? Supply storage closet?

(3) Is an employees' locker room for uniform change, etc., needed?

c. What is needed for lobby and toilet space?

d. Will staff lounges, locker space, and assembly rooms be needed?

2. Visiting Facilities

- a. Where will visitors wait? How many at one time?
- b. How many visiting stations are needed for:
 - (1) Adult males
 - (2) Adult females
 - (3) Juvenile males
 - (4) Juvenile females
- c. How many interview rooms are needed for lawyers?
- d. Are separate toilet facilities for visitors needed or can they use those in main lobby?

3. Receiving Prisoners

- a. How are most prisoners received?
 - (1) Auto, van, or bus
 - (2) Pedestrian
- b. What is the booking procedure?
 - (1) Basic records
 - (2) Fingerprinting
 - (3) Photographing
- c. How many hold cells are needed and what should be the capacity of each?
- d. Will alcoholics be handled in a regular manner or in a special section? Breath analysis? Special hold cells?
- e. What is done with incoming prisoner's belongings? Storage room? Vault? Sterilization?
- f. Will prisoners wear jail clothing? What are the clothing storage and issue?
- g. Dressing room with showers?
- h. Physical exam?

4. Prisoners Quarters (Adult Male)

- a. How many cells should be "inside" type and what should be the proportions of single, multiple and isolation cells?
- b. How many outside cells and how distributed?
- c. Any dormitories and what size?

d. How will dayroom space be handled and how many dayrooms and size?

5. Prisoners Quarters (Adult Female)

a. Will there be matron's quarters and, if so, what facilities?

b. What facilities will be necessary for booking of adult females? Fingerprinting? Photographing? Property Storage? Jail Clothing? Physical Exam?

c. How many inside cells?

d. How many outside cells?

e. How many in dormitories?

f. Is dayroom space required?

g. Will they have a personal laundry?

6. Juveniles (Male and Female)

a. Will juveniles be handled and what special provisions are necessary such as separate entrance, complete isolation from rest of population, special matron, and/or officers, etc.?

b. Boys section; how many rooms?

c. Girls section; how many rooms?

d. Dayrooms?

7. Medical Program

a. What infirmary provisions must be made for:

(1) Adult male

(2) Adult female

(3) Juveniles

b. What will be done with mentally ill inmates?

c. What office and examination facilities are needed by the doctor?

(1) Adult male

(2) Adult female

(3) Juveniles

8. Religious Program

a. What offices will be provided for chaplains?

b. Will there be a chapel or special rooms devoted to the religious program?

9. Recreation and Exercise Program

a. Will there be a gymnasium or all-purpose room for active exercise:

(1) Adult male

(2) Adult female

(3) Juveniles

b. Will outdoor exercise yards be provided for any or all of the above classifications?

c. Will there be a library or book room?

10. What is the Vocational Training Program?

a. Will it be carried on within the institution, at nearby schools, or both in and out of the institution?

b. If there is to be vocational training within the institution, what trades and how many students?

11. What is the Academic Education Program?

a. Will it be in the institution or at nearby schools?

b. If in the institution, what age and type classrooms required?

12. Food Service

a. How will inmates be fed?

(1) Adult male (inside cells)
Adult male (outside cells)
Adult male (dormitories)

(2) Adult female (inside cells)
Adult female (outside cells)
Adult female (dormitories)

(3) Juveniles

(4) Infirmarys

b. Does above dictate some central dining facilities?

c. Will there be an officers' or employees' dining room?

d. What is food delivery frequency and how much warehouse is desirable for food items?

e. How much refrigerated space and what temperature?

f. Design kitchen for how many meals per day?

g. Will all garbage be ground through garbage disposals?

h. How big a trash room is needed?

i. Is a steward's office needed? Inmate detail dressing room?

13. Commissary (Inmate)

a. Will there be an inmate commissary and what is system for purchasing?

b. How much area is required for the commissary and its storeroom?

14. Laundry

a. Will there be a laundry for bedding, towels, jail clothing, etc.?

b. What is anticipated piece count of each laundry item?

c. Will ironing of flatwork and pressing of jail clothing be necessary?

d. Can laundry be operated by either men or women?

e. Will linen and clothing be stored and repaired in the laundry area?

15. Housekeeping

a. How much dock and warehouse space are needed for normal supplies, furniture, etc.?

b. What is system of cleaning and where will it be necessary to have janitor's closets?

c. What space is necessary for mechanical equipment such as boilers, water heaters, air handling units, etc.?

d. Where is mop laundry to be located?

16. Work Program

a. Is there to be some kind of industrial or work program?

b. Will it need shop space for such as:

- (1) Concrete products
- (2) Furniture repair
- (3) Highway signs
- (4) Painting trash cans, park furniture

c. Will there be space for washing and lubricating county or city vehicles?

d. Will there be outside details for landscaping in parks, etc. and will prisoners need a place to leave outdoor clothing, boots, etc.?

17. Discharge of Prisoners

a. What are discharge procedures and can this procedure be accomplished in the receiving section?

b. If not, what special provisions must be made for discharge?

The appearance of the jail grounds, its facade and interior should be pleasant and attractive. A pleasant atmosphere is conducive to a good institutional climate which, in turn, affects the attitudes and behavior of the prisoners.

Careful consideration should be given to the use of various construction materials. While certain materials may have a high initial cost, lower maintenance cost may offset the original expenditure.

The durability, maintenance, and installation of sanitary fixtures, for example, should be investigated during the initial planning stages as these items represent an important facet of jail construction.

Specific items which should also be considered for design in relation to function are:

(1) The dining and food preparation area which includes serving tables, inmates' dining rooms, closets, toilets, staff dining and lounge, refrigerator areas, a dishwashing room, can wash room, storage rooms, and steward's office.

(2) The laundry which includes a receiving and sorting area, issuing space, a sorting and mending room, a machine room, a shoe room, toilets, and the supervisor's office.

(3) The warehouse which includes a receiving area, holding area, general storage areas, medical and commissary storage areas, and an office for the storekeeper.

(4) - A commissary (or canteen) for sale of items to prisoners. A secure storage area should be adjacent to it.

(5) Recreational facilities. If outdoors, consider the effect of noise on surrounding community activities and the need for security, prevention of communication, and keeping the prisoners out of sight of the general public. If indoors, consider the inclusion of folding benches, a basketball court, locker rooms, rooms for equipment storage, a movie projection booth, an inmate toilet, a staff toilet, and an office.

(6) The visiting area should be entered by visitors from the main lobby. Generally, physical contact between the inmate and the visitors is not allowed. A waiting room, a men's toilet, a women's toilet, visiting cubicles, and an officer's booth should be included.

(7) The mail room, if the volume of mail warrants a separate room for the purpose.

(8) The maintenance shops should include a machine and tool area, pipe storage, wood storage, paint storage, office, and a toilet.

(9) An area to receive vehicles for transportation of prisoners and supplies. It should be equipped with a double sally port.

(10) The heating plant.

(11) The car parking area for employees and visitors.

(12) The area for the correctional staff, to include a locker room, shower room and toilet area, an assembly and roll call area, a supervisor's office, and clerks' office.

(13) The administrative area to include the jail supervisor's office, his secretary's office and a conference room; the business manager's office (large enough for a cashier's section and desks for his personnel); a telephone equipment room, record storage, and staff toilets.

e. Size. A survey conducted for the President's Crime Commission recommended that "ideally a homogeneous population of less than 100 (but not exceeding 200) offers the best milieu for treatment and maintenance." A smaller jail would be limited in its program activities as it would be economically unfeasible to maintain a professional staff and support most of the programs that should be available to inmates. The programs in institutions that exceed 200 inmates become less effective as the population increases.

f. Relative location of activities. The flow of traffic in the jail, the control of inmates, and effective use of

personnel are aided considerably when activities within general programs are located close to each other. As examples: the library, the office of the director of education, and the educational supply storeroom should be in the same general area as the classrooms. Locating the receiving room near the identification section and the infirmary could provide the requirements of a physical examination and identification within a common area in which the technical personnel and the facilities are available.

Budgetary limitations may require the use of some areas for more than one activity. While it is more desirable to conduct religious activities in a chapel, many institutions have used general assembly rooms for this purpose. Conversely, they used chapels for assemblies, community meetings, Alcoholics Anonymous sessions, and other activities. Interview rooms primarily intended for sessions with council, probation, and parole officers may be used at certain times of the day for the jail counselling program.

Administrative offices should be grouped together, adjacent to, but securely separate from the prisoners' housing area and activities.

Multi-purpose program and activity areas allow flexibility in the use of available space. One such area could include group meetings, religious activities, educational and library activities, and group therapy sessions.

4. Security.

As long as we have to deal with prisoners, security must be exercised. The therapeutic approach notwithstanding an over-relaxation of security controls can defeat the purpose of a rehabilitation treatment program. It may present opportunities to escape and to engage in illicit activities with obvious consequences.

A maximum security institution is characterized by a masonry wall or a double fence, armed guard towers, electrical alarm devices around the perimeter, circulating patrols, devices for increased observation, interior cell blocks, strict control of prisoner movement, guard corridors, and safety vestibules.

Medium security features include a double fence enclosure and outside cell construction with a number of interior cells for special problem prisoners.

Minimum security features consist of a fence rather than a wall, no fixed armed posts, housing in dormitories for approximately 70 percent of the population and more freedom of movement within the jail areas. Prisoners who are on work release and study release should be housed in minimum security quarters which are separate from the remainder of the population so as to prevent intermingling and communication.

The adjustment to the free community of state prisoners who are returned to the jail for that purpose, requires minimum security quarters while they work under gradually reduced supervision.

A strong perimeter of the jail permits more flexibility of movement and control inside the jail grounds; while the use of secure structural units within the jail limits them.

Every jail should have a control room, located outside of the housing area, which serves as the nerve center of the jail, controls the entrances to the jail proper, and operates on a continuous basis. It should be equipped with communications apparatus, room for storage of weapons, gate control devices, alarm devices, observation devices such as closed circuit television (particularly for un-manned areas), and key control equipment.

The obvious types of segregation should be provided. These include the separation of females from males, juveniles from older prisoners, the aged, the infirm, the unemployable, the minor cases, the reception prisoners while under observation or quarantine, the disciplinary cases, co-defendants, and material witnesses.

Some specifications for housing units are:

(1) Cells should be planned for one prisoner occupancy. Interior cells should be approximately 50 square feet in area and at least 8 feet high. Each cell should have a sliding door and should be equipped with a bed frame fastened to the wall or floor and constructed so that the prisoner can not break it or separate some of its parts to use as weapons or tools. It should have a water closet and washbowl specifically designed for prisons, a small table and seat, a small shelf, and some hooks. All should be easily observed and free from recesses in which contraband may be concealed.

(2) A 25 bed dormitory should be provided with: 55 square feet of space per bed, 2 showers, 3 water closets, 2 urinals, and 5 washbasins. The ceiling should be at least 10 feet high.

BIBLIOGRAPHY

NEW ROLES FOR JAILS
Edited by Mark Richmond
Published by U.S. Bureau of Prisons
Department of Justice
1969

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Shoreham Building, Washington, D. C.
1966

JAIL ADMINISTRATION

By Myrl Alexander

Publisher: Charles C Thomas, Springfield, Illinois
1957

CONTEMPORARY CORRECTION

By Paul Tappin

Publisher: McGraw-Hill Book Co., Inc.
1951

VI. *The Sheriff's Civil Liability and The Rights of Prisoners*

In more ways than one, today's sheriff is a far cry from the sheriff of yesteryear. This is but another way of saying the obvious: that the demands of modern living and unprecedented advances in technology have worked profound changes upon the role of our society of law enforcement officers generally. Not only has the "hardware" of law enforcement changed immeasurably in recent years, the very role of public expectation of those society has charged with keeping the peace and protecting lives and property has changed as well.

Along with these vital changes in the role of law enforcement officers generally, and in particular the American Sheriff and Jailer, have come changes in the traditional *legal* duties and obligations expected of him. But of course, time has not stood still for all but the law enforcement officer. One has but to pick up the daily newspaper to be made aware again and again of the profound changes that have been worked in recent years in the area of individual criminal rights, the so called criminal law "revolution." And while it seems that we may yet slow the pendulum, it is doubtful that we will ever be able to recapture the almost pristine simplicity, at least by comparison, of law enforcement duties in days gone by.

It is vital to the proper discharge of the duties of the modern sheriff and jailer to be aware of the basic legal duties and obligations he owes to the public and to his charge, the prisoner, as well as of the basic legal rights of the prisoner himself. With this groundwork properly laid the officer is in the best possible position to appreciate, and apply, the latest benefits of technology within the framework of the law. Of course, when we speak of the duties and obligations of the sheriff and jailer we refer primarily to his civil liability, since that is the focal point of the proper discharge of his duties. Also when we speak of the rights of prisoners

we refer primarily to his *constitutional* rights, rights, in other words, that are guaranteed to him and which can not be denied him, unlike mere privileges or gratuities.

This paper, therefore, will treat of the civil liability of the sheriff-jailer in his role as the custodian of prisoners on the one hand, and the rights of such prisoners in the jail or prison context on the other. The presentation that follows will be in two parts, the first devoted primarily to the sheriff-jailer's duties and obligations, and the second part devoted to prisoners' rights. These are essentially two distinct topics for consideration, although, of course, they are related and there is a certain amount of overlapping.

PART ONE — CIVIL LIABILITY OF SHERIFFS ARISING FROM THE CUSTODIAL CARE OF PRISONERS

This section will discuss those acts of a sheriff, acting in the capacity of a jailer, which may subject him to civil liability. It will focus upon the post-conviction custody of prisoners. Temporary detention or custody while awaiting trial will only be considered when similar acts of the sheriff will result in liability. The liability discussed will be that of the sheriff in his official capacity, not any personal liability he may incur. Whether or not a sheriff is liable in his official capacity, he may also be personally liable. In most cases, however, the limited personal assets of the sheriff make it impractical for the person to sue him personally. On the other hand, the doctrines of "official immunity" and "master-servant" that we will speak of below may not shield a sheriff from personal liability. This is very important and should be remembered when considering cases which deny a plaintiff recovery on one of these grounds. [*State v. Ferling*, 151 A. 2d 137, (Md. 1959); *Bush v. Babb*, 64 Ill. App. 2d 144, 212 N.E. 2d 279, (1965)].

Most jurisdictions require that official bond be posted for a sheriff. It is, therefore, the surety, *i.e.*, the company that posts the official bond, which will be required to pay damages whenever the sheriff is held liable. Of course, the economic impact of the costs of a judgment will be passed on to the taxpayers of the county in the form of higher surety costs.

This must be kept in mind with regard to such questions as whether the sheriff-jailer is liable for the acts of a deputy or other employee connected with custodial care. Although courts may speak of a master-servant relationship between the sheriff and deputy or employee, the actual "master," or real party in interest, [Recognition of this fact may nullify the effect of an immunity statute. See, *St. Julian v. State*, 82 So. 2d 85, (La. 1955)] is the surety or county. For the same reason, when the scope of an immunity statute is at issue, the critical question is not what individuals are immune from

liability, but what acts of public officials are exempt.

GENERAL PRINCIPLES

The liability of primary concern to the sheriff-jailer and the county is tort liability. Although the acts of the sheriff may be the subject of an injunction, or a criminal prosecution may be instituted against him, such cases are very rare. [See, e.g., *Dearing v. State*, 95 N. E. 2d 832, (Ind. 1951) (sheriff enjoined from interfering with prisoners' access to counsel); *State v. Robinson*, 394 P. 2d 48 (Kan. 1964) (sheriff removed from office for improper release of prisoner); *State v. Harland*, 105 N.E. 2d 293 (Ohio Com. Pl. 1951) (sheriff prosecuted for allowing prisoner to make unauthorized telephone calls).] Their impact upon the sheriff, county, and proper administration of criminal justice, is also less than that of tort liability.

With few exceptions, the applicable principles of tort law are the same as those set forth in any law school casebook. [For general discussions pertinent here, see, 2 *Harper & James, Law of Torts* 950-960 (1956); *Campbell, Duty, Fault and Legal Cause*. (1938) *Wis. L. Rev.* 402; *James, The Qualities of the Reasonable Man in Negligence Cases*, 16 *Mo. L. Rev.* 1 (1951)]. The tort may either be intentional or negligent. In many jurisdictions, liability may depend upon which category the tort falls into. [Compare *Dunn v. Swanson*, 217 N. C. 279, 7 S. E. 2d 563 (1940) (no distinction between intent and negligence), with *Sheffield v. Turner*, 21 *Utah* 314, 445 P. 2d 367 (1968) (malice or intent required)].

Before the sheriff-jailer can be found liable in tort, it must be proved that he breached a duty owed to someone. It is commonly said that a sheriff, acting as a jailer, owes two duties. He owes the general public a duty to keep any prisoner safely confined for the duration of his legal sentence. [*Aziona v. Tibbs*, 12 *Cal. Rptr.* 232 (Cal. App. 1961); *Webb v. State*, 91 *So. 2d* 156 (La. 1956)]. He also owes individual prisoners a duty not to intentionally or negligently harm them and a further duty to provide for their proper care. This duty of care includes humane treatment, adequate bedding, clothing, sanitation and other facilities, and the taking of all measures reasonably necessary for a prisoner's safety. [See, e.g., *Fernelius v. Pierce*, 138 P. 2d 12 (Cal. 1943); *Miller v. Owsley*, 422 S.W. 2d 39 (Mo. 1967); *Smith v. Miller*, 40 N.W. 2d 597 (Neb. 1950)].

This distinction between private and public duties, however, has been eroded with respect to the duty of care owed to a prisoner. The duty of humane treatment and safe confinement is not only owed to every prisoner, but "is owed to the public generally, because the public is interested in the humane administration of the law." [*Hale v. Johnston*, 140 *Tenn* 182, 203 S.W. 949, 953 (1918)].

This is important for the reason that it weakens the general statement, oftentimes expressed, that a prisoner, being a convicted criminal, has less rights than the general public. Moreover, duties connected with the custody of a prisoner will be held to a higher standard if they are owed to the public.

Once a duty has been established, liability rests upon proof that it has been breached and that damage resulted. This, in turn, depends upon whether the jailer knew, or reasonably should have known, that the act or condition complained of would cause the injury. For example, if one prisoner is injured by another, the sheriff will be found negligent only if it is proven that he had notice that the other prisoner was intoxicated, insane, or unusually violent. [*Miller v. Owsley*, 422 S.W. 2d 39 (Mo. 1967); *Justice v. Rose*, 144 N.E. 2d 303 (Ohio App. 1957)]. Also, a jailer can not be said to know that a prisoner, confined for a petty offense, is so dangerous that after escaping he will steal a gun and shoot someone. [*Cf. Webb v. State*, 91 So. 2d 156 (La. 1956)]. Of course, a showing that the sheriff acted with malice, intentionally, is clear evidence of a breach of his duty. [*Fernellius v. Pierce*, 138 P. 2d 12 (Cal. 1943); *cf. Irwin v. Arrendale*, 117 Ga. App. 1, 159 S.E. 2d 719 (1967), wherein a prison physician was found to have abused his authority over prisoners by capriciously requiring them to be x-rayed. Similar abuses by sheriff-jailers would certainly not be tolerated by the courts.]

Many states have statutes which immunize a sheriff or jailer from liability while performing official acts. [See, e.g., *Conn. Gen. Stat. Ann.*, tit. 2, §18-7.] These statutes are based on the idea that, in order to do an effective job, the sheriff must be free to make decisions and act without fear of consequences. Courts and legislatures have refined this immunity by granting it when sheriffs or jailers are performing "quasi-judicial" acts and withholding it from the performance of "ministerial" acts. [See, *Anno*. 14 A.L.R. 2d 345 (1950) and cases cited therein.]

Unfortunately, gross confusion prevails with regard to what acts are "quasi-judicial" and what acts are "ministerial." Generally, an act is "quasi-judicial" if it involves the exercise of discretion. [*Kelly v. Ogilvie*, 64 Ill. App. 2d 144, 212 N.E. 2d 279 (1965), *aff'd. on other grounds*, 35 Ill. 2d 297, 220 N.E. 2d 174 (1966).] Consequently, establishing a system of discipline would be a "quasi-judicial" act. [*Ibid.*] But, sheriffs have an absolute duty (no discretion) to provide safe care and humane treatment, which makes the activities concerned with the performance of these duties "ministerial." [*Farmer v. Rutherford*, 15 P. 2d 474 (Kan. 1932); *Kusah v. McCorkle*, 100 Wash. 318, 170 P. 1023 (1918).] The courts recognize that considerable discretionary latitude is necessary to the maintenance of an effective penal

system but will not allow abuses of the system. Hence, where a "borderline" activity causes injury to a prisoner, that activity will more than likely be classified as "ministerial" and the sheriff-jailer will be liable for damages.

The question of whether the sheriff-jailer is liable for the acts of his deputies and other employees is usually and erroneously dealt with in terms of a master-servant relationship. [*Barendrecht v. Clark*, 426 P. 2d 445 (Ore. 1967)] [the court suggested that the legislature amend the statute immunizing the sheriff from liability for the acts of deputies because of the master-servant relationship]. Actually, the sheriff, deputies, and other employees are all public servants and employees of the county. The sheriff-jailer has only supervisory authority over his deputies and employees. The public has as much interest in, and responsibility for, seeing that the duties of deputies and employees are properly performed as it has in insuring that the sheriff's duties are.

Unlike a private employer, the sheriff-jailer is neither personally responsible nor personally liable for the acts of deputies. Ultimate responsibility and liability will fall upon the county. [*See text supra*, p. 1] The contention that the infliction of negligent or intentional injuries upon a prisoner is not part of a deputy's official duties and, therefore, the sheriff (county) is not liable because he is only responsible for the deputy's official duties, would be rejected by most courts today. [*Contra*, see *Posey v. Starr*, 208 So. 2d 287 (Fla. D. C. 1968).] The modern view is that a prisoner has a right to safe custody and humane treatment by the penal system of any municipality. He may recover for negligent or intentional injuries, regardless of who inflicted them. [*Chadwick v. Stewart*, 94 Ga. App. 329, 94 S.E. 2d 502 (1956); *Pfannenstiel v. Doerfler*, 152 Kan. 479, 105 p. 2d 886 (1940); *Polizzi v. Trist*, 169 So. 2d 84 (La. 1963).]

SPECIFIC SITUATIONS

Condition of Jail: Jail premises must be kept safe and fit for human habitation. The failure to keep the jail clean, provide suitable sanitation facilities, serve proper food, and provide exits and other safeguards, all may result in a finding that the sheriff-jailer was negligent in caring for his prisoners.

Fires are a potent source of liability. Should a fire break out and a prisoner be killed or injured, more often than not the sheriff will be found negligent. The sheriff must first maintain proper surveillance to insure that fires do not go undetected. [*Thomas v. Williams*, 105 Ga. App. 321, 124 S.E. 2d 409 (1962).] He must provide adequate ventilation to decrease the chances of injury caused by smoke inhalation. [*Smith v. Miller*,

40 N.W. 2d 597 (Neb. 1950).] Speedy access to all portions of the jail must be provided, and a ready means of escape during a fire must be available. [Allen v. Cavin, 66 P. 2d 40 (Okla. 1937).] Rescue attempts must be promptly made, and the sheriff will be liable for doing anything to hinder such attempts. [O'Dell v. Goodsell, 149 Neb. 261, 30 N.W. 2d 906 (1948).]

The cause of the fire is unimportant. The sheriff will be just as liable for permitting a drunken prisoner to retain matches with which to start a fire as he will be for allowing oily rags to ignite. [Ibid.] He also is liable to a prisoner who, in a drunken stupor, succeeds in immolating only himself. [Kendrick v. Adamson, 180 S.E. 647 (Ga. App. 1935).] In all instances, however, the sheriff-jailer will not be found negligent unless he reasonably could have prevented the injury caused by fire.

In a comprehensive, illustrative case the sheriff was found negligent for the following acts:

1. failing to examine the prisoner to determine that he was intoxicated and in need of aid;
2. failing to search the prisoner to discover the matches in his pocket;
3. confining the prisoner in a cage-like cell, which was unsuitable for living, inaccessible, and increased the danger of suffocation;
4. failing to have guards in attendance at night to discover the fire;
5. failing to come promptly to the prisoner's rescue after the fire was discovered;
6. using water in an attempt to put out the fire when it was obvious to anyone that this would only increase the smoke; and,
7. interfering with the rescue attempts of others. [Thomas v. Williams, 105 Ga. App. 321, 124 S.E. 2d 409 (1962).]

A prisoner who is placed in an unheated cell which floods, causing him to become ill, may recover for the sheriff's negligence. [Clark v. Kelly, 133 S.E. 365 (W. Va. 1926).] Another prisoner lost thirty-five pounds during his two weeks in jail. A trusty testified that the prisoner had to sleep on the floor, was not provided clothing, rejected the food offered him, and attempts by other prisoners to obtain medical aid for him were rejected. The sheriff-jailer was held liable for the prisoner's death. [Smith v. Slack, 26 S. E. 2d 387 (W. Va. 1943).] A court faced with a similar situation suggested also

that a Grand Jury investigation and possible criminal prosecution might be in order. [Bush v. Babb, 23 Ill. App. 2d 285, -162 N.E. 2d 594 (1959).]

Food: A jailer is absolutely bound to furnish prisoners with food that is fit for human consumption. Should a prisoner become ill or die from eating bad food, the sheriff will be liable. [Magenheimer v. State, 90 N.E. 2d 813 (Ind. 1950).] The fact that the food is procured and prepared by others, such as the county health department or outside employees, is immaterial. [Ibid.] Unless the sheriff can show that the food was unfit when purchased, and that he could not have discovered this by a reasonable inspection, he will be found negligent. [Cf. Greco v. S.S. Kresge Co., 277 N.Y. 26, 12 N.E. 2d 557 (1938); Jacob E. Decker & Sons v. Capps, 139 Tex. 609, 164 S.W. 2d 828 (1942).] Thus, while the jailer would not be liable for injuries due to unfit food purchased in a sealed container and unable to be seen sickness resulting from spoiled perishables or improperly cooked food such as pork will result in liability. [See Kratz v. American Stores, 359 Pa. 335, 59 A. 2d 138 (1948); Tourte v. Horton Mfg. Co., 108 Cal. App. 2d, 290 P. 919 (1938); cf., McSpeden v. Kunz, 271 N.Y. 131, 2 N.E. 2d 557 (1936).] In a sense, the sheriff guarantees the fitness of the food.

Medical Care: In all states, the sheriff must provide adequate medical care for his prisoners. This duty embraces the examination of prisoners for illness or injury when they are brought in, responding to prisoners' complaints of illness, and providing prompt medical treatment. Thus, a prisoner brought in on a drunken driving charge, who has a broken arm, may recover if he is not given prompt medical attention. [Waters v. Dade County, 169 So. 2d 505 (Fla. D. C. 1964) [prisoner brought in with a broken arm was simply chained to a bed].] In another case a prisoner died from injuries sustained in an automobile accident, after having been in jail for three days. Without inquiring into the cause of death, the court found the sheriff negligent of failing, after he suspected the prisoner was injured, at least to examine him when he was placed in custody. [State v. National Surety Co., 39 S.W. 2d 581 (Tenn. 1931).]

Once in custody, the prisoner is entitled to medical examination, if necessary, treatment. The cases indicate that complaints of prisoners should not be dismissed as "malingering" without at least a brief examination of a prisoner. One sheriff did so, and the prisoner died from ulcers shortly thereafter. [Farmer v. State, 79 So. 2d 528 (Miss. 1955).] Although the sheriff argued that he did not have the authority to send the prisoner to a hospital, he was found negligent in failing to summon a doctor to check him. Naturally, if the prisoner is injured through the sheriff's negligence, the failure to provide medical aid will only aggravate the damages. [People v. Gunther, 94 P. 2d 699 (Colo. 1939);

Smith v. Slack, 26 S.E. 2d 387 (W.Va. 1943).]

The sheriff cannot rely on the fact that someone else is required to render medical assistance. In one case, a smallpox epidemic broke out, and the plaintiff-prisoner died of the disease. [*Hunt v. Rawton*, 288 P. 342 (Okla. 1930).] The sheriff had called a doctor, and the County Board of Health imposed a quarantine. This, however, did not excuse the sheriff's failure to isolate the prisoner promptly so that he would not contract the disease. Although imposing no liability because of an immunity statute, another court found a sheriff negligent in failing to take steps to prevent a prisoner from contracting tuberculosis. [*Bush v. Babb*, 23 Ill. App. 2d 285, 162 N.E. 2d 594 (1959).]

In addition to knowing of the prisoner's illness or injury, the sheriff also must have the means to provide or secure medical aid before he can be found liable. Consequently, where a prisoner became ill while working at home on a release program and voluntarily went to the hospital, the sheriff was not liable for improper medical treatment. [*Saxton v. Sanborn County*, 74 N.W. 2d 834 (S.D. 1956).] Moreover, a sheriff is only required to provide or secure medical aid and does not guarantee its quality. Courts will only ask whether medical attention was provided or secured — not whether it was the best medical attention possible. [*Menlock v. Burke*, 285 F. Supp 67 (E. D. Wisc. 1968).]

Prisoner at Work: If prisoners are allowed or required to work while in jail, the sheriff is not held to the same duties as a private employer. He must, however, provide the prisoners with a safe place in which to work and take all reasonable precautions to guard against injury. If prisoners are permitted to work outside the jail, for themselves or third parties, the sheriff generally will not be liable for any injuries. [If the work is done for a different department of the county, however, that department would be liable.]

For instance, a sheriff who was holding a ladder on which a prisoner stood while painting, but released it causing the prisoner to fall was held responsible for the prisoner's injuries. [*Moore v. Murphy*, 119 N.W. 2d 759 (Iowa 1963).] For the same reason, a sheriff who provided a ladder which he knew had a broken rung, would be held liable to a prisoner injured by the defective ladder. The sheriff's duty of humane treatment would render him liable for any harm caused a prisoner by requiring him to work beyond his capacity.

A prisoner serving as a trusty is entitled to the same, if not a higher, degree of care. One such trusty was assisting jail personnel in quelling a disturbance among other prisoners when he was struck on the head by a bottle thrown by a rioting prisoner. [*Blakely v. Boas*, 153 N.W. 2d 305 (S.D. 1967).] The sheriff was held

liable for the trusty's injuries on the theory that he should have realized the trusty might be injured while helping in this manner. A better reason is that the county would be required to recompense a sheriff or other employee who was injured in the performance of duties which conferred a public benefit. A trusty, whose work similarly benefits the county, is entitled to the same standard of protection.

Escape: There are several ways in which a sheriff can incur liability for a prisoner's escape. He is not negligent, however, if a prisoner injures himself attempting to escape. [*McFarland v. Ellis*, 99 S.W. 2d 779 (Ky. 1936).] A sheriff does not have a duty to provide a safe means of escape, nor can he reasonably anticipate that prisoners will injure themselves while attempting to escape.

A sheriff may be liable for injuries to, or the death of, a prisoner whom he attempts to prevent from escaping. If the prisoner is in jail for a felony conviction, the sheriff may use any means to prevent his escape, up to and including killing the prisoner. But, if the prisoner is in jail on a misdemeanor conviction, the sheriff may only use reasonable force short of killing him. This means for example, that if the only way to prevent the escape of a misdemeanant is to shoot the prisoner in the head, the sheriff can only stand and watch. He has no legal right to kill an escaping misdemeanant. It does not matter that the sheriff is unaware that the prisoner was convicted of a misdemeanor rather than a felony. [*Holloway v. Moses*, 193 N.C. 185, 136 S.E. 375 (1927).] It is of no comfort to the dead prisoner that the sheriff thought he was a felon. Courts have suggested that steps, such as providing different uniforms, be taken to distinguish felons from misdemeanants while in jail.

Should a sheriff allow a civil judgment debtor to escape, the courts are divided as to whether he is liable to the creditor. [*Mangan v. Fronzoni*, 75 A. 2d 665 (Vt. 1950), *aff'd* 78 A. 2d 12 (1951); *Gural v. Engle*, 128 N.J. 252, 25 A. 2d 257 (1942).] At most, the creditor can recover only nominal damages, not the full amount of the debt, from the sheriff.

Whether the sheriff will be found negligent if an escaped prisoner injures others depends upon the circumstances. Where prisoners have escaped, stolen cars, and injured others in automobile accidents, sheriffs have not been held liable. [*Green v. State*, 91 So. 2d 153 (La. 1956); *Aziona v. Tibbs*, 12 Cal. Rptr. 232 (1961).] The sheriff cannot reasonably foresee that an escaped prisoner will be an incompetent driver.

The sheriff, should, however, reasonably know that an escaped prisoner may commit further criminal acts. But, he cannot be aware of every possible criminal act

that an escaped prisoner might commit. Thus, he is not responsible if a prisoner convicted of only petty theft shoots someone after escaping, but he should expect this of a prisoner convicted of first-degree murder. If the sheriff negligently allows a prisoner to steal his gun while escaping, he will be liable regardless of the prisoner's criminal record. [*Webb v. State*, 91 So. 2d 156 (La 1956).] A sheriff must also promptly organize a search for an escaped prisoner and may be negligent in failing to do so. [*Ibid.*]

In attempting to prevent an escape, a sheriff must exercise due care so as not to injure third parties. If he shoots at the escaping prisoner but negligently hits someone else, that person may recover damages. Although one court found no liability when a bullet fired by a guard at an escaping prisoner ricocheted and struck another, the result was based on an immunity statute. [*Trahan v. State*, 158 So. 2d 417 (La. 1963).] Otherwise, the implication was that the sheriff would have been liable.

Other Negligence: These are acts for which anyone might be liable. Normally, the liability of a sheriff is not more nor less than that of anyone else. The negligence in these situations, as well as those already discussed, is in doing, or failing to do, something a reasonable person using common sense would have done under the circumstances. The only manner in which the liability of a sheriff might be broadened is by his knowledge of special facts. For instance, if a prisoner is known to be insane, a minor, or drunk, the sheriff must exercise a higher degree of care than with regard to normal prisoners. [*People v. Gunther*, 94 P. 2d 699 (Colo. 1939); *Bukaty v. Berglund*, 179 Kan 259, 294 P. 2d 228 (1956).] Prisoners with physical disabilities are entitled to, if they so require, special treatment to prevent injuries. [But see, *St. Louis ex rel. Forest v. Nichols* 374 S.W. 2d 547 (Mo. 1964). A prisoner with one leg was ordered, by a guard to take a shower and fell on the slippery floor. Although the court held that the sheriff was not liable for the acts of the guard, most jurisdictions would reach an opposite result.] Under these conditions, it might be said that the sheriff must act as a "reasonable jailer" and exercise more care than an average person.

A sheriff or deputy who is transporting a prisoner and negligently causes an automobile accident, will of course, be liable to the prisoner and anyone else who is injured. [*Chadwick v. Stewart*, 94 Ga. App 329, 94 So. 2d 502 (1956); *State v. Ingle*, 269 N.C. 447, 152 S.E. 2d 476 (1967).] Sheriffs who carelessly slam cell doors on a prisoner's hands or fingers have been held liable. [*Davis v. Moore*, 215 N.C. 449, 2 S.E. 2d 366 (1939); but see *Carder v. Steiner*, 225 Md. 271, 170 A. 2d 220 (1961)]. A statute granted immunity unless it was shown that the sheriff acted with malice.] Any known hazard in the jail,

such as an unguarded, open hole in a stairway or defective heater which explodes, will cause the sheriff to be found negligent. [*State v. Billings*, 240 N.C. 78, 81 S.E. 2d 150 (1954).]

Physical Maltreatment: The overwhelming majority of law suits brought by prisoners against their sheriffs are based upon physical beatings, either by the sheriff or fellow prisoners. More often than not, the sheriff is held liable. This liability is based on the sheriff's breach of the duty of humane treatment owed to the prisoner. It will seldom matter whether the breach was intentional or negligent.

A sheriff, deputy, or other employee who intentionally beats a prisoner will be liable to that prisoner. [*Farmer v. Rutherford*, 15 P. 2d 474 (Kan. 1932).] The immunity statutes usually do not exempt the sheriff from liability for intentional wrongs. [*Price v. Honeycutt*, 216 N.C. 270, 4 S.E. 2d 611 (1939). *The reason for immunity statutes—promoting efficient law enforcement and respect therefore—requires withholding their protection in these cases.*] The intent required for liability does not have to be an intent to injure the prisoner, nor does it have to be malicious. [*Dunn v. Swanson*, 217 N.C. 279, 7 S.E. 2d 563 (1940); *Clark v. Kelly*, 133, S.E. 2d 365 (W.Va. 1926).] A mere intent to strike the prisoner is sufficient. In this respect, the line between intentional and negligent wrongs is gradually being erased.

Any beating must be unjustified or unreasonable in order for the sheriff to be liable. Sheriffs are entitled, if not required, to use reasonable physical force to maintain discipline and prevent escapes. Whether there will be liability depends on the reasonableness of the force used; a most troublesome question. A prisoner died after being struck by a deputy with a blackjack during a prison disorder. [*Cobb v. Jeansonne*, 50 So. 2d 100 (La. 1951).] The court rules that this was a reasonable exercise of force and dismissed the complaint. Another prisoner was beaten and kicked by a guard while working on a road gang. [*Hale v. Johnston*, 140 Tenn. 182, 203 S.W. 949 (1918).] Because the sheriff knew of the guard's tendency to maltreat prisoners, he was held liable to the prisoner. The court in that case also stated that it was irrelevant whether the sheriff permitted the beatings out of malice; his official duty absolutely required him to prevent such beatings. [*Id.* at 953.]

As in these cases, liability for beatings will always depend on the specific circumstances of each case and will almost always be decided by the jury. Courts are quite strict in this area and tend to equate a sheriff's permitting acts of physical maltreatment with his ordering them. [See, e.g., *Fernelius v. Pierce*, 138 P. 2d 12 (Cal. 1943); *Polizzi v. Trist*, 154 So. 2d 84 (La. 1963).]

Even those courts which have been compelled to deny recovery to plaintiffs because of an immunity statute have recently urged the legislature to amend these statutes in order to permit recovery for intentional harm. [*Barendrecht v. Clark*, 426 P. 2d 445 (Ore. 1967).]

Injuries because of physical beatings by fellow prisoners are equally frequent and pose almost as many problems. The key factor in such cases is whether the sheriff knew, or reasonably should have known, that such beatings were taking place, or were likely to take place. The sheriff has a duty to take proper steps to prevent beatings by prisoners who are insane or whom he knows to be unusually violent. [*Glover v. Hazelwood*, 387 S.W. 2d 600 (Ky. 1964); *Justice v. Rose*, 144 N.E. 2d 303 (Ohio 1957).] Similarly, special precautions must be taken to protect intoxicated or minor prisoners against attacks by other prisoners. [*State v. Hay*, 328 S.W. 2d 672 (Mo. 1959).] Thus, the mere fact that the sheriff places a minor prisoner with hardened, adult prisoners, who subsequently beat him, will be sufficient to hold the sheriff liable. [*People v. Gunther*, 94 P. 2d 699 (Colo. 1939).] The recent public outcry against homosexual and other attacks made on minors in custody will probably make such results even more frequent.

When prisoners establish a "kangaroo court" or other system, to maintain their own order, the sheriff will be liable for any injuries inflicted by such a group. [*Lamb v. Clark*, 282 Ky. 167, 138 S.W. 2d 350 (1940).] Although the mere presence of a "kangaroo court" does not mean that the sheriff is negligent, he cannot escape liability by saying that he was unaware of its existence. [*Miller v. Owsley*, 422 S.W. 2d 39 (Mo. 1967).] He has a duty to know of the presence of such groups and to prevent resulting injuries.

A sheriff who utilizes trusties or a "barn boss" system to maintain discipline will be found negligent if any of the prisoners so utilized take advantage of the situation to inflict beatings on others. [*Kelly v. Ogilvie*, 64 Ill. App. 2d, 212 N.E. 2d 279 (1965).] One court stated that there should be no liability in this situation because the sheriff must be free to exercise discretion in the maintenance of discipline. [*Ibid.*] But, a higher court, while agreeing that there should be no liability, corrected the reasoning of the lower court. [*Kelly v. Ogilvie*, 34 Ill. 2d 297, 220 N.E. 2d 174 (1966).] It pointed out that the only question to be decided is whether the sheriff knew or had reason to know of the beatings. In this case, the prisoner failed to prove that fact. The court specifically refused to rule that the "barn boss" system is a valid exercise of discretion in keeping order. This is in line with the tendency of courts to hold that the sheriff's duty to prevent injury is absolute, rather than discretionary. [*See, supra note 16 and accompanying text.*]

Notwithstanding the variety of judicial language used in these cases, the question of liability always hinges on whether the sheriff had knowledge of the beatings. While some courts have spoken of the necessity to show that the sheriff acted in bad faith, the recent trend indicates that the proof of knowledge on the sheriff's part and a failure to act constitute bad faith. [See, *Sheffield v. Turner*, 21 Utah 2d 314, 445 P. 2d 367 (1968).] Although the prisoner must affirmatively prove such knowledge, this will be inferred from appropriate circumstances. A series of beatings, to one or more prisoners, over a period of time, is conclusive proof that the sheriff knew of them, in spite of his protestations of ignorance. [Dunn v. Swanson, 217 N.E. 279, 7 S.E. 2d 563 (1940).] If a deputy or guard is known to have sadistic tendencies, the sheriff will be held to know of any beatings he inflicts. [Fernelius v. Pierce, 138 P. 2d 12 (Cal. 1943).] The same holds true of prisoners; and the jailer may very well be held to know of the dangerous propensities of a prisoner with a lengthy record of, for instance, assault and murder. [Cf., *Eberhart v. Murphy*, 119 Wash. 158, 188 P. 17 (1920).]

Naturally, if the sheriff could have done nothing, even if he had known, to prevent the beatings, he cannot be liable. Thus, if a prisoner who has been placed in protective custody asks to be released and is subsequently injured by a fellow prisoner, the sheriff is not liable. [Travis v. Pinto, 87 N.J. Super. 263, 208 A. 2d 828 (1965).] Also, should a fight suddenly erupt, all the jailer can do is to stop it as soon as possible. He will only be negligent if there is an unreasonable delay in halting the hostilities. [Cf., *Glover v. Hazelwood*, 387 S.W. 2d 600 (Ky. 1964); *State v. Hay*, 328 S.W. 2d 672 (Mo. 1959).]

CONCLUSION

The sheriff, acting as a jailer, is not an insurer of the safety of prisoners in his custody. But, he does owe his prisoners and the public generally, the duty to see that prisoners do not suffer injury through his intentional or negligent acts or the acts of others connected with their custodial care. His liability for negligently or intentionally failing to act is as great as his liability for acting in such a manner. It makes no difference whether he personally beats prisoners or sits idly by while someone else does it; he will be liable in either case.

In some situations, a statute may protect a sheriff from liability (immune statutes). It is, however, unwise to rely on the protection of these statutes. Exceptions are now so numerous that it is impossible to predict whether the statute will be given effect in a specific case.

The sheriff who thinks before he acts, and acts in a reasonable manner, and who instructs jail personnel to

do likewise, will rarely incur liability. Of course, there is nothing he can do to prevent liability if a guard negligently causes an automobile accident while transporting a prisoner.

PART TWO — CONSTITUTIONAL RIGHTS OF PRISONERS

When we talk of rights under our constitution, we usually place their exercise in the context of the open society in which we live without thinking that there is another society, a kind of sub-culture or sub-society that exists in our jails and prisons, a society quite apart in its goals and operation from the open society. Our concepts of fundamental freedoms, due process of law, and equal protection almost automatically take on a different cast in the context of the prison community, and this only from the sheerest necessity. As one writer has noted:

"Our analogies to the open society, where our principles of (fundamental) liberty have been worked out, limp at best when applied to a closed society in which restrictions and regulations are of necessity immediate and pervasive." [Frankino, *The Manacles and the Messenger: A Short Study in Religious Freedom in the Prison Community* 14 Catholic U. L. Rev. 30, 31-31 (1965).]

We will now consider the application of specific constitutional guarantees in the prison setting. In doing so, we will review some of the cases considering specific factual situations, since the evolution of the application of constitutional rights to the prison setting is basically the history of how courts, in specific cases, have extended such rights, slowly but surely over the years, to prisoners.

GENERAL PRINCIPLES

At one time our courts viewed prisoners as figurative, if not literal, slaves. In 1871, for example, the Supreme Court of Virginia in the case of *Ruffin v. Commonwealth* (62 Va. - 21 Gratt. - 790 (1871)), was able to report:

"He, 'the convicted felon' has, as a consequence of his crime, not only forfeited his liberty, but all his personal rights except those which the law in its humanity accords to him. He is for the time being the slave of the State."

But the courts could hardly be expected to have maintained such a severe view in the face of the view that slowly evolved in the Nineteenth Century that the only justifiable purpose of regimentation and privation in the prison setting is the maintenance of an orderly functioning institution, conducive to rehabilitation, not the infliction of additional punishment for the

offense of which a man has been convicted. [Comment, 62 Colum. L. Rev. 1488, 1489 (1962).] The courts had moved to a more moderate position when it was said by the United States Supreme Court in the case of Price v. Johnston (334 U.S. 226, 285 (1947)), that "unlawful incarceration brings about the necessary withdrawal or limitation of many privileges and rights, a retraction justified by the considerations underlying our penal system." And the courts had indeed come full circle when one was able to say that "A prisoner retains all the rights of an ordinary citizen except those expressly, or by necessary implication, taken from him by law." [143 F.2d 443, 445 (6th Cir. 1944).] Some may have even forgotten the strong language of the earlier cases when it was said in the case of Sewell v. Pegelow:

... it is beyond dispute that certain rights and privileges of citizenship are withdrawn from prisoners, but it has never been held that upon entering a prison, one is entirely bereft of all of his civil rights and forfeits every protection of the law." 291 F.2d 196 (4th Cir. 1961), appeal dismissed by agreement, 304 F.2d 670 (4th Cir. 1962).

The courts have not totally abandoned the hard line they once took in cases such as the Ruffin case. This may be seen in the language used by the Supreme Court of California in the Black Muslim case of In re Ferguson v. Heinze 368 U.S. 864 (1961).] cert. denied, Ferguson v. Heinze 368 U.S. 864 (1961).] where the Court held that a state prisoner could not claim federal constitutional guarantees, "since, of necessity, inmates of the state prisons may not be allowed to assert the usual federal constitutional rights guaranteed to non-incarcerated citizens," except where there was "extreme mistreatment" of the prisoner. The Court concluded that: "We are, accordingly, reluctant to apply federal constitutional doctrines to state prison rules reasonably necessary to the orderly conduct of the state institution." [Id. at 699, 361 P.2d at 421.]

Most courts in recent years that have considered the question of prisoner's rights have taken the view that if there is a constitutional issue involved, and they usually assume that fundamental rights follow a man into prison, they will grant relief in cases involving specific deprivations of such rights by prison authorities. The real basis for the historical reluctance of the courts to interfere with the deprivation of such rights by prison authorities has been the long-supposed necessity of granting broad discretion to prison officials on the assumption that without such powers, they would be unable to maintain the security and discipline needed to run their institutions and to achieve the asserted goals of rehabilitation of prisoners. [Roberts v. Pepersack, 256 F. Supp. 415 (D. Md. 1966).] In the past, this broad grant of discretion has assumed

an almost absolute hands-off attitude on the part of the courts. [See, e.g., *Ortega v. Ragen*, 216 F. 2d 561 (7th Cir. 1954); *Sherwood v. Gladden*, 240 F. 2d 910 (9th Cir. 1957); *Fussa v. Taylor*, 168 F. Supp. 302 (M. D. Pa. 1958); *Hartfield v. Bailleaux*, 290 F. 2d 632 (9th Cir. 1961); cert. denied, 368 U.S. 862 (1961); *Smith v. Baumiller*, 194 P. Super. 566, 168 A. 2d 793 (1961).] That position has slowly been changing. The courts now have assumed the task of balancing the competing demands of the constitutional rights of individual prisoners with the legitimate demands of prison administration. And as far as the once-traditional doctrine of judicial "non-interference" with the discretion of the prison administration is concerned, the courts have increasingly made it quite clear that if there are constitutional issues or illegal acts or omissions of the sheriff or prison administration involved, they will act to protect the rights of prisoners and grant appropriate relief in particular cases. [*Frankino, op. cit. supra. note 81, at 46-48.*]

SPECIFIC SITUATIONS

Censorship of the Mail: The regulation of the mail of prisoners has attracted considerable attention in the courts in recent years. The right to censor a prisoner's mail has long been assumed by prison authorities, and the courts have traditionally viewed this as "an essential adjunct of prison administration and the maintenance of order within the prison." [*McCloskey v. Maryland*, 337 F. 2d 72, 74 (4th Cir. 1964). But see, *Sabat v. McKeitchan*, 243, F. Supp. 662 (E.D. La. 1965) (declaring a right to unlimited use of the mails).] Few successful challenges to the constitutionality of prison censorship have ever been made, [See, e.g., *United States ex rel. Mitchell v. Thompson*, 56 F. Supp. 683 (S.C.N.Y. 1944); *Adams v. Ellis*, 197 F. 2d 483 (5th Cir. 1952)] probably because the courts have not recognized any absolute right to use the mails generally, whether in or out of the prison context. [*United States ex rel. Thompson v. Fay*, 197 F. Supp. 855 (S.D.N.Y. 1961)] The non-interference doctrine has traditionally been invoked in cases brought by prisoners involving general correspondence, and the courts have usually left the matter up to the prison administration's discretion. [See, e.g., *Reilly v. Hiatt*, 63 F. Supp. 477 (M.D. Pa. 1945).] The right of a prisoner to correspond with general sources of legal assistance has been held a proper subject of reasonable restriction, [*Miller v. Wilkins*, 31 Misc. 2d 700, 220 N.Y.S. 2d 671 (Sup. Ct. 1961).] and even the correspondence of a prisoner with his own attorney is censorable, although it would be an undoubted violation of the Sixth Amendment - right to counsel - if it were unduly restricted or prevented altogether. [*United States ex rel. Vhania v. Randolph*, 161 F. Supp. 553 (D. Ill. 1958) (Dictum).] The assumption of the courts has been that if a prisoner is free to communicate with counsel in person at the place of his

confinement, personal consultation would be impossible, the courts would undoubtedly look upon censorship of the prisoner's correspondence with his attorney in a more exacting light.

With respect to a prisoner's access to the courts through the use of the mails, the general rule has been stated that prison and jail regulations limiting such access are improper and unconstitutional. [Ex Parte Hull, 312 U.S. 546 (1941)] The right of the prisoner involved here is one of due process [Hymes v. Dickson, 232 F. Supp. 796, 797 (N.D. Cal. 1964)] and even the refusal of the prison authorities to notarize legal papers preparatory to mailing, where the prisoner has no other means of having this done, and where this would result in the prisoner's papers being refused by the court, would be struck down as an abuse of discretion where it is based upon a prison or jail regulation. [Ex Parte Hull, 312 U.S. 546 (1941).] Even where the delay of the prison authorities to mail a prisoner's legal papers results in a loss of appeal rights through an untimely filing of a notice of appeal, the courts will provide relief by extending the time to appeal. [See, e.g., Dodge v. Bennett, 335 F. 2d 657 (1st Cir. 1964); People v. Howard, 166 Col. App. 2d 638, 334 P. 2d 105 (Dist. Ct. App. 1958); People v. Majewski, 26 A.D. 2d 408, 174 N.Y.S. 2d 408 (4th Dep't 1966).] Although the right of prisoners to correspond with non-judicial agencies of the government does not fall within the same due process protection as correspondence with the courts, at least one lower New York Court has held that the prisoner's right to correspond with the United States Attorney General's Office must not be restricted. In that case, Matter of Brabson v. Wilkins, [45 Misc. 2d 286, 256 N.Y. S. 2d 693 (Sup. Ct. 1965)] the court reasoned that such correspondence was "in the nature" of a communication to a court. [Id. at 291, 256 N.Y.S. 2d at 698-699.] Presumably a letter to a district attorney of the county in which the prisoner was located, and complaining of a crime committed against the prisoner at the prison would fall within the same rule.

There was a time when prison and jail administrators believed they had the right to review a prisoner's petitions addressed to the courts and to refuse to mail those that were not "true" in their content as to charges of mistreatment or deprivations of rights within the prison or jail, or even if, in their judgment, there was no possibility, on legal grounds, that the courts could grant relief. This notion was laid to rest emphatically by the United States Supreme Court in the case of Ex Parte Hull [312 U.S. 546 (1941)] where the court held that questions addressed to a court are for the court alone to decide, not the prison administration, [Id. at 549]] and as one Federal District Court noted:

"Inmates should not have to answer for their allegations to the very people against whom their allegations are directed. To permit such a procedure would be to make a mockery of the inmates' right to petition this court." [Hymes v. Dickson, 232 F. Supp. 796, 797 (N.D. Col. 1964)]

Denial of Law Books and Other Legal Materials: Although the complete denial of law books and legal materials to a prisoner by prison or jail authorities would undoubtedly be a denial of due process, [Id. by implication.] especially where he is acting without an attorney, jail authorities have generally been able to place reasonable restrictions on the use of such materials by prisoners without running afoul of the courts. Where the prisoner is preparing his own papers without the aid of an attorney, the right involved should be viewed as a part of the right of access to the Court itself, [But see, *Matter of Chessman v. Superior Court*, 44 Cal. 2d 1, 279 P. 2d 24 (1955), involving one of the many legal forays of the late Caryl Chessman where he represented himself.] but some restrictions on the use, number, storage, etc., of such papers and materials would be permissible on the grounds that, "the right to petition or correspond with a court does not include a right to be furnished with an extensive collection of legal materials." [Robert v. Peppersack, 256 F. Supp. 415, 433 (D. Md. 1966). See also, *United States v. Russell*, 256 F. Supp. 479 (M.D. Pa. 1966), where the Court stated that a prison rule forbidding a prisoner to loan books to another inmate "concerns the reasonable maintenance, operation and administration of the state institution and this is not under the supervisory direction of a federal court." *United States v. Russell*, supra at 480.]

Aside from the probable due process violation in preventing an unrepresented prisoner from adequately preparing his own papers for court by the use of law books and other legal materials, the Supreme Court of California recently noted that such a deprivation would probably be an unreasonable and arbitrary exercise of prison administrative discretion. [In re Allison, 57 Cal. Rptr. 593, 425 P. 2d 193 (1966).] In another case from the same court, the Court re-affirmed the right of a prisoner to keep legal materials in his cell which were to be included in a legal document that he was preparing for filing with a court, and at the same time recognized that legal materials found in a prisoner's cell which were merely all-purpose collections serving as a substitute for the removal of law books from the prison library in violation of prison rules, or as forms for the assistance of other inmates in the preparation of their papers, could reasonably be confiscated as contraband. [In re Schoengrath, 57 Cal. Rptr. 593, 425 P. 2d 193 (1966).] It would seem beyond dispute that prison authorities are under no obligation to

supply a prisoner with law books and legal authorities for the preparation of his legal papers. [*Coonts v. Wainwright*, 282 F. Supp. 893 (M.D. Fla. 1968).]

"Jailhouse Lawyer" Regulations: Prisoners who engage in the preparation of legal papers for others, "jailhouse lawyers," and who need materials therefore, have usually been accorded no protection whatever under due process, or the usual standards of review for administrative regulations [See *Arey v. Peyton*, 378 F. 2d 930 (4th Cir. 1967); Comment, 15 Buffalo L. Rev. 397, 415 (1965).] until very recently in the case of *Coonts v. Wainwright* [282 F. Supp. 893 (M.D. Fla. 1968).] decided by the Federal District Court for the Middle District of Florida and the case of *Johnson v. Avery* decided by the United States Supreme Court. In *Coonts* the Court held invalid a prison regulation prohibiting prisoners from assisting other inmates in the preparation of legal papers. The Court reasoned that to enforce such a regulation would effectively deny many prisoners the only opportunity they would ever have to prepare their petitions for *habeas corpus*. The Court also rejected a claim by the prison administration that the participation of a "jailhouse lawyer" constitutes the unauthorized practice of law and a further claim that the regulation in question was necessary for the maintenance of prison discipline.

In the *Johnson* case the Supreme Court held that unless and until state authorities provide some reasonable alternative to assist prisoners in the preparation of their notices of appeal or *habeas corpus* petitions, they can not enforce a prison regulation forbidding prisoners from giving advice and assistance on the preparation of such materials to other prisoners. It mentioned, as possible alternatives to the "jailhouse lawyer" or "writ writer" the use of public defenders or senior law students to help prisoners prepare their legal documents for filing with the courts. This is distinct from the situation where, once the papers have been filed with the court, an attorney is appointed to represent the prisoner in the subsequent court proceedings. After that point, the appointed attorney would be responsible for the preparation of all legal documents in the case and the prisoner would no longer need the services of a "jailhouse lawyer" and could, therefore, be prevented from using his services. Thus, only where a prisoner does not have an attorney to represent him, must the prison or jail authorities permit him to consult with a "jailhouse lawyer."

Censorship of Newspapers, Magazines, and Other Materials: In addition to the cases involving censorship of the mails, other censorship rights of prison authorities have also been recognized by the courts on the theory that they are required to maintain the security of the institution. It has been held generally that newspapers may be withheld from prisoners or censored

in such a way as to remove objectionable material where a legitimate prison objective, such as security, is the reason for the censorship. In such a case, no action will be taken by a court without a clear showing of an abuse of discretion. [Miller v. Igoe, 209 F. 2d 108 (7th Cir. 1953).] As one Federal District Court recently noted, prisons and jails do not have the capacity to censor and handle an influx of newspapers from all over the country and thus a prison regulation barring prisoners from receiving out-of-state newspapers was found to be reasonable and not violative of "fundamental fairness." [Oakes v. Taylor, 269 F. Supp. 1022 (E.D. Pa. 1967).] In another recent case, [Roberts v. Peppersack, 256 F. Supp. 415 (Md. 1966).] when a state prisoner sought to publish and circulate material advocating a prison demonstration he was placed in solitary confinement by the authorities as a punishment for breaking a prison regulation restricting certain forms of speech and communication. The sole issue raised by the petition was whether the regulation was reasonable in itself and reasonable in application to the prisoner. The Court first noted that First Amendment rights were involved and held that since such rights may be restrained in some situations outside of prison walls, they are restrainable inside, and to a greater extent where necessary to maintain prison discipline and to achieve the overall goal of rehabilitation. A regulation that has as its purpose the prevention of incitement among prisoners to riot was well within the legitimate goals of the prison authorities and they could properly put restraints on free speech for that purpose. The prisoner's proposed intention of printing and circulating material that could disrupt the prison routine could reasonably be stopped and a punishment of one week in solitary confinement for breaking the regulation was not viewed as unduly harsh.

Restrictions on Visiting Rights: Other restrictions that the sheriff or his prison counterpart may impose include regulations restricting certain visitors, usually non-family members who presumably have no legitimate interest in the prisoner, and all those who have been convicted of crimes. These rules find their purpose in the interest of the prison officials in shielding prisoners from harmful outside influences, and also as an added protection against the smuggling of contraband into the prison or jail. Without exception they have been upheld by the courts as legitimate exercises of administrative discretion. [See, e.g., Akamine v. Murphy, 108 Cal. App. 2d 294, 238 P. 2d 606 (1951); Robinson v. State, 198 Kan. 543, 426 P. 2d 95 (1966). *The question of prison administration leaders, ordained or lay, presents an issue under the Exercise Clause.*] And there is no right to privacy in prisoner-visitor interviews; listening in on such interviews has been held not to be a denial of any rights the prisoner may possess. [People v. Morgan, 197 Cal. App. 2d 90, 16 Cal. Rptr. 838 (Dist. Ct. App. 1961), cert. denied, 370 U.S. 965 (1962).]

Racially Segregated Facilities: The courts have gone in all directions on the question of racial segregation in the prisons. The usual view has been that no equal protection right to racially integrated facilities will be recognized in the prison setting, [*United States ex rel., Morris v. Radio Station WENR*, 209 F. 2d 105 (7th Cir.)] although one Federal Court of Appeals has held that the maintenance of such facilities cannot be justified solely on the basis of administrative discretion, [*Bolden v. Pegelow*, 329 F. 2d 95 (4th Cir. 1964)] and others have followed this approach, [*Lee v. Washington*, 263 F. Supp. 327 (M.D. Ala. 1967)]. Struck down was an Alabama statute making it unlawful to racially integrate prisoners in the state penal system. The federal district court ordered all state, county, town and city penal facilities desegregated over a one year period in stages. On March 11, 1968, the Supreme Court affirmed the District Court in a brief per curiam opinion 390 U.S. 333 (1968). A joint concurring opinion by Justices Black, Harlan and Stewart, made explicit what was implied in the per curiam opinion, namely that prison authorities always have the right, when acting in good faith and in particularized circumstances, to take into account racial tensions in maintaining security, discipline, and good order in their prisons and jails.] while still others have continued to hold that where legitimate goals of prison discipline and rehabilitation are served by such practices, they will not be struck down as violative of the equal protection clause of the Fourteenth Amendment. [*Toles v. Katzenback*, 385 F. 2d 107 (9th Cir. 1967)] It would seem that racial segregation in the prison setting should not be dismissed out-of-hand as an equal protection violation, and that every such case would be examined closely for a legitimate disciplinary and rehabilitative goal by the courts. Segregation of prisoners in general, including for disciplinary purposes, is the rule in prison. Even the very nature of the institution denotes segregation, segregation from the open society, for example. It is not inconceivable that racial segregation may serve legitimate disciplinary and rehabilitative goals in the prison community and thus would remain within the permissible bounds of prison administrative discretion in a proper case, but racial segregation for its own sake in a prison or jail would be unconstitutional. [*Lee v. Washington*, 390 U.S. 333 (1968).]

Cruel and Unusual Punishments: Among the constitutional protections that a prisoner enjoys, as traditionally recognized by the courts, is the right to be free from cruel and unusual punishments as guaranteed by the Eighth Amendment, as was pointed out in Part I above. The same humane considerations that provide a civilized check on the form and type of punishment [As opposed to the duration of punishment which has not usually been considered within the protection of the Eighth Amendment in those cases that have dealt with cruel and unusual punishment questions, see, e.g., *State v. Peters*,

430 P. 2d 382 (N.M. 1967) where the Court, noting that cruel and unusual punishment as forbidden by the Eighth Amendment, implies a limitation upon the form and character of punishment that may be prescribed and not a limitation upon its duration, held that a sentence of not less than two years and not more than the defendant's life for a non-violent escape from an honor farm was not a cruel and unusual punishment.] that can be meted out on conviction of a crime, also provide an effective check upon punishment practices and regimen in the prison setting as well. Among the decisions are those involving excessive disciplinary measures in situations of extreme deprivation such as the recent case of *Jordan v. Fitzharris* [257 F. Supp. 674 (N.D. Cal. 1966).] where a prisoner was confined in a cell which was six feet by eight feet four inches in dimension, had no furnishings except for a toilet, had no interior source of light, was not cleaned regularly, and contained no means for the prisoner to maintain personal hygiene. In another case where a prisoner was placed on a bread and butter diet in solitary confinement for ninety-two days, a Federal District Court held that a cause of action had been stated under the Federal Civil Rights Act of 1871 [*Gordon v. Gannon*, 77 F. Supp. 477 (E. D. Ill. 1948).] while a bare allegation that a prisoner had been treated to an "inadequate" diet while confined to a punishment cell for prison infractions causing him to lose weight was held not to be sufficient to state a claim of cruel and unusual punishment in the recent case of *Heft v. Paček*, (258 F. Supp. 507 (M.D. Pa. 1966)). So also, where a prisoner complained that he was subject to a conspiracy by his fellow prisoners and that it was cruel and unusual treatment for the prison authorities not to have taken action to stop it, the Court held that the Federal Courts could grant no relief. [*Curtis v. Jacques*, 130 F. Supp. 920 (W.D. Mich. 1954).] The key to relief in these cases seems to be physical mistreatment at the hands of the sheriff or his deputies, or their failure to prevent, where possible, physical mistreatment of a prisoner by his fellow prisoners, as pointed out in Part I above.

Religious Practice Rights: The present state of the case law with respect to religious practice rights in the prison and jail setting has evolved largely because of the growth in recent years of the Black Muslim movement, growth which has been particularly remarkable in many of the maximum security prisons. It has been said countless times by the courts that the First Amendment right to religious belief is absolute and can never be regulated, but that the right to practice one's religion may be the subject of legitimate regulation by the government where such practice interferes with the rights of others or collides with some overriding public interest. [*United States v. Ballard*, 322 U.S. 78 (1944), 329 U.S. 187 (1946); *In re Brooks' Estate*, 32 Ill. 2d 361, 205 N.E. 2d 435 (1965).] For example, in some early

cases the Supreme Court held that the members of the Mormon religion had every right to believe as they wished but that the practice of polygamy, which was a tenet of their faith, could be forbidden by law because of the state's overriding interest in the protection of the family, which in our society is founded upon the monogamous relation of a husband and wife and which, of course, is the very cornerstone of a stable society. [*Reynolds v. United States*, 98 U.S. 145 (1878); *Davis v. Beason*, 133 U.S. 333 (1890)]

So too, prisoners have an absolute right to believe as they wish, but where the practice of their religion interferes with legitimate prison or jail goals, such as security and discipline, it may be regulated by the authorities. [See, e.g., *Brown v. McGinnis*, 10 N.Y. 2d 531, 180 N.E. 2d 791 (1962); *State v. Cabbage*, 210 A. 2d 555 (Del. 1965)] This is an extremely complex and delicate area of constitutional law for the reason that religious rights under our constitution are placed in a preferred position, [*Kunz v. State of New York*, 340 U.S. 290 (1951); *Murdock v. Pennsylvania*, 319 U.S. 105 (1943)] a position that the courts are very sensitive to protect. A sheriff who has a question concerning the drafting or application of jail rules or regulations on this topic should, without fail, consult with his county attorney for guidance.

In general, however, you should know that prisoners must be allowed to practice their religion in the jail or prison to the extent, as noted before, that such does not interfere with the security and discipline of the prison. Rules and regulations on the subject are possible but they must apply to all religions without distinction or discrimination. Only when particular practice rights of particular prisoners pose what the courts have termed a "clear and present danger" can such rights be curtailed. [*Cooper v. Pate* 378 U.S. 546 (1964), *revising per curiam*, 324 F. 2d 165 (7th Cir. 1963); 382 F. 2d 518 (7th Cir. 1967); *Howard v. Smyth*, 365 F. 2d 428 (4th Cir. 1966)] Thus the sheriff and the prison administrator must allow prisoners to counsel with their ministers or priests, must allow them to have worship services at the jail or prison, and to provide a facility for such services, must allow them to have prayer books, medals, etc., must allow them to subscribe to religious publications and must allow them to proselytize in the jail or prison — all subject to reasonable and non-discriminatory rules and regulations related to some legitimate goal or interest of the jail or prison such as security and discipline. It is strongly recommended that the sheriff have such rules and regulations available and that they be drafted with the guidance of the county attorney.

CONCLUSION

This completes our review of the evolving treatment of prisoners' constitutional rights in the various courts. If there is a discernible trend in this collection of cases, it is that the courts today are far less likely to accept,

without scrutiny, the old concept of the impregnability of jail and prison administrative discretion. They are much more prone to search behind even the most outlandish allegations of prisoners to determine whether or not some constitutional right of the prisoner is being deprived by the prison administration without a counterbalancing and overriding interest of discipline and rehabilitation for justification. Prisoners are certainly more aware of their constitutional rights today than they have been and perhaps this is not altogether a mixed blessing. As one commentator has put it, and perhaps correctly:

"Imprisonment will breed further contempt for the system unless he (the prisoner) understands that he is still human and as such, still has enforceable rights and can successfully overcome abuses of overzealous or overcautious prison officials." [Comment, 15 Buffalo L. Rev. 397, 419 (1965)]

VII. Receiving the Prisoner

The receiving process is one of the most important operations in the jail administration. Upon its proper execution depends:

1. The security of the institution.
2. The safety of the staff.
3. The safety of the prisoners.
4. The health of all persons in the jail.
5. The avoidance of unsanitary conditions.
6. The discipline and control of prisoners.
7. The prevention of law suits against the county.
8. The safeguarding of prisoners' property and Money.

Such detrimental effects of imprisonment as moral debasement, acquisition of negative attitudes toward society, and increased knowledge of criminal techniques may be minimized as the result of a well-organized, professionally-administered plan for receiving prisoners into the jail.

The size of the institution and its staff will necessitate variations in this operation. In larger institutions, a separate area is provided which is divided into specific manned stations for the various steps to be taken during the receiving process. In a small jail, the entire procedure may be handled by one officer. The lack of space and personnel does not in any way diminish the importance of performing each segment of the receiving process in a thorough, efficient, and professional manner.

STANDARDS

1. Proper Staff Attitudes. The initial impact of confinement should be mitigated by the attitude and helpfulness of the receiving room staff.
2. Logical Sequence. The receiving procedure should follow a logical sequence.
3. Proper Commitment. Steps should be taken to ascertain that the commitment is legally proper.
4. Contraband Prevention. The receiving operation should include steps to prevent the introduction of contraband into the jail.
5. Vital Statistics. Information concerning the prisoner's vital statistics should be obtained.
6. Receipts. Accurately detailed receipts should be issued to the prisoner for his money and property.
7. Identification. Procedures should be applied to obtain accurate identification of the prisoner.
8. Sanitation. Measures should be taken to prevent the spread of vermin and disease.
9. Physical Examination. Every newly received prisoner should be given a physical examination.
10. Observation and Orientation. The reception process should include a period of time for observation and orientation.
11. Segregation. Determinations should be made prior to the assignment to housing.
12. Records. Necessary records should be initiated.
13. Sentenced Prisoners. For prisoners who will serve their sentence in the jail, a more thorough diagnostic and classification procedure should be applied.

DISCUSSION OF STANDARDS

1. Proper Staff Attitudes.

The prisoner's first impression of the jail will affect his attitude toward the law enforcement officials with whom he will later come in contact. Also affected will be his behavior during confinement. The first offender arrives in a state of apprehension and confusion. The shock of imprisonment, and worry over its affect on his family and job, is a very traumatic experience. The manner in which he is treated at this critical time can have a decided and lasting effect and may influence the direction he will take toward a criminal career or avoiding

criminal activity subsequent to his release.

The well trained officer, during prisoner processing, will give clear and definite instructions, will be alert to possibilities of deception, and be firm and efficient at all times. His attitude should be one of understanding, free of vindictiveness, and free from the influence of his own emotional stresses. He should bear in mind that he is handling human beings who vary in trustworthiness and sensitivity. Good human relations can engender respect and avoid disciplinary situations.

Each prisoner should be treated with humane consideration. He should be asked if he wishes to make a telephone call and if he has any special problem that requires immediate attention. Whenever the situation warrants it, the officer should arrange for contacts with welfare or social service agencies. Such actions prevent costly problems, relieve the prisoner's immediate anxiety, and tend to enhance his morale.

Acts of defiance or disrespect by the prisoner should be immediately followed by official action appropriate to the offense. In this way, the prisoner will learn that while the authorities will treat him fairly and humanely, they will not tolerate misbehavior.

2. Logical Sequence.

The receiving procedure should follow a logical sequence:

- a. Verify credentials of the delivering officer.
- b. Carefully examine all accompanying papers.
- c. Observe the physical condition of the prisoner.
- d. Frisk the prisoner and remove all contraband.
- e. Stamp the date and time on the commitment form.
- f. Obtain the prisoner's pedigree.
- g. Receive and receipt for cash and property taken from the prisoner.
- h. Take fingerprints.
- i. Photograph the prisoner.
- j. Have the prisoner strip.
- k. Have the prisoner take a shower.
- l. Search the prisoner's clothing and body thoroughly.
- m. Have the prisoner medically examined as soon as practicable.

- n. Issue uniform, bedding, and book of rules.
- o. Segregate, if his classification requires it.
- p. Place sentenced prisoners in quarantine for a specified period of observation.
- q. Initiate necessary records.

Each of the steps in this procedure has gained general acceptance as standard practice, because of proved necessity, and in many cases, by sad experience as a result of negligence in their execution.

3. Proper Commitment.

Steps should be taken to ascertain that the commitment is legally proper.

a. Verify the identity and authority of the delivering person.

b. Thoroughly examine all papers accompanying the prisoner to ascertain that:

- (1) The correct person is being received.
- (2) The arrest is a lawful one and the person making the arrest has the authority to do so.
- (3) The prisoner is properly committed to your jail and not intended for commitment to some other institution. Juveniles and psychotics should not be confined in a county jail.
- (4) The papers are validated with the signature and seal of the court.
- (5) The committing official has the authority to make such a commitment.
- (6) Valid warrants or other "holds" included with the paper are noted and entered on appropriate records.
- (7) Other papers which should accompany the prisoner are present. Such papers may include the criminal record, an extra set of fingerprints, the pre-sentence investigation report, special instructions, and communications, etc.)

c. Obtain the rank, name, badge number, and organization of the delivering officer.

d. Sign a "receipt" for the prisoner and the list of documents received.

e. Note the time and date that the prisoner was received by stamping the commitment form with a time-date stamp.

4. **Contraband Prevention.** The receiving operation should include steps to prevent the introduction of contraband into the institution.

When the prisoner is accepted, conduct a cursory search and remove the items that are considered contraband in the jail. Frisks of female prisoners must be conducted by a matron, in private.

Establishing standard procedure for the examination of each prisoner upon his admission will prevent the introduction of guns, files, hack-saw blades, abrasive cords, narcotics, and other prohibited items. The receiving officer must be trained in the detection of contraband on prisoners. He should know what devices are used to smuggle it into the jail and the places in the body where contraband may be concealed. The experienced criminal is ingenious in hiding small items in places that are usually overlooked. Contraband has been discovered in the linings and seams of clothing, the soles of shoes, in cigarettes, pens, and tooth-powder, as well as in and on the body of prisoners in places where the searcher was reluctant to look or feel.

The receiving officer is strongly advised not to take the word of anyone that the prisoner has been searched and is "clean." It is far better that the officer conduct a search himself and thereby ascertain that such is the case.

To make sure that no contraband is brought into the institution, it is essential that a strip search take place. This is a more thorough search than the previous "frisk." Under the best of circumstances, it is a degrading experience; therefore, it should be conducted in privacy with consideration for the individual involved. Every item of clothing must be carefully inspected. Every orifice of his body must be looked into as each is a potential hiding place for contraband. The prisoner's mouth should be examined. He should be required to spread the cheeks of his buttocks so that the anus may be inspected. Special search procedures apply to female prisoners. These are to be accomplished only by a physician or female medical technician, in private. A matron or nurse must be present if a male physician performs the examination.

Particular attention should be paid to potential hiding places under the armpits, under the soles of the feet, in the hair, and under bandages or casts. Contraband has been found in all of these places.

5. Vital Statistics.

These include the prisoner's full name, aliases, address, age, height, weight, color of hair, color of eyes, race, place of birth, occupation, education, whether or not he has ever used drugs, and name of next-of-kin.

The same form should note any outstanding scars, marks, or characteristics which may be used in establishing identity, and a description of the clothing worn when entering the institution. At this time, the prisoner should be asked to sign a prepared statement authorizing the jail authorities to open and examine his mail. If the prisoner refuses to do so, the jail may either retain all incoming mail, unopened, to be given the prisoner at the time he is released from the institution, or it may be returned to the sender. The alternatives should be fully explained to the prisoner at the time he is requested to sign the authorization statement.

6. Receipts.

Direct the prisoner to empty his pockets and to place all of their contents on a table for examination by the officer in the prisoner's presence. For any money so uncovered, issue a numbered receipt, signed by the officer, from a money receipt book. The inmate is given the original copy of the receipt; the duplicate remains in the book as a record. The same procedure applies to property. This includes any item that might be used as, or converted into, a weapon, all medications, and anything which is either unlawful or is contrary to the policy of the institution.

In checking property, an accurate description should be made of each item, so that the jail will not be vulnerable to false claims. For example, a prisoner may have what appears to be a 24 karat gold ring with a diamond in it. It may, in fact, be only a cheap, lightly-plated, pot-metal ring set with glass. It should be described, therefore, as a yellow metal with a translucent or clear stone. Similarly a watch should not be described as a gold watch, rather as a yellow metal watch.

Some jails prefer to let the inmate keep the clothing that he wore when he entered the jail, providing that it is uncontaminated and fit to wear. Others prefer to issue a uniform. Except under very unusual circumstances such as a heavy daily turnover of prisoners, uniforms should be issued to all prisoners.

Record all items of the inmate's property. The larger items should be labeled and systematically stored in a secure place. Smaller items should be placed into an envelope.

A prisoner may be in unlawful possession of property. If, for example, he is found to have unprescribed narcotics on his person, the matter must be reported to the prosecuting attorney of the county.

7. Identification.

Generally, three sets of fingerprints are taken of each prisoner. One set is forwarded to the Federal

Bureau of Investigation; one goes to the State Department of Criminal Identification; and, the third is retained in the jail.

When a full set of fingerprints is retained in some other administrative office, the receiving officer should take a complete or partial set of prints to use as identification when the prisoner is received, transferred, or released from the jail. A print of the left index finger, for example, taken when the prisoner is received and retaken for comparison when being processed for release or transfer, is frequently used as a means of identification. A "slap print" of either the right or left hand may serve the same purpose.

Every jail should have at least one photograph of each inmate. It is recommended that four copies be on hand for general identification within the jail. These photographs will prove useful on the prisoner's record card, in his general file, on the floor card in the housing area, on the prisoner's identification card, and on the check-out board for prisoners assigned to work release or other activities outside of the jail grounds.

8. Sanitation.

Under the supervision of the receiving officer, the prisoner is required to take a shower to assure his personal cleanliness. Certain prisoners may be in need of delousing before the receiving procedure advances further.

9. Physical Examination.

The prisoner is given a physical examination to determine if there are any obvious bruises or other signs of injury on his person. If any are present, a detailed written record should be made of them. In addition, they should be photographed, preferably in color, as they may be important in a criminal investigation. Furthermore, the record is a means of protecting the Jail Administrator from unfounded accusations of brutality in the institution. Prisoners are likely to blame the jail for injuries which were sustained prior to their incarceration. Such accusations are often followed by a law suit for damages against the county and the sheriff. It must also be determined if the prisoner is in need of immediate medical attention. The trained officer will always be watchful for unusual symptoms of behavior, such as those caused by mental disease, delirium tremens, or a head injury.

The unpleasant consequences of prisoner neglect may best be avoided by a diligent examination and search for any symptoms of injury, disease, or abnormality.

The officer should speak to the prisoner to see if

anything is troubling him. In the responses, he may observe signs of mental disturbance or acute anxiety. He may learn if the prisoner is a diabetic, epileptic, or is suffering from some other disorder that requires individual attention.

When a prisoner is suspected of having an illness requiring medical attention, the jail authorities should see that he receives it. If a physician or medical attendant is not present in the jail, the services of one from the community should be obtained.

Pending a medical disposition, the prisoner should be isolated in a holding area where he can be closely observed.

The examination reduces the possibility of spreading a contagious disease which, if undetected, could spread throughout the entire institution. It also may reveal indications of narcotic addiction.

All observations are noted on a medical record form. Additional entries are made whenever the prisoner is given medical attention while in custody.

10. Observation.

During the quarantine period each prisoner should be provided with a set of rules which explains what is expected of him while he is in jail, as well as the rights and the privileges he may earn through good conduct. It is essential that the prisoner understands the rules; therefore, instruction should be provided. The prisoner's general behavior should be noted during this period.

11. Segregation.

In addition to the separation of material witnesses, female prisoners, etc., other types of prisoners are also separated from the general population. The interview, observation, or record may disclose, for example, that the prisoner is intoxicated, mentally ill, a homosexual, a suicide risk, a diabetic, an epileptic, or potential troublemaker. Each of these types require special observation and segregation.

In the event that co-defendants are received, it is desirable to separate them from each other. This may best serve the interest of justice, fights may be avoided, and control may be better maintained.

At times it is necessary to segregate a prisoner for the purpose of protection, as other inmates may have reason, real or fancied, to feel vindictive toward him, thereby placing him in jeopardy of being assaulted.

12. Records.

Records to be started either individually or in combination are:

a. The locator card which enables the control center to determine exactly which cell or dormitory houses the prisoner and which bed he occupies.

b. The medical record on which is recorded any symptoms and medical attention provided to the prisoner.

c. The institutional history card which contains the prisoner's vital statistics, every court appearance, each time he leaves or enters the jail, his signature, fingerprint(s), photograph, and other pertinent information concerning his stay in the jail.

d. The property envelope, with printed form, containing personal effects received from the prisoner at the time he entered the institution.

e. An account record wherein is entered each receipt and expenditure of the prisoner's money, and listing of a current balance. As with any accounting record, each transaction should be posted accurately and immediately.

f. A visitor's card which will list the persons authorized to visit the prisoner together with notations of every visit made.

g. A correspondence card on which are recorded the names and addresses of all persons with whom the prisoner is authorized to correspond.

After evaluation of these records, and others in use in the jail, the Jail Administrator should decide which records should be consolidated or used individually. Each jail administrator must decide what is the best method for his particular institution. In many of the larger jails, each of these records is maintained separately. In others, several records are combined into one record form. For example, in one institution the property and money information is recorded on one form which also contains space for the recording of receipts and disbursement of funds. The sheriff's authorization to open the prisoner's mail is also included on this form. In another institution, the back of the money and property receipt form contains the rules and regulations.

13. Sentenced Prisoners.

For prisoners who have been sentenced to serve their time in the jail, the receiving process should be extended to include:

- a. A quarantine period for observation and interviews.
- b. A determination of the prisoner's physical health, social, psychological and emotional factors, and special abilities.
- c. A classification, based on the above determinations, to arrive at a suitable work assignment, housing assignment, and program activities.

BIBLIOGRAPHY

MANUAL OF RULES AND PROCEDURES
New York City Department of Correction
1966

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Shoreham Building, Washington, D. C.
1966

CONTEMPORARY CORRECTION
By Paul Tappan
Publisher: McGraw-Hill Book Co., New York
1951

VIII. Discharging the Prisoner

There is always a possibility of releasing the wrong person or releasing the right person prior to the correct release date, unless a procedure provides for safeguards to avoid such errors.

In addition to carrying out the jail procedure for releasing the prisoner, there is a responsibility to arrange for assistance in the readjustment of the released inmate to the community also for notification of the police in the event the released prisoner is considered to be a menace to the community.

Prisoners are released under the following conditions:

1. Payment of fine, posting of bond, bail or release on own recognizance.
2. Permanent Release.
 - a. Maximum term expired.
 - b. Granting of clemency commutes the sentence.
 - c. Maximum term less good conduct time, industrial time, and jail time.
3. Probation.
4. Parole.

STANDARDS

1. Responsibility. The responsibility for releasing prisoners should be delegated to a supervisory officer.
2. Court Orders. All court orders directing the release of a prisoner should first be verified.

3. Proper Identification. No inmate should be released or transferred until he is positively identified.
4. Processing. No inmate should be released until he goes through the prescribed steps for the type of release.
5. Dates and Times. Days and time of day in which prisoners may be released should be established to meet different situations.
6. Warrants. Prisoners with active warrants or other holds should not be released to the community; but should be surrendered to the proper authority.
7. Readjustment. The jail should take steps to aid in the released prisoner's readjustment to the community.
8. Release of a Dangerous Person. The jail should notify the police of the community to which a released prisoner, who is considered dangerous to society, is expected to go.
9. Deceased Prisoners. A procedure for processing deceased prisoners from the records, should be established.

DISCUSSION OF STANDARDS

1. Responsibility.

Every officer should be trained in the procedure for processing releases on payment of bail, fines, and bonds. However, one employee, preferably a superior officer, should be in charge of processing all types of cases for release. Although most releases take place during business hours, some occur at any time of the day. A release on payment of bail, for example, cannot be delayed and must be processed immediately by an officer on duty.

2. Court Orders.

Court orders vary in their means of establishing authenticity. While, theoretically, they should be signed by the judge and stamped with the seal of the court, such is not always the case. The sheriff should ascertain that the court directive to release a prisoner contains the following items:

- a. The signature of the judge.
- b. The seal of the court.
- c. The date the order is issued and the date it goes into effect.
- d. The docket number of the case.
- e. The criminal charge.

- f. The name of the prisoner.
- g. The conditions, for example; payment of a fine and posting of a bail or bond.

3. Proper Identification.

Many prisoners look alike or have the same name. The more items used for verification, the less is the chance of releasing the wrong prisoner.

- a. Check with the description on the record.
- b. Check the vital statistics.
- c. Compare with the photograph taken when he entered the jail.
- d. Compare new fingerprints with those on the record.
- e. Compare his signatures with that on the record.
- f. Question the prisoner on such matters as next-of-kin, address and date arrested.
- g. If computer communication is available, get more detailed information for checking out the prisoner.

4. Processing.

Some releases require special processing. All have some procedural steps in common.

- a. Inspect the prisoner's cell.
- b. Search the prisoner.
- c. Identify the prisoner.
- d. Check the records for warrants or additional charges.
- e. Verify release date.
- f. Observe the conditions, e.g., payment of fine, etc.
- g. Return the prisoner's clothing or give him other clothing if his own were destroyed.
- h. Return the prisoner's money and property.
- i. Obtain receipt for the money and property.
- j. Refer the prisoner to appropriate community agencies, e.g., Alcoholics Anonymous, a mental health clinic, etc.

- k. Notify the police when appropriate.

Discharging on payment of bail, fine or bond. If the payment is made to the court and the prisoner is to be released on the basis of the court receipt, compare the information on the receipt form with institution records and the original commitment form as to — name, date of commitment, docket number, criminal charge, court of jurisdiction, presiding judge, and the amount of money. If payment is made in the jail —

- a. Determine the amount to be paid for each charge.
- b. See that there are no further charges, warrants, or other holds which have not been vacated.
- c. Ascertain that the correct prisoner is released.
- d. Enter on the back of the commitment:
 - (1) the time and date the payment was made.
 - (2) the name and address of the person who made the payment.
 - (3) the amount collected.
 - (4) the signature and title of the person who received the money.

Discharge on the expiration of sentence. On the basis of the sentence which is specified on the commitment form, the expiration date should be determined well in advance. If applicable, the time spent in confinement prior to conviction and time off for good behavior should enter into the computation of the date of release.

All releases or transfers from the jail should be entered in the record which should include:

- a. The name and number of the prisoner.
- b. The time and date of the release or transfer.
- c. The reason for the release or transfer.
- d. The name, rank and organization of the receiving officer, if the prisoner is taken into custody on the authority of a warrant.
- e. The name of the hospital and official receiving the prisoner, and the time and date of the transfer if the prisoner is transferred to a hospital at the termination of his sentence.
- f. The signature of the officer who released the prisoner.

5. Dates and Times.

The law applying to each jurisdiction should be consulted. The following are suggested procedures.

a. If the sentence is for one day, discharge the prisoner at 4:00 p.m. the same day.

b. If the prisoner is in court and sentenced to one day, discharge him at the time the court adjourns.

c. If the release date falls on a Saturday or Sunday, discharge the prisoner on the preceding Friday.

d. If the release date falls on a holiday, discharge the prisoner on the preceding day.

e. If the release date falls on a Monday that is a holiday, discharge the prisoner on the preceding Friday.

f. After bail, fine, or bond has been posted, the prisoner should be released without delay. Usually an anxious family is waiting. Disciplinary and legal problems may result from delaying the release of an inmate after the payment has been made.

6. Warrants.

When a prisoner is to be surrendered to a different jurisdiction on authority of a warrant, the receiving authorities should be notified well in advance of the date on which the prisoner's current sentence will terminate. Such advance notification will allow sufficient time to arrange for taking the prisoner into custody on the last day of his sentence and for out-of-state authorities to make arrangements for an extradition hearing.

When a warrant is lodged against a prisoner, it is important to take precautionary measures to avoid his release to the community because the court or a jail employee was not aware of the existence of the "hold." Immediately upon receipt of a warrant, conspicuous notations should be made on the records. Whenever the prisoner appears in court for a hearing, the officer accompanying him should be advised that there is a "hold" against the prisoner so that he, in turn, can inform the court if necessary.

All available and pertinent information about a prisoner should be given to the officer who will take him into custody for another jurisdiction.

7. Readjustment.

The success of a prisoner's resocialization may, to a large degree, be dependent upon the participation by the jail staff in helping him readjust to the community.

Jail authorities can help by:

a. Making immediate payment to prisoner of his accumulated funds.

b. Providing a gratuity to those without funds, if monies are available for this purpose.

c. Referring the prisoner to aid organizations for assistance.

d. Referring the prisoner to medical and mental clinics when such treatment appears necessary.

e. Attempting to have a job in his community waiting for him.

f. Supplying the prisoner with clothing appropriate for the weather.

8. Release of a Dangerous Person.

Despite the fact that a prisoner is expected to resort to committing crimes soon after his release from the jail, he must be discharged at the termination of his sentence. In the interest of public safety, the police of the community to which he will go should be notified in advance.

9. Deceased Prisoners.

In the event of a prisoner's death in the jail, the steps to be taken are as follows:

a. Summon a doctor immediately.

b. Summon a chaplain of his faith.

c. Notify the next of kin.

d. Notify the medical examiner.

e. Notify the prosecuting attorney.

f. Notify the court having jurisdiction of the case.

g. Interrogate all prisoners who were near the prisoner at the time of his death.

h. Determine the circumstances of his death.

i. Prepare a report for the records.

j. Take fingerprints of the deceased for comparison with those on file.

k. Ascertain the identity of the deceased from his photograph and other records.

1. Enter in the discharge records:

(1) the name of the deceased.

(2) the time and date of death.

(3) a statement indicating that the prisoner died in the jail.

(4) the signature, rank, and shield number of the officer making the entry.

m. Notify the Federal Bureau of Investigation and the state criminal identification unit.

n. Dispose of the property by delivering it to the appropriate public administrator.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Shoreham Building, Washington, D. C. 20005
1966

RULES AND PROCEDURES
New York City Department of Correction
100 Centre Street, New York, N.Y. 10013
1966

JAIL ADMINISTRATION
By Myrl Alexander
Publisher: Charles C Thomas, Springfield, Illinois
1957

CRIMINOLOGY AND PENOLOGY
By Korn and McCorkle
Publisher: Holt, Rinehart and Winston
1964

IX. Prisoner's Clothing and Property

The jail administrator has an obligation to receipt for, to properly store and to safeguard the property he holds for prisoners. Since experience has shown that the manner in which this is accomplished can be important in avoiding or creating problems, it would be to the Administrator's advantage to establish a system with safeguards in the form of specific written instructions, inspections, and detailed records.

The management of prisoners' clothing has a direct bearing on security in that some items can be used for the purchase of favors from other prisoners or as bribes to employees. Contraband has been concealed in clothing that prisoners were permitted to retain in their cells.

The subject of prisoners' clothing is considered from the viewpoint of:

1. Clothing which prisoners wore when received in the jail.
2. Uniforms issued to trial prisoners.
3. Uniforms issued to sentenced prisoners.

Besides money, a prisoner's property may include books, jewelry, musical instruments, tools, and fountain pens.

STANDARDS

1. Receipt for Property and Money. Receipts should be issued for all property taken from a prisoner.
2. Unacceptable Clothing. Prisoners' property that is considered unfit for further use should be destroyed.

3. Excess Property. The prisoner should be required to arrange for safekeeping of property which is considered excessive and unacceptable by the jail authorities.
4. Handling Prisoners' Property. Prisoners' property should be handled only by trustworthy jail employees.
5. Jail Uniforms. Prisoners should be issued uniforms to wear within the jail.
6. Storage System. A sanitary, orderly, and secure system of storage should be provided for clothing and other property.
7. Transfer or Sale. Transfers or sale of prisoners' property should not be permitted.
8. Prisoners' Money Accounts. The prisoner fund accounts should be kept current at all times.

DISCUSSION OF STANDARDS

1. Receipt for Property and Money.
 - a. Issue in triplicate:
 - (1) Give the first copy to the prisoner.
 - (2) Store the second copy with the property. (The money receipt should be sent to the accounts clerk).
 - (3) Retain the third copy in book or with the prisoner's record form.
 - b. Describe and accurately detail all property held.
 - c. Avoid possibility of false claims for valuables which are not listed. Irregularities in the system can be discovered immediately whenever items held do not agree with the receipt.
2. Unacceptable Clothing.
 - a. Clothing that is vermin infected, torn, or not worth saving should be destroyed, keeping in mind the following:
 - (1) Note the items to be destroyed and make appropriate entries on the record.
 - (2) Mark the clothing record: "Unfit-Destroyed (date) ."
 - (3) The prisoner may need replacement clothing items when he is discharged.
 - b. Any unlawful property may be confiscated.

3. Excess Property.

It may be advisable to dispose of excess property rather than storing it at the jail. When so doing, the following points should be kept in mind:

a. When property is turned over to relatives or friends, a detailed receipt should be obtained for each item.

b. Property may be donated to charitable organizations.

(1) Authorization to dispose of excess property as outlined under a. and b. above should be obtained from the prisoner in writing. Signed permission form should be kept in property record.

c. Musical instruments may be retained under controlled conditions for use in concerts, shows, recreation periods, practice, etc.

d. Books, particularly law books, should be issued no more than two at a time.

e. Retention of prisoner's own fountain pen(s), tooth powder or paste, and some other toilet articles should be prohibited as a security risk.

4. Handling of Prisoners' Property.

a. No inmate should be assigned to this task. It gives the inmate an opportunity to swap items, to arrange for sales and/or bartering, to give improper receipts, and subject new prisoners, who arrived in expensive clothing to be "shaken down" by other prisoners.

b. The officer receiving packages for prisoners should search them before the donor leaves.

5. Jail Uniforms.

a. The issuance of uniforms to prisoners awaiting trial may be impractical in jails in which there is a large volume of prisoners received and discharged daily. The issuance of uniforms, however, should be a matter of standard procedure for all prisoners, whenever practicable.

b. Although some jails issue "scuffs" or Japanese sandals as a security measure, shoes may, at times, be retained by prisoners. This saves the jail the cost of shoes for issue and avoids problems of fitting prisoners with the correct sizes.

(1) Before allowing a prisoner to retain his own shoes, they should be carefully searched for contraband.

c. Advantages of uniforms for prisoners include:

- (1) Assures the clean appearance of prisoners.
- (2) Prevents introduction of contraband.
- (3) Prevents introduction of vermin.
- (4) Eliminates need for visitors to bring clothing items.
- (5) Identifies the person as a prisoner.
- (6) Deprives inmates of items for barter and purchase of favors.
- (7) Brings all inmates to the same social level.
- (8) Differentiates detention from sentenced cases through color of the uniform.
- (9) Permits clean civilian clothing to be ready for prisoners' court appearances.
- (10) Preserves the prisoner's personal clothing for wear when he is discharged.

d. Kinds of prisoner uniforms:

- (1) Denims.
- (2) Coveralls.
- (3) Tee shirts with white duck trousers.
- (4) Various combinations according to assignment.
- (5) Work uniforms should suit the assignment, e.g., outdoor or indoor work, clothing appropriate to weather, etc.
- (6) Footwear may be scuffs, sandals, or own shoes (if recommended by physician or dictated by practice.)
- (7) Degrading, e.g., striped, uniforms should not be issued.

e. Controls

- (1) Regulations pertaining to clothing (uniforms, etc.) should be in writing.
- (2) Each item of clothing should be identified with the jail by letters approximately two (2) inches in height stamped thereon.

(3) Purchase of clothing items in commissary should be prohibited with the exception of socks, underwear, and handkerchiefs.

(4) Clothing brought in by visitors should be prohibited for wear in the jail except when necessary for "dressing up" a prisoner for court appearances.

(5) Each inmate should be held responsible for turning in proper items of issued clothing prior to issuance of replacements.

(6) Uniforms should be inspected for fit, wearability, proper identification, and number of items issued.

(7) Three shirts and three pairs of trousers should be on hand, when available, for each inmate; one on his person, one being laundered, and one in storage.

6. Storage System.

a. A secure area, outside the housing unit area, should be provided for storage of prisoners' personal clothing.

b. All items should be thoroughly cleaned and disinfected before storage.

c. Items should be kept on hangers or neatly wrapped.

d. The identification system should conform with the receipt, admission number, or commitment number.

e. Clothing should be accessible for immediate use for court appearances and special occasions. Removal from storage should be effected in time to avoid delay.

f. An assortment of clothing should be stored for issuance to those prisoners whose own clothing has been destroyed.

7. Transfer or Sale.

Transfer or sale of prisoners' property should be strictly prohibited because:

a. It may be a pay-off for favors or a result of coercion.

b. It may be used as a bribe.

c. It may cause a dispute over ownership.

d. It makes additional administrative work for the jail.

e. It may be an attempt to avoid identification through original clothing.

8. Prisoners' Money Accounts.

The following points should be considered relative to money accounts of prisoners:

a. Refer to Chapter 7, Receiving the Prisoner.

b. Give prisoner receipt for all money taken from him during receiving process, for all money received through mails, from visitors, and otherwise received for credit to his account.

c. Do not permit transfer of funds from one prisoner's account to another prisoner's account. Transferred funds have been used for payment for drugs smuggled into a jail, and for other illicit purposes.

d. Prohibit the retention of money by prisoners.

e. Keep money accounts current. Credit receipts and debit expenditures every business day.

f. Require each prisoner to submit a signed request for payment from his account to attorney, family, etc. Make all payments by check.

g. Forward immediately any amount in the credit balance of a prisoner to the receiving institution when he is transferred.

h. Activate a money account form for each inmate.

i. Advise each prisoner weekly of the balance in his cash account.

j. Establish following procedure for receiving money from visitors:

(1) Maintain a special numbered receipt book in triplicate with original copy given to donor, the duplicate copy given to inmate, and the triplicate copy to be retained as a record.

(2) Establish auditing procedure for verifying that cash and checks received by the cashier conform to the receipt amounts.

k. Establish the following procedure for receiving monies by mail:

(1) Maintain a numbered receipt book in duplicate. The original copy, with letter and mailing envelope, should be given to the prisoner. The duplicate copy remains in the book as a record.

(2) Accept only money orders or certified checks. Do not accept ordinary checks.

(3) Censor the mail for mention of money enclosed. Claims have been made for money that the correspondent omitted from his letter.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Shoreham Building, Washington, D. C.
1966

RULES AND REGULATIONS
New York City Department of Correction
100 Centre Street, New York, New York

JAIL ADMINISTRATION
By Myrl Alexander
Publisher: Charles C Thomas
Springfield, Illinois

X. Management of Property

The Jail Administrator is charged with a heavy responsibility for the efficient management of the jail building and all of the property issued to and received by the jail administration.

The mismanagement of property has been the cause of serious trouble for jail employees. To prevent this from happening the Jail Administrator should institute accurate records and careful control governing the receipt, storage, inventory, issue, and maintenance of property for which he is responsible.

The efficient management of jail property will result in:

- a. Economy in its use.
- b. Ready accessibility when needed.
- c. Accurate inventories that agree with the records.
- d. Improved security within the jail.
- e. A neat and sanitary jail.
- f. The prevention of pilfering.
- g. The prevention of unauthorized use.
- h. The prevention of improper use.
- i. The prevention of the conversion of some items of property into dangerous weapons.
- j. The inaccessibility of some property for use by prisoners to effect an escape.

STANDARDS

1. Firearms. Strict controls should be instituted for the receipt, storage, inventory, issue, and maintenance of firearms.
2. Chemical Weapons. A secure and airtight area for storage of chemical weapons should be used.
3. Key Control. The key control system should allow for easy identification and issuance of keys as well as the availability of keys to be used in an emergency.
4. Tool Control. All tools should be safeguarded, marked for identification, and properly accounted for.
5. Control of Restraining Devices. Devices for restraint of prisoners should be available without delay and should be in good working order at all times for use in emergencies and for transfer of prisoners.
6. Dangerous Supplies. Special precautions should be exercised to prevent the dangerous misuse of regular supplies such as cleaning fluids, antifreeze, and yeast.

DISCUSSION OF STANDARDS

1. Firearms.

Firearms generally consist of those weapons which are county property and issued to the jail for official use, those which are held for storage as evidence, those which are confiscated, and those which are the personal property of employees and visiting officers who check them before entering the housing area of the jail.

Except for emergencies and under prescribed conditions, firearms should not be permitted within the housing areas of the jail. It is preferable to store firearms outside of the jail, where they may be easily obtained by the staff when needed. If guns are stored within the jail, they should be in a control center that is inaccessible to unauthorized persons.

Each firearm to be stored should be listed in the record by:

- a. type of weapon,
- b. caliber,
- c. manufacturer,
- d. serial number
- e. date received,
- f. number of items in stock.

The stored firearms that are not county property should have recorded on their tags, the name of the owners, if known, and other pertinent information such as the reason or circumstances for their presence in the institution. These weapons should be stored separately from those issued to the jail.

A safe gun-unloading area should be provided near the control center so that bullets may be removed, placed in a small sack, and given with the firearm to the officer in the control center for temporary storage.

The gun-unloading area should consist of a three-sided booth constructed of heavy gauge metal and containing a sand box approximately three feet from the ground.

A metal tag bearing the number of the compartment in which the side arm is stored serves as a receipt for the temporary storage.

Provisions should be made for at least daily inspection of the arsenal to determine:

- a. The presence of weapons or a proper receipt for missing weapons.
- b. The serviceability of each weapon.
- c. The state of maintenance of each weapon.
- d. The presence of sufficient ammunition for each weapon.
- e. The precautions used for the security of the weapons.

2. Chemical Weapons.

There are various devices used to project non-lethal chemicals in troublesome jail situations. These include:

- a. Guns, such as the 1-1/2 inch (37mm) caliber gun.
- b. Billies or batons, such as the 20 gauge blast and spray type.
- c. Miniature spray devices, such as the 5/8 inch diameter personal chemical weapon.
- d. Gas grenades.
- e. Gas sprays.
- f. Gas generators.
- g. Gas Masks.

All chemical weapons should be stored together in a secure place within the control center. The grenades, cartridges, and devices containing chemicals should be placed in an airtight cabinet in the same area.

Each item should be recorded, listing the following information:

- a. type of weapon.
- b. manufacturer.
- c. serial number, if any.
- d. date received.
- e. date to be reordered.
- f. date to be replaced.

It is important to keep an accurate record of every item containing chemicals such as grenades and cartridges. After a specified period of time they become unreliable for use in an emergency but may be used for training purposes.

Provisions should be made for periodic cleaning, inspection, and inventory of weapons.

3. Key Control.

A jail must have sets of keys in use for its housing and other units. It should also possess a duplicate set for each set in use. These are necessary for operational purposes, such as supervisor's inspection trips, and emergency purposes. Extra keys and key blanks should be stored securely and separately from the other keys. It is also good practice to keep the keys for outside areas separate from those for inside areas.

Unless the storage and issuance of keys is well organized, there will be mix-ups and delays which may seriously effect the security of the jail.

Every key in the jail must be accounted for in the key log by its trade name, serial number, location of its locks, and code number of its key ring.

Keys should be retained in a special key vault or in a secure cabinet located in the control center. The cabinet should have rows of hooks on a panel board with the horizontal rows number and the vertical rows lettered so that key ring number B4 would be on the second hook in the fourth row. The cabinet door should have a locator sheet which identifies each key by the door or gate it opens, its serial number and the key ring on which it is attached.

The senior officer in the control center should check

the key cabinet on assuming his tour of duty to see that all keys are present or accounted for with a receipt tag on the proper hook.

A metal tag bearing the name or assigned number of each employee may serve as a key receipt. When an employee receives keys from the control center, his key tag is placed on the hook from which the keys were removed. At the time an officer is relieved on his post, he gives his keys to the relieving officer in return for his key tag. He then exchanges that key tag for his own which he obtains from the control center. Another manner of effecting this transaction, is for the relieving officer to sign for the key ring, e.g., "Received B4 ring containing five keys." This receipt could be included on the count sheet.

Whenever a lock is relocated or changed, the information should be recorded in the key log and adjustments made in the locator system on the key panel.

Certain keys to be used only in unusual circumstances, such as, to open a medicine cabinet or the commissary store at night, should be retained in a sealed envelope in the control center. Whenever the envelope is opened a report should be made stating:

- a. the reason for its use.
- b. the date and time used.
- c. which employees were involved.

Keys should not be issued to prisoners nor made accessible to them as they can make a soap or wax impression of a key and manufacture a duplicate.

4. Tool Control.

It is essential to establish control over the receipt, issuance, storage, and use of tools. Failure to do so will reduce the effectiveness of the security features of the jail.

The more tools kept within the jail the more difficult it will be to keep control over them. Consequently, only a necessary amount should be placed in use and kept in reserve.

The jail storekeeper or business manager should be responsible for ordering tools, receipting for them, storing, and issuing tools to jail units. One employee in each unit should be specifically designated as the person responsible for tool control within that unit.

Every tool in the jail should be listed in an inventory which includes the following information:

- a. kind of tool, e.g., hammer, emory wheel.
- b. classification, e.g., extremely hazardous, hazardous, or non-hazardous.
- c. To whom issued, e.g., officer in charge of kitchen.
- d. identification marks, e.g., serial number or an indented code mark which indicates the shop to which the tool was issued.
- e. date issued.

The general principle in tool control is to use precautions to prevent a tool from being acquired by an unauthorized person.

Certain tools, such as knives used for food preparation, should be issued to a prisoner under the following conditions:

- a. The prisoner must be carefully selected for this job. An inmate who was arrested for felonious assault and whose classification summary states that he is emotionally unstable, obviously does not belong on a job in which he is issued, or has access to, tools that can be used as weapons.

A good classification procedure is an excellent means of tool control as it will provide a more objective manner for the selection of inmates to work on jobs in which dangerous tools are handled.

- b. The work to be done with the tool must be under supervision.

- c. The tools must be signed for by the prisoner, or the issuing officer must keep a record showing to whom the tool was issued and when it was returned.

- d. When the tools are not in use, they are locked in a secure cabinet.

An officer who is assuming the duties of a post in which tools are used, should check for the presence of each item.

Storage of tools must be carefully considered to suit the requirements of need, availability, and security.

The use of a shadow board is an excellent method for storage and inventory of certain tools which are adaptable for such a board. Other tools should be locked in drawers, cabinets, or tool boxes.

Large ladders should be secured behind locked doors. If a ladder is stored outdoors it should be chained to a

stable part of the building in such a manner that the ladder will still be unusable after part of it has been sawed off.

Tools such as hacksaw blades and cutting torches, if stored within the jail, should be retained and issued from the control center.

Surgical instruments and injection needles should be kept in a medical bag or special portable box, which is retained in the control center and issued only to a responsible employee prior to actual use. In those situations requiring the storage of such tools in a section of the jail, they should be kept in a locked cabinet which is under the observation of the officer on post.

Despite good control over tools which have been received for use by the jail, incidents have occurred in which tools and weapons were used that were manufactured by prisoners in a jail shop.

5. Control of Restraining Devices.

Handcuffs, restraining straps, lead chains, leg irons, and other devices used for restraint of prisoners should be controlled to prevent misuse or unauthorized use, and to assure their availability when needed.

They should be stored in the control center or the armory (if it is not within the control center).

A list of each item in stock should be on record with the storekeeper. An additional list should be in the control center. It should contain the types of restraints and the number of items of each type.

A receipt should be obtained from an officer who takes a restraint out of the jail building.

An inventory of the restraining devices should be taken at least once a day.

6. Dangerous Supplies.

Certain supplies which are necessary for jail services and maintenance are dangerous when used improperly. Such items as yeast, nutmet, mace, cooking ingredients with an alcoholic base, cleaning materials, paint thinners, and antifreeze solutions must be securely stored and carefully issued.

Incidents have occurred in which prisoners have poisoned themselves and others, by drinking and "swagging" paint thinners and antifreeze solutions. Serious situations have been caused by prisoners under the influence of homebrew or "high" on nutmeg or mace dissolved in water.

It is extremely difficult to eliminate from the jail, all items that can be converted into tools to be used in an escape, improvised weapons that can be used for assaults or suicide, and necessary chemicals that can be harmful; therefore, it behoves the Jail Administrator to ascertain that effective controls are practiced to reduce such conversions to a minimum.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Washington, D. C.
1966

JAIL ADMINISTRATION
Myrl Alexander
Charles C Thomas Publisher

RULES AND PROCEDURES
Department of Correction
City of New York
1966

XI.

Special Handling of Special Prisoners

Jails contain a variety of inmates who because of their physical and mental state, sex, age, and legal status, should be accorded special treatment in the areas of housing, program, work, and other jail activities. The classification, treatment, and segregation of such prisoners from the general population is based on recommended standards, good security practices, and humane considerations.

STANDARDS

1. Intoxicated Prisoners. The special precautions to be used in receiving and treating inmates who appear to be intoxicated should be prescribed and practiced.
2. Chronically Ill. The procedures to apply to chronically ill prisoners should be established by the jail administrator and should contain the jail physician's instructions.
3. Drug Addicts. A special program for the reception, treatment, and social rehabilitation of drug addicts should be developed by the jail staff and a committee from the community.
4. Mentally Ill. The jail procedures should include instructions for the segregation, observation, and treatment of inmates who are suspected to be, or have been declared, mentally ill.
5. Sex Deviates. Special instructions should be included in the jail rules concerning the segregation, observation, and treatment of sex deviates, and the prevention of homosexual activities.

DISCUSSION OF STANDARDS

1. Intoxicated Prisoners.

The "drunk" is the most common type of inmate in our jails. He is singled out from other prisoners because, to the officer, he is obviously intoxicated. He may be in a stupor and disheveled in appearance. He may have an alcoholic breath, lack muscular control and coordination, and his speech may be slurred. Yet, these symptoms may result from other causes such as a head injury or an illness. The receiving officer must use precautions to avoid the tragic consequences of treating a sick or injured man as a "drunk."

The intoxicated inmate requires very careful supervision which rightfully should be applied in a community facility other than the jail. He may have an accident, or attempt suicide. He may develop delirium tremens (D.T.'s) and, if given the opportunity, will drink almost anything including poisonous anti-freeze mixtures and paint ingredients.

The problems presented by the alcoholic prisoner include:

- a. Behavior situations. Many are noisy, hard to handle, and assaultive.
- b. Sanitation and Cleanliness. They may carry vermin and infections. Their clothing and body may be in need of delousing and a thorough cleansing.
- c. Immediate Medical Attention. They frequently have injuries and neglected diseases. The attention of the physician is also needed to rule out the possibility that the symptoms are caused by injury or illness rather than drunkenness.
- d. Special Diet. Those on an extended alcoholic binge neglect food for drink thereby causing vitamin deficiencies.
- e. Comprehensive treatment. For a "cure" in the jail and preparation for release, they require: medical services, social service, therapy, and vocational placement.
- f. Jail Administrative Procedures. They have to be put through the same procedures as the prisoners arrested for more serious crimes. This requires the initiation of jail forms, receipts, and records. They also occupy valuable space in crowded jails.
- g. Recidivism. Chronic alcoholics have longer arrest records than any other group.

When received in the jail, the alcoholic should be placed in a comfortable special housing area which does

not require walking up stairways, is free of protuberances, such as pipe valves, and has a padded floor. He should be assigned to a bed with a covered mattress on a low frame.

If he is assaultive and uncontrollable, the use of restraints may be necessary.

When the physician approves his release from the alcoholic ward, the prisoner should be reassigned on the basis of his other characteristics.

The alcoholic may have serious family problems and his job may be in jeopardy. He may have debts and responsibilities that require attention and he probably will need assistance in order to make an adjustment to his family and community after his release from the jail. The services of a social worker, from the jail staff or the community, should be obtained to assist him.

Alcoholics Anonymous is an organization that has been very effective with alcoholics while in the jail and after release. The organization is normally pleased to hold meetings for prisoners and to refer its members to a community chapter after their sentences have expired. Every prisoner should be given an opportunity to participate, as many offenses other than drunk and disorderly were committed while under the influence of alcohol.

The alcoholic, after he has "dried out" may be a skilled and reliable worker who should be put to work under supervision. He should not be given a work-release assignment because it may present temptations and cause an incident that could jeopardize the program.

2. Chronically Ill.

Information leading to the classification of the prisoner as chronically ill is obtained from various sources such as:

- a. the doctor's diagnosis,
- b. the prisoner's statement after verification,
- c. A medical identification tag or card,
- d. a previous jail medical record,
- e. the receiving officer's report.

The Epileptic. There are various forms of epilepsy. Some epileptics can function normally while under a physician's care; others need special care and observation because they may seriously harm themselves or others while undergoing a seizure.

The officer should be advised of an epileptic prisoner's condition so that he will take special precautions in

assigning him to a cell or to work. He should be housed with at least one other inmate and assigned to a low bed to minimize possible injuries from falls. Every officer should know the emergency treatment to apply during an epileptic seizure.

The Diabetic. Caution must be exercised to avoid mistaking a diabetic for an alcoholic. Such a mistake can be fatal to the diabetic. He requires medical care and a special diet to prevent his going into a coma. Because of these needs, he should be housed separately from the general population.

The Crippled and the Aged. Prisoners in this group generally require continued medical treatment. They should be housed in a special area so that movement through the jail is reduced to a minimum and they can be protected from other prisoners who may take advantage of their condition. Since they are not capable of working with jail work-parties, some activities should be arranged for them such as quiet games and arts and crafts.

The Injured. Prisoners who are injured should receive medical attention as soon as possible. What appears to be a minor injury may have serious consequences. A medical examination is essential for determination of the necessary treatment and to obtain a record of the injury, particularly if the prisoner was received in that condition, thereby absolving the jail of blame.

The receiving officer's record should include:

- a. the nature of the injury and its location on the body,
- b. the time noted,
- c. the time the doctor was summoned,
- d. the prisoner's statement as to how he was injured,
- e. the names of witnesses.

The officer on duty should watch for worsening of an injury, such as increased bleeding, so that treatment may be applied without delay.

3. Drug Addict.

There is a difference between types of drug abusers such as users of marijuana, occasional heroin users, and those who are addicted to narcotics. Not all users are addicted, but those who are have an overpowering desire to continue to take the drug, a tendency to increase the dosage, and a psychological and physiological dependence on the drug.

There is no treatment uniformly applied to drug addicts in the community as well as in the jail. Suffice it to say that all prisoners who admit to being drug addicts and those who are received under the influence of narcotics, or suffering from withdrawal symptoms, should be given a medical examination and treatment to alleviate suffering from nausea, pains, acute anxiety, and depression. Deaths, suicides and self-injury have occurred during withdrawal stages. Therefore, addicts during withdrawal should be housed separately and put under close observation until "cured" when they may be placed in the general population.

While in the jail, they will always require special precautions to prevent access to narcotics and other drugs through smuggling, barter, and theft.

The following precautions should be exercised:

- a. Assignment should not be made to a work-release program.
- b. Individual movement in the jail should be limited.
- c. All visits should be behind glass barriers.
- d. Physical contact with visitors and trustees should be prevented.
- e. More frequent frisks and searches should be made than for the general population of the jail.
- f. Mail and packages must be carefully inspected for drugs.

Besides medical treatment, the drug addict should receive mental health treatment such as psychotherapy and counseling. He should be permitted to participate in special programs such as the Narcotics Anonymous and should be referred to community narcotics treatment centers upon his release from the jail. Otherwise, he can engage in jail programs concerned with recreation, self-improvement, and work.

4. The Mentally Ill.

Prisoners who are diagnosed by a doctor as psychotic do not belong in a jail. When a received prisoner is suspected of being mentally ill, he should be examined by a psychiatrist as soon as possible. If psychotic, the prisoner should be transferred to a mental hospital with a report describing the symptoms.

There are inmates who are not psychotic, yet possess symptoms that, individually or in combination, classify them as mental observation cases. They may be excessively withdrawn, loud and agitated, overly suspicious, and excessively assaultive. They may hallucinate, commit

self-mutilations, and attempt suicide.

Special precautions to apply to mental observation prisoners include:

a. Remove items that may be used in an assault or suicide, e.g., belt, shoe laces, tie, glass, braided pieces of sheets and blankets.

b. Assign a specially trained officer to note the conduct and actions of the prisoner at least once every thirty minutes.

c. Supervise exercise periods very carefully.

d. Assign to a cell by himself in a separate area of the jail. However, potential suicides should be housed with at least one other prisoner.

e. Have the psychiatrist or physician examine the prisoner frequently and keep a record of the diagnoses and reports.

f. Avoid releasing the medical and mental health information to the public, especially that pertaining to trial prisoners.

5. Sex Deviates.

In this category are overt homosexuals whose sex preferences, practices, and mannerisms are identified with those of the opposite sex. Also included are prisoners who from all appearances are "normal" but who prefer sexual relations with members of their own sex, and others who aggressively seek homosexual experiences although they would prefer to have them with members of the opposite sex. These descriptions admittedly are superficial, but are supplied as a basis for identifying those to be segregated and those to be given closer supervision.

Homosexuals require constant supervision; otherwise they will:

a. commit unlawful and immoral acts of sexual perversion,

b. seduce tractable young prisoners,

c. commit sexual assaults,

d. cause fights for sex partners,

e. cause public scandals when their activities are exposed.

Treatment of homosexuals requires the following:

a. Assign each to an individual cell.

- b. Provide separate recreation for their group.
- c. Prohibit their possession of articles of female clothing and cosmetics.
- d. Assign to work activities other than work-release.
 - (1) with a homosexual group.
 - (2) under close supervision with other prisoners.
 - (3) on individual projects.
 - (4) not in the status of a trusty.
- e. Provide mental health treatment.

In any jail, prisoners will be present who fit into one or more of these special groups. Special needs must be recognized and special care provided. When all prisoners receive the same treatment, regardless of their mental and physical problems, serious consequences can be expected.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS

The American Correctional Association
 Shoreham Building, Washington, D. C.
 1966

THE CONTROL AND TREATMENT OF NARCOTICS USE

By Daniel Glaser and Vincent O'Leary
 Publisher: U.S. Department of Health, Education and
 Welfare.

THE ALCOHOLIC OFFENDER

By Daniel Glaser and Vincent O'Leary
 Publisher: U.S. Department of Health, Education and
 Welfare.

HOW TO RECOGNIZE AND HANDLE ABNORMAL PEOPLE

By Robert A. Mathews, M.D. and Lloyd W. Rowland, Ph.D.
 Publisher: The National Association for Mental Health
 10 Columbus Circle, New York, New York 10019
 1966

XII. Disciplinary Procedures

Webster's dictionary defines discipline, in part, as follows: "Discipline is training, education, instruction; a guidance and government of conduct or practice;...punishment inflicted for the purpose of correction or training." For purposes of jail management, a more suitable definition might be: "Discipline is the product of successful training to produce order and control. It is the essential element in the formation of the type of behavior that is acceptable in the jail as well as in the community."

There are many objectives for a system of discipline within an institution. Its most important immediate aim is to assure the proper functioning of the jail so that all prisoners will be under control, in proper custody, and security be maintained by the avoidance of escapes, riots, and assaults. It will prevent the crimes prisoners commit when they are not properly supervised. The "every day" operations within a prison, such as delivering prisoners to court, serving of meals, and supplying clothing and bedding, cannot be accomplished unless good discipline prevails. It is particularly important in carrying out mass activities such as recreation, visiting, religious services, and moving an inmate group to and from various parts of the jail for programmed activities.

STANDARDS

1. Communication. As a means of maintaining good discipline, there should be dependable systems of communication among the prisoner, the staff, and the jail administrator.
2. Morale. The environmental condition of the jail should be conducive to a good state of morale; hence to good discipline.

3. Total Effort. Discipline should be the result of the total staff and program effort.

4. Constructive Handling of Violations. Staff training should include constructive methods of preventing and dealing with inmate infractions of the rules.

5. Disciplinary Hearings. A system of positive discipline for treating unacceptable conduct should be prescribed.

6. Limitations on Punishment. Punishments imposed as a result of disciplinary action, must be in accordance with the law, should be reasonable, appropriate to the violation, and based on individual considerations.

7. Records. Any disciplinary action should be a matter of record.

DISCUSSION OF STANDARDS

1. Communication.

An important cause of discontent, mass demonstrations, and riots in our jails, has been the lack of communication between the prisoners and the administrators. There are many things that can go wrong within the jail which do not come to the attention of the authorities in time to prevent serious consequences. By listening, evaluating, and taking the proper action, misunderstandings can be corrected thereby preventing an assault, suicide, or riot.

A change in rules, procedures, and/or the programs should be preceded by an announcement and explanation. Such communication prepares the way for untroubled acceptance and compliance. It also avoids the undesirable results of misinterpretation and distortion caused by "grapevine" conjecture.

Reasonable rules and regulations, which are not difficult to understand or obey, should be published in a handbook which should be given to each newly-arrived prisoner. At the very least, the rules should be conspicuously posted so that every prisoner can see them. To obtain obedience, it is important that every prisoner understand what is expected of him. Therefore, orientation sessions should be conducted and special instructions arranged for the illiterate prisoners.

2. Morale.

The climate of the jail is to a considerable extent influenced by the person who is the prime policy maker, such as the sheriff or the jail administrator. Their attitudes are reflected all the way down the chain of command. If they openly or tacitly encourage derogation

of the treatment program, the program will be weakened to the point of ineffectiveness. Closing their eyes to mistreatment of prisoners will encourage brutality and abuse. Quite the opposite will follow when the administrator loyally and sincerely implements the federal, state, and county policies concerned with the security and treatment of prisoners.

Ready and willing compliance with the rules is a good gauge of morale as well as of discipline. This can be truly volitional only as a result of the prisoner's appreciation of the desirability of abiding by them. Obedience may be motivated by fear of punishment or, ideally, through the development of self-discipline and insight into social reasons for rules within the jail, as well as for laws in the community.

Inmates do not like jails that are too permissive and operated in a lax manner. They realize that their own protection and the opportunity to participate in the constructive programs available for their betterment, would be jeopardized in such an environment.

Most inmates prefer an institution that operates with a sense of good discipline. A jail in which recalcitrant inmates are handled in a manner that causes them to refrain from harming others, as well as themselves, is preferable to one that is too permissive and is dominated by prisoners.

When an inmate receives punishment as a result of a deviation from the rules and he considers such punishment proper and deserved, he will not resent it. On the other hand, when the punishment is excessive, unwarranted, and unjustified, resentment builds up and is retained, thereby contributing towards lasting criminal attitudes.

Good morale and good discipline are obtained when the inmates know that they are being treated fairly; that the jail authorities are looking out for their welfare and trying to improve them, rather than abuse them. When their rights are protected, and privileges are granted as long as they are respected and not taken advantage of, good discipline results. Just as dissatisfaction, bitterness, and rebellion can spread throughout an institution under poor management, so can good morale and discipline prevail under a sensible and fair administration in which the prisoners have confidence.

3. Total Effort.

The largest group of any prison population consists of young men. Not only are they fraught with anxieties regarding their situation, but they are frustrated by the lack of normal outlets for their desires and pent-up energies. The institution should provide approved activities as a vent for such tensions. It pays

dividends in fewer assaults and better discipline. It creates a climate in which constructive activities can operate and in which trouble is less likely to occur.

When the jail has a good system of operations in effect, and there is a prescribed schedule of activities and movement, confusion and disruption are avoided. Disciplinary problems have been created in jails because of vague procedures that caused interference with the feeding, visiting, recreation, and other treatment programs.

Physical activity in a recreation program is an excellent outlet. Group discussion sessions are helpful because they allow the inmate to talk out his hostilities rather than act them out.

A frequent cause of assaults has been the use of abusive language and unnecessary use of hands in giving orders to prisoners. A good officer achieves the response he seeks by directing his prisoners firmly but in a normal tone of voice. He uses his hands on prisoners only when it is necessary to use authorized force. His knowledge of the jail program, and participation in it, also aids in maintaining good discipline.

4. Constructive Handling of Violations.

A well trained staff is essential to the maintenance of good discipline within the jail. A trained officer prevents situations that result in infractions of the rules, rather than creates them. If the officer knows the operations of his post and the prisoners assigned to his area of responsibility, he can anticipate the circumstances that need special attention and thereby prevent trouble.

The well-trained officer performs his duties with self confidence, self control, and self discipline. These gain for him the respect of his prisoners and make discipline and control easier to obtain.

Training should include methods of dealing with inmate misconduct, writing of infraction reports, and an understanding of the entire disciplinary procedure.

5. Disciplinary Hearings.

Prisoners are generally poorly disciplined in the beginning. They have come into conflict with the law, and many of them have records of continuing delinquency. Therefore, they should be kept under stricter controls than would be necessary for a group of average citizens. Furthermore, there are members of the prison population who seek to gain status within the jail by continuous activity in defiance of the authorities. Others are extremely irritable because of their present situation.

and real or imaginary grievances. A considerable portion is mentally disurbed.

With potential troublemakers in the jail, it is to be expected that infractions of the rules will occur that will necessitate administrative action. The administrator, should establish policies for the handling of disciplinary cases and provide procedures for their processing.

Minor infractions are defined as those deviations from the rules and regulations that do not affect the security of the jail or safety of other prisoners or staff. They may also include violations which were provoked by other inmates and those which are not covered by specific rules and regulations.

Minor violations of the rules and regulations occur frequently, and unless repetitive and intentional, should be handled with understanding. Unintentional violations should be brought to the attention of the inmate. The meaning and consequences of the violation should be explained and the prisoner instructed in how to avoid repeating it.

If the inmate intentionally commits a minor deviation from the rules, he should be summarily disciplined with a reprimand or light extra duty. At the same time, it should be explained to him why he is receiving this punishment and what should be done to avoid it in the future.

Not every infraction should be handled the same way. Consideration must be given to the personalities of the individuals involved and to the causative factors. Some helpful hints in dealing with minor violations follow:

a. Warn the inmate when the warning appears to be in order but do not threaten. Idle threats lead to disrespect and weaken the influence of the officer over the prisoner.

b. When a reprimand is necessary, it should be given in private and not in the presence of other inmates. This may cause the accused prisoner to save face by opposing the officer, sometimes physically. It may lead to arguments and result in a more serious infraction.

c. Get the inmate to understand that he has brought the punishment on himself.

d. Consider his personality and mental condition, when correcting him.

e. Point out some good things about him and his capabilities while reprimanding him or correcting him.

f. Do not nag, but instruct and correct.

g. Be sure that the action that you take is appropriate, and that the prisoner is not getting an undeserved punishment.

h. Do not make it a personal matter, but be objective in your approach.

i. Give the inmate a chance to explain the situation, but do not tolerate an argument.

Infractions of a serious nature must be dealt with in a prescribed manner, with due precautions to prevent the staff from causing trouble for itself by unnecessary use of force.

Some serious violations of the rules should be dealt with by referring them to the Prosecuting Attorney for prosecution. Such crimes as: murder, felonious assault, forceful sodomy, narcotics, escape and attempted escape, are in this category.

Offenses which are not serious enough to warrant prosecution, but are a threat to the institution's security and to the personnel therein should be dealt with by formal disciplinary procedures. These start with the officer submitting his report on a prescribed form which includes the name of the inmate and other identifying information, the offense charged, a brief description of the circumstances, the names of the complainants and witnesses, and the signature of the officer making the report.

The processing of such reports should follow a set procedure.

a. The report is examined by the reporting officer's immediate supervisor.

b. The supervisor interviews the inmate and investigates the circumstances. He may either dismiss the complaint, take some minor punitive action, or refer the matter for further disciplinary process.

c. Each jail should have either a disciplinary officer who is a superior officer, or a disciplinary committee consisting of a deputy administrator, psychologist, and another staff member. Infractions which are committed by inmates who are awaiting trial or sentence are usually tried by the disciplinary officer. If he finds the prisoner guilty as charged, he may recommend punishment for the approval of the head of the institution.

Those prisoners who are accused of a serious infraction and are serving a sentence should appear, as soon as practicable, before a disciplinary committee for adjudication.

During the course of the hearing, the disciplinary

officer or committee should also determine whether there are weaknesses in the administration of the jail that are conducive to violations of the rules and make the adjustments when necessary.

d. Punishments must be within the limitations of the penal code and the policies of the office of the sheriff.

6. Limitations on Punishment.

Discipline is based on a system of rewards and punishments. When an inmate's standards of work and conduct are not acceptable, steps must be taken to correct him. He should be advised, counselled, and instructed. If these remedial steps are ineffective, then punitive measures must be taken in order to impress the prisoner with the error of his ways and to uphold the standards of the jail, since the other prisoners will be observing the situation and will react accordingly. On the other hand, a good attitude, good work record, efforts towards self-improvement, and commendable achievements should be recognized and encouraged.

Punishment must be in conformance with the law. Cruel and unusual punishment must be avoided because it is illegal and sometimes exceeds its goals by resulting in permanent injury, psychosis, or even death. Excessive and unfair punishment is strongly resented by the jail population who identify with the punished prisoner and may act out its resentment in a mass disturbance.

Questionable punitive action may provoke investigation by governmental agencies, such as the Federal Bureau of Investigation, the Grand Jury, the prosecuting attorney, or by civic groups. The process of the inquiry and accompanying publicity may cause the prosecution of members of the staff and serious embarrassment to the administration.

Physical Injury Must Never Be Used For Punishment.

There are authorized and legal justifications for the use of force, which vary in different jurisdictions. Force is generally approved under the following conditions:

- a. When absolutely necessary in self-defense or to prevent an assault.
- b. To prevent escapes.
- c. To prevent serious injury to property.

When other means have failed and necessary force is used, only that amount which is required to achieve the purpose can be justified. In all cases, it should be followed by a complete report from the personnel involved.

A physical examination by a doctor is essential in order to administer necessary treatment and to make a record of injuries, or lack of injuries, as the case may be.

With adequate disciplinary procedures, there should be no need for corporal punishment to be inflicted by officers. In the long run, the officer harms himself more than he hurts his prisoner by the injudicious use of force. When an investigation reveals that such is the case, the officer may lose his job. He may be fined a large portion of his salary, suffer embarrassment, and seriously regret ever having used unwarranted force against an inmate. Instead, he could have written a report on the matter that would have been handled on an official basis.

Authorized punishments include the following:

- a. Reprimand. This is pertinent when the disciplinary officer or committee feels that the infraction will not be repeated, did not present a threat to the institution, or occurred under extenuating circumstances.
- b. Loss of "Good Time" for sentenced prisoners. A deprivation of part or all of the discretionary reduction of sentence, known as "good time." This is awarded in advance in anticipation of good behavior and satisfactory work habits. Consequently, it is an appropriate punishment when such behavior is not forthcoming from the prisoner.
- c. Change of Work Assignment for sentenced prisoners. A change in work assignment, particularly when the work situation contributed to the trouble.
- d. Loss of Privileges. The loss of one or more privileges for a specific period of time is a punishment which is felt deeply by many inmates because of the monotony of their confinement. They place great value on having a visit, engaging in recreation, attending a movie, or participating in other program activities.
- e. Lock-Up. Restriction to a cell for a specified number of days, or in the evenings, or Saturdays and Sundays.
- f. Special Work Detail. Assignment to a special work detail which engages in unpopular chores. This is for sentenced prisoners only.
- g. Solitary Confinement. It is given for various periods of time, but should be kept to a minimum. It may be either a full diet, partial diet, or partial diet and a full diet every three days or liquid diet. The isolation should be in a cell which is apart from where the general jail population is housed. The prisoner in

isolation must be checked frequently and medical supervision must be provided.

Administrative Segregation

Those prisoners who are considered to be chronic troublemakers as a result of frequent violations of the rules, escape attempts, and provoking disturbances, should be housed in a separate section of the jail under administrative segregation conditions. While the inmate is not in a punishment status, he nevertheless must forfeit some privileges. He should not be permitted to participate with the group in such programs as recreation and movies, and all his activities must be under controlled supervision.

The duration of administrative segregation is indefinite. The prisoner is permitted to rejoin the general population only when he is considered capable of doing so without getting himself into further trouble and without disrupting the activities of the other prisoners.

7. Records.

An entry should be made on the inmate's disciplinary record, thereby providing a history of his behavior in the institution. The institution should have a bound disciplinary record book, which keeps a chronological record of all infractions reported and their dispositions.

It should contain the following information:

- a. Infraction report number.
- b. Date of infraction.
- c. Name and commitment number of inmate.
- d. The offense committed.
- e. By whom reported and the investigating officer.
- f. The date of investigation.
- g. Action by the investigating officer.
- h. Date of hearing by the disciplinary officer or board.
- i. Nature of punishment imposed or other action.
- j. Date punishment commenced.
- k. Date punishment ended.

The disciplinary record of prisoners, who were chronic behavior problems, should be forwarded to the

prison to which they are transferred. The record serves a useful purpose in the classification process.

In the evaluation of the prisoner for purposes of probation or parole, the disciplinary record may provide an indication of the prisoner's pattern of behavior which is an important factor for consideration.

The individual's record should always be consulted in a disciplinary hearing and in making work and housing assignments in the jail.

The proper administration of discipline leads to good custody, security, and control. Its benefits go beyond the limits of the sentence as it could inculcate an attitude of wholesome respect for law enforcement authorities that may motivate the released prisoner to stay on the right side of the law.

BIBLIOGRAPHY

THE PRISON

By Donald R. Cressey

Publisher: Holt, Rinehart and Winston, San Francisco
1961

MANUAL OF CORRECTIONAL STANDARDS

American Correctional Association
Shoreham Building, Washington, D. C.
1966

INSIDE THE WORLD'S TOUGHEST PRISON

By Joseph Ragen & Charles Finston

Publisher: Charles C Thomas
1962

PRINCIPLES OF CRIMINOLOGY

By Sutherland & Cressey

Publisher: J.B. Lippencott Co., Philadelphia, Pa.
1960

XIII. General Supervision of Prisoners

In the frequent investigations of conditions within a jail, the need emerges to protect the prisoner from the harm that other prisoners may do to him as well as from the harm that he may do to himself.

The harmful effects of imprisonment can be either augmented or diminished depending upon the amount and type of supervision exercised in the jail.

Any group of persons, deprived of their liberty, restricted in choice and movement, and placed in close contact with each other for lengthy periods of time, may be expected to create problems of discipline and control. When most of the group consists of individuals who have caused serious trouble in the community, the potential for trouble increases. All of this points out the need for supervisory personnel who are trained to instruct, direct, and control prisoners as well as to assist them towards the objectives of self-improvement.

STANDARDS

1. Sufficient Personnel. The jail should have a sufficient number of personnel to maintain adequate supervision over its prisoners.
2. No Prisoner Bosses. Prisoners should not be supervised by other prisoners.
3. Maximum Observation. Posts and devices should be designed and located to furnish maximum observation of prisoners.
4. Dormitory Posts. More direct personal supervision should be supplied for prisoners in dormitories than those in cells.

5. Schedules. Formal schedules should be in effect for supervisory control of activities and prisoner traffic through the jail.

6. Constructive Supervision. Supervision should be constructive. Every attempt should be made to make it an educational rather than repressive experience.

7. Individualization. Supervision should be exercised with consideration for the individuality of the prisoner.

DISCUSSION OF STANDARDS

1. Sufficient Personnel.

Prisoners must be under supervision. They cannot be left in multiple cells, dormitories, and large cage-like contraptions, without an officer's supervision. Such situations are fertile ground for all the wrongs attributed to jails in general.

In order to maintain order and obtain compliance with the rules, it is essential that the jail be staffed with sufficient personnel to provide such supervision. Someone has to be a leader in the group. If an officer is not functioning as such, one of the prisoners or a "kangaroo court" will.

A cell block must be clean, orderly, and secure. The officer on post is responsible to see that it is in this condition. He should see that each prisoner does what is required of him and that groups of prisoners accomplish their chores properly.

In the cell block as well as in the shops, the supervising officer can foster good work habits which will carry over to private employment.

The available officer is a leader as he organizes work activities and directs their accomplishment. He should be approachable by the prisoner seeking advice and information concerning the jail program.

An alert officer knows the identity, location, habits, associates, and abilities of the prisoners on his post. Such knowledge is very useful in maintaining security and discipline.

2. No Prisoner Bosses.

A prisoner cannot be trusted with authority over other prisoners. It leads to abuses as he is in a position to do favors. It also puts the prisoner supervisor in danger. Even when he has the best intentions, he will be coerced into cooperating in unapproved and dangerous activities.

Kangaroo and sanitation courts have resulted from such

situations to the physical and moral detriment of the more tractable and less aggressive prisoners.

The county is responsible for unlawful acts these courts commit, particularly when they function with the sheriff's approval. The officers get to rely too heavily upon them, thereby neglecting their own responsibilities.

If prisoners are rewarded for preventing an escape or discovering contraband, they may set-up a situation so that they could get the reward.

3. Maximum Observation.

Each post should have prescribed special orders describing its limits and the duties for the officers.

The officer assigned to a cell block post accomplishes the following:

- a. Supervises activities.
- b. Operates security equipment.
- c. Takes counts.
- d. Reports to control center.
- e. Carries out "lock-in or out" schedules.
- f. Keeps post log of activities.
- g. Observes inmates.
- h. Maintains order.
- i. Gets prisoners out for courts, visits, etc.
- j. Maintains sanitation.
- k. Prevents pilferage.
- l. Checks for contraband.
- m. Notes prisoners complaints and follows-up on them.
- n. Issues supplies.

Closed circuit television observation can provide some security in areas not covered by an officer on the ground. Care must be taken to provide for coverage of blind spots.

Listening and public address systems are an aid in discovering disturbances and issuing orders. All such devices are merely a substitute for an officer. They should be focused on trouble spots such as prisoners needing special observation, e.g., those suspected of having possible suicidal tendencies, etc.

Convex mirrors to provide visibility for wider areas and mirrors to provide visibility around blind spots are good security devices.

There is no substitute for the alert, intelligent officer on any post. Mechanical and optical devices should be used to supplement coverage of a post, and not to replace the officer.

4. Dormitory Posts.

Officers have the same duties described in Standard 3. The dormitory requires more officers because of the need for more control and observation. Unless the dormitory is for minor or aged offenders, the officer should watch for prowlers. A draped blanket from the top bunk over the bottom bunk, requires immediate investigation. Showers and toilets should be checked frequently as these are the areas where many infractions take place.

Female section posts, whether in dormitories or cells (cells are preferable), should be supervised by matrons only. The same duties mentioned for Standard 3 apply.

The jail administrator should provide an alarm to the control room for the matron to summon assistance when needed.

Male personnel, except under prescribed conditions, should not be permitted in the female section of the jail as this practice may lead to embarrassing situations.

5. Schedules.

With the exception of minimum security inmates, do not allow prisoners to go to activities as they please. Instead, schedule activities, e.g., mess, baths, religious services, school, visits. Arrange schedules to accommodate various groups, e.g., vary the daily order of cell blocks going to mess. If a visiting area is crowded, schedule visits by alphabetical order on prescribed days. For instance, last names beginning with A to H, have visits on Monday and Tuesday, I to Z, have visits on Thursday and Friday. Wednesday is for special visits.

Schedules keep all jail units informed. They eliminate confusion and guess work. They also provide a record of activities and better control.

The movement of individual prisoners may be controlled by: issuance of passes, a phone call from place of departure to destination, I.D. cards specifying limits, wrist bands with I.D., and color codes indicating limits.

6. Constructive Supervision.

There are practices that result in control, good work,

and good work habits. Here are a few:

a. Assign prisoners to jobs in accordance with their abilities.

b. Observe work performance.

c. Correct poor work habits.

d. Instruct and counsel.

e. Commend for good work.

f. Look after interests of the work crew.

g. Ascertain proper care of tools and equipment.

h. Promote to jobs with more responsibility, when deserved.

i. Explain its purpose, when assigning a job.

j. Suggest, when possible, rather than order.

k. Keep yourself above the inmate:

(1) Do not stoop to his level in actions or language.

(2) Do not obligate yourself to a prisoner.

(3) Do not become personal with a prisoner.

1. Set an example by:

(1) Keeping calm and collected.

(2) Being true to your word.

(3) Being considerate and fair.

(4) Avoiding profanity.

(5) Avoiding abuse and unnecessary use of hands on a prisoner.

(6) Looking well groomed.

(7) Being honest - not one who "deals" with prisoners.

7. Individualization.

Prisoners, being human beings, are not all alike. Some prisoners require more supervision than others. Some prisoners respond well to orders; others need more explanation and "convincing."

When supervising prisoners, it is well to:

- a. Consider health, physical, and mental capabilities and how they relate to the work to be done.
- b. Use prisoners' abilities to maximum advantage.
- c. Reinforce desire to do good work by use of praise and rewards.
- d. Observe carefully tractable and/or weak prisoners to protect them from other, stronger and more domineering, prisoners.
- e. Limit personal contacts of aggressive prisoners.

It is not easy to categorize human beings generically by social types. There are, however, in any jail, certain basic, observable characteristics:

- a. *Right Guy*: Lives up to prisoners' "code."
- b. *Square John*: Conforms to prison demands.
- c. *Con Politician*: Plays both sides of the fence.
- d. *Outlaw*: Does not get along with anyone, officials or other prisoners.
- e. *Ding*: Homosexuals, mental defectives, etc.

Individualization implies the consideration of each inmate's characteristics in order to supervise him effectively. It also entails an evaluation of the prisoner to try to determine if he is sincere or if he is a "manipulator" who will take advantage of any officer and every opportunity.

Unauthorized little favors open the way to illegal big favors. The officer who, through kindness or compassion, consents to smuggle out a letter for a prisoner, may find himself obligated to bring in contraband to keep the prisoner from reporting his earlier favor.

In exercising supervision and observation, never help create a dangerous situation such as opening a cell door, when alone, after lock-up time. Too many officers have been killed, and there have been too many escapes and riots directly caused by such precarious practices.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association (1966)

CONTEMPORARY CORRECTION
By Paul Tappan
Publisher: McGraw-Hill Book Co.
1960

CRIMINOLOGY

By Sutherland and Cressey

Publisher: J. B. Lippencott Co.
1960

TASK FORCE REPORT: CORRECTIONS

President's Commission on Law Enforcement
and Administration of Justice
Government Printing Office

XIV. Privileges

At the discretion of the administrator, the jail may grant and schedule activities which are very meaningful to the prisoners in terms of their adjustment to the institution. These privileges are also valuable to the administration of the jail as:

1. They enhance morale which is conducive to better discipline and control.
2. They are in accord with the rehabilitation objective.
3. They reduce the mental hazards of imprisonment by providing an outlet for tensions and anxiety.
4. They help maintain physical health.

The non-convicted prisoner, under the law, is innocent until proven guilty. Yet, he is deprived of more privileges in the jail than the state prisoner who has been found guilty of a serious felony. The same can be said for the person serving his sentence in a jail after conviction of a minor misdemeanor.

While those detained in jail are ostensibly detained pending trial - *"they were not officially enjoying punishment, but merely awaiting a decision as to whether they should be given the punishment they are already getting."* (The Crime of Punishment by Dr. Karl Menninger)

The jail administrator must not confuse those activities which are rights with those he may remove as he sees fit. Rights are prescribed as such by law; their removal can be the subject of court action.

STANDARDS

1. Communications. Prisoners should be authorized to communicate with relatives and other approved persons and agencies.

2. Visits. A system for conducting visits to prisoners should be prescribed.

3. Commissary. A system for the purchase of items to supplement the jail issue should be established.

4. Program Participation. Prisoners should be authorized to participate in group programmed activities for self-improvement and recreation.

5. Removal of Privileges Not Arbitrary. Removal or suspension of privileges should be exclusively by authority of the Jail Administrator.

DISCUSSION OF STANDARDS

1. Communication.

The prisoner should be permitted controlled communication because:

a. It is a means of continuing the tie with family, friends, employment, and interests.

b. It is a means of reducing isolation from the community.

c. It is an aid to self-improvement through correspondence courses.

d. It is an outlet for expression of loneliness and inner conflict.

e. The mail may reveal intentions of suicide, escape, other crimes, and indications of poor mental health.

The consent form signed by a prisoner is his authorization for the jail employees to open and inspect his incoming mail. Should the prisoner refuse to sign the consent form, the mail may be held with his personal property or returned to the sender.

The allowance for the amount of outgoing and incoming mail should be liberal. The prisoner should receive all incoming mail after security precautions have been applied. The security measures include:

a. Spot checks of letters. Mail for some prisoners, e.g., maximum security risks, should be thoroughly checked.

b. Removal of cash, checks, and money orders. The prisoner is given a receipt for the amount and his account is credited.

c. Non-acceptance of packages unless arranged for in advance. When permitted, they should be carefully inspected for weapons and other contraband.

d. Prohibition of stuffed greeting cards. The stuffing may contain contraband.

e. Keeping a record for control and law enforcement value. The list of the correspondants and visitors may prove helpful in an investigation.

Use a post office box number rather than the jail address on envelopes. It saves the family from unnecessary embarrassment.

Telephone communication is a right when a trial prisoner is first received. He may want to notify his family, counsel, a bondsman, employer, or other important person. If a telephone is not available for his personal use, a telephone message form may be used. The prisoner enters all essential information on the form and an employee makes the call, notes the reply, date, and time and signs the form for the record. Then he notifies the prisoner of the reply. Prisoners serving a sentence in the jail may be granted telephone calls as a privilege.

Correspondence with the courts and the attorney of record is a matter of right. Chapter 6 deals with this subject at greater length.

2. Visits.

Visits can be a valuable adjunct to the jail program or a grave security risk. Under proper supervision, the risk may be reduced to a minimum.

Visits bolster a family relationship and are a more direct and valuable means of communication with those who are close to the prisoner.

Visitation from counsel is a right; from the family, it is a privilege which may be removed if undue advantage is taken of it.

The frequency of visits may be arranged to suit the convenience of the jail and the visitors. They may occur:

- a. Daily.
- b. Weekends and holidays.
- c. Certain days of the week for trusties, other days for trial prisoners; or by alphabetical arrangement.
- d. During the morning, afternoon, or evening.

The length of the visit should be a minimum of one hour. Overcrowdedness in the jail, or other reasons, may require curtailing the period of the visit.

The jail administrator may, at his discretion, grant

special visiting privileges to visitors who have traveled long distances, to visitors for hospital inmates, and for other unusual conditions.

Security precautions.

- a. Require each inmate to submit a list of persons he wishes to have visitation privileges.
- b. Check the identification of the visitor. If feasible, issue a pass containing the visitor's photograph.
- c. Supervise the visiting room.
- d. Permit an open visit only to trustworthy prisoners.
- e. Prevent contraband by searching the visiting areas before and after each visit.
- f. Prevent unauthorized activities, e.g., promiscuity, shouting, and passage of materials.
- g. Require visitors to check packages and handbags before entering visiting room.
- h. Any search of suspicious female visitors should be conducted by the matron on duty.
- i. Transfer of objects only through the officer.
- j. Use tilted or convex mirrors for observation.
- k. Watch for signs of impending assaults.

An open visit is a valued privilege that is often abused. It should be denied to a prisoner who may create trouble for his visitor and for himself while visiting under the relaxed conditions of such a visit.

Some of the practices relating to open visits follow:

- a. Hold in a comfortable room.
- b. Permit smoking, eating, and drinking of items only when obtained from vending machines.
- c. Change prisoners clothing immediately before and after the visit, in order to prevent unauthorized items from leaving the jail and contraband from coming into the institution.
- d. Search each prisoner thoroughly after the visit.
- e. Permit picnic visits to selected and deserving prisoners under special conditions.

Visits under maximum security conditions, also designated as closed visits are characterized by the following conditions:

a. The prisoner is separated from his visitor by a solid wall containing a shatter-proof glass window for visibility, and a telephone for communications. Which is preferable to a wall of close-meshed wire for visibility and communication.

b. The prisoner and his visitor are assigned to correspondingly numbered booths or stations in the visiting area.

c. The prisoner enters the visiting area from the jail proper, and the visitor enters the area from outside of the jail security area. This arrangement avoids physical contact between the inmate and his visitor.

The visit should be conducted out of sight and hearing of the prisoners who are not receiving a visit. When visitors are separated by a meshed wire, the officer on duty must be alert to prevent the passage of contraband through the wire.

Reception of visitors.

a. Assign officers who are courteous, considerate, and helpful.

b. Provide a sheltered waiting room near the entrance lobby.

c. Provide an opportunity for the visitor to leave money and authorized items for prisoners.

d. Prohibit entrance of intoxicated and disorderly persons into the visiting area.

e. Have the visitor check loose items, e.g., handbag, umbrella, packages, before entering visiting room.

f. Check the identity of visitors.

g. Have visitors sign the record book for visitors.

h. Give each visitor a booth or place number.

i. Summon each prisoner by telephone and assign a corresponding booth or place number with that assigned to the visitor.

Inspection of visiting areas. Before and after each visit, thoroughly check the visiting area, particularly the concealed places, e.g., under ledges, under seats, in telephone mouthpieces, in toilets, in refuse baskets. Dangerous contraband has been found concealed in the visiting room. By pre-arrangement the trusty who cleans

the room would retrieve it and deliver it to the prisoner for whom it was intended.

3. Commissary or Canteen.

The commissary supplements the prison food supply and aids in the appearance of prisoners through purchase of grooming materials. It is a valuable morale and control factor, and provides a source of funds for inmate recreational and welfare purposes.

Methods of purchase include:

- a. Visits to the jail canteen are scheduled daily, several times weekly, or weekly.
- b. Orders are filled by purchases from a local store by an employee.
- c. The jail canteen supplies requested items which are delivered to the prisoner after the order form is completed and submitted.

Purchase amount(s) should be limited and controlled to prevent an oversupply of any commodity in the housing area. This helps to prevent theft, bartering, and/or the purchase of favors and services.

Payments are made by debit entry on the prisoner's cash account because inmates are prohibited from having cash on their persons. All receipts of cash and expenditures require bookkeeping and control.

4. Program Participation.

Program participation is an element in the rehabilitation treatment program. It is a privilege that may be removed for good reason. It includes:

- a. Self improvement group activities, e.g., educational activities and group discussions.
- b. Use of the library. (For prisoners awaiting court action, access to legal materials in or from the library is considered a right rather than a privilege.)
- c. Recreation group activities, e.g., outdoor and indoor games, movies, etc.
- d. Exercise periods, except during the time a prisoner is in punitive segregation.

5. Removal of Privileges Not Arbitrary.

Correspondence and visiting privileges should not be removed except for abuse of these privileges as this action may harm the family more than the prisoner. Removal should

be a consequence of a disciplinary hearing.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Washington, D. C.
1966

THE PRISON
By Donald R. Cressey
Publisher: Holt, Rinehart and Winston, San Francisco,
California
1961

CRIMINOLOGY AND PENOLOGY
By Korn and McCorkle
Publisher: Holt-Dryden, San Francisco, California
1959

THE LAW OF CRIMINAL CORRECTION
By Sol Rubin *et. al.*
Publisher: West Publishing Co., St. Paul, Minnesota
1963

THE CRIME OF PUNISHMENT
By Karl Menninger, M.D.
Publisher: The Viking Press, New York
1968

XV. Contraband Control

Contraband consists of any item that may jeopardize the safety, security, and good order of the jail, or is prohibited by law or the rules of the institution. Items of contraband include: weapons, narcotics, unauthorized drugs and medications, poisons, alcoholic beverages, money, excess food, and excess supplies. The control of contraband is a constant concern of the jail management.

Since prisoners are deprived of most of the items they desire, they devote a good deal of time in scheming to obtain, conceal, trade, and use contraband articles.

For good control, it is necessary for jail employees to keep at least one step ahead of the prisoners in figuring out contraband hiding places and sources of supply.

When contraband control breaks down, the results become dramatically apparent in the wounding or slaying of an employee or prisoner, the death of prisoners from drinking anti-freeze, and the introduction of young, tractable prisoners to drug addiction. These result from laxity in the performance of duties, particularly in failing to search prisoners and areas thoroughly and impartially. Even the search that yields nothing has value as it serves to deter and prevent the traffic in contraband.

STANDARDS

1. Area Search System. A system should be in effect to provide for the search of all areas within the jail.
2. Unexpected Searches. Personal and area searches must be irregularly times, unexpected, frequent, and with no exceptions made.
3. Searches with Consideration. All searches should be accomplished with consideration for the individual, but this consideration should not detract from their thoroughness.

4. Supervision. Searches of areas should be made under the supervision of a superior officer.
5. Items Entering the Jail. A system should be in effect to permit only authorized items to come into the institution. All items should also be carefully examined for contraband.
6. Records. Records should be kept for proper timing of shakedown inspections and other uses in control.
7. Prisoners Entering the Jail. All prisoners entering the jail should be thoroughly searched for contraband.
8. Jail Personnel. Jail personnel should be checked for neglect or actions that may lead to contraband getting into the hands of inmates.

DISCUSSION OF STANDARDS

1. Area Search System.

a. The search should not be announced in advance or anticipated.

b. The search of an area should include:

- (1) having all prisoners stand fast;
- (2) searching of each prisoner in the area;
- (3) shutting off the water flush to prevent flushing contraband down the toilet;
- (4) examining every conceivable hiding place.

c. The following instructions apply for searching a housing area, a cell, cell block, or dormitory:

- (1) Watch for areas covered with pictures, clothing, etc. Remove and search. Look for holes or evidence of wall damage.
- (2) Search rolled up items; magazines, toilet paper, newspapers.
- (3) Search shoes, clothing, and supplies in the room.
- (4) Look under every recess in a fixture.
- (5) Examine grills, registers, light fixtures.
- (6) Look outside of windows for suspended items.
- (7) Leaf through books and examine bindings.

(8) Inspect furniture carefully. Look into tubular parts, remove drawers, inspect the underside.

(9) Examine bedding with particular attention to the mattress.

d. For the perimeter of the jail:

(1) Inspect for contraband dropped for subsequent pick-up by prisoners.

(2) Prohibit access to any prisoner before being examined.

(3) Inspect fence, windows, and doors. Look for evidence of tampering therewith.

(4) Prohibit plants or shrubbery near the perimeter area.

e. For the visiting area:

(1) Inspect area thoroughly before visitors enter, and again after they leave.

(2) Inspect the area thoroughly before allowing prisoners to clean the area. Supervise the cleaning operation carefully.

(3) Prohibit:

(a) kissing or hugging.

(b) passing of items other than through the officer on duty.

(4) Equip visiting area with small lockers for deposit of portable items before the visit.

(5) Search visitors suspected of possessing dangerous contraband.

(6) Check visitors to make sure each is authorized.

(7) Use a metal detector on those receiving "open" visits.

(8) Exercise more vigilance during an open visit than during a visit behind a barrier.

f. For Shops:

(1) Pay particular attention to storage areas.

(2) Check all tools carefully.

(3) Prevent manufacture of unauthorized items.

g. For libraries and school rooms, which make good contraband drops:

(1) Check bindings and book coverings for unusual thickness and grooved out portions of a book and the inside of coverings may be used to conceal guns, knives, and narcotics.

(2) Examine the shelves behind books for unauthorized items.

2. Unexpected Searches.

a. Areas to be searched are controlled by listing in the search book. Avoid routine as it reveals when prisoners may expect to be searched.

b. Searches should be as frequent as the activities allow.

c. The controlling officer should not arrange a search until the time for it to be accomplished. Otherwise, the word gets around and the prisoners are ready for it.

d. Areas that are usually not searched will be popular hiding places; make no exceptions.

e. Inmates who are not searched, or are given a nominal search, will be used to bring in contraband. Make no exceptions and pay particular attention to trusties.

f. A work party should be selected from those coming into the jail, then moved to a special area for a complete strip search.

g. The shakedown area should be examined for items that prisoners drop before being searched.

3. Searches with Consideration.

a. A search is at best an annoyance and should be accomplished without unnecessary roughness.

b. Prisoners' property should not be destroyed, especially family photos and letters.

c. A searching officer should be neat and as orderly as the situation permits.

d. Officers should not confiscate a prisoner's property for themselves.

4. Supervision.

An experienced superior officer should be in charge of a search operation. He should:

- a. Assign officers to specific areas to be searched.
- b. See that search procedures and safeguards are practiced.
- c. Make decisions on problems that may arise.
- d. Submit a report on the result of each search.
- e. Submit a disciplinary report on each prisoner found in possession of contraband.
- f. Detect weak security areas in the jail, *i.e.*, areas from where contraband.

5. Items Entering the Jail.

a. Through the mail:

(1) Envelope flaps, stuffed greeting cards, double layers of paper, and suspicious bulges should be carefully examined.

(2) Books, newspapers, and magazines should be authorized only if received directly from the publisher.

(3) Packages for prisoners should be prohibited unless previously authorized. A thorough search should be made of each package before giving it to a prisoner.

b. From visitors:

(1) Accept only authorized items.

(2) Search each item in the presence of the donor. Pay particular attention to seams and elastic in clothing.

c. Vehicles:

(1) Inspect the vehicle including its underside and its trunk.

(2) Check the bill of lading.

(3) Examine the inside of the vehicle for opened crates, etc.

(4) Examine delivered items, such as dirty laundry before giving to prisoners for washing in the jail laundry, etc.

(5) Prohibit vehicles delivering "security" materials, *e.g.*, weapons, medications, etc., from entering the jail. Delivery of such items should be made through the front gate.

- (6) Check vehicles leaving the jail:
- (a) Spear through garbage containers.
 - (b) Examine thoroughly for contraband, e.g., stolen items being smuggled out of jail.
 - (c) Make a thorough search of suspected vehicles including hub caps, tires, and seats.

6. Records.

- a. A Search Book for control purposes.
- b. List of prisoners guilty of possessing contraband.
- c. Most frequently found contraband.
- d. Area from which contraband originates.
- e. Contraband items of value. (Hold for specified time then dispose of in accordance with law.)

7. Prisoners Entering the Jail.

- a. Search newly received prisoners.
- b. Search prisoners returning from court, hospitals, etc.
- c. Search prisoners returning from work outside the jail.

8. Jail Personnel.

- a. No firearms should be permitted into the jail proper. They should be checked with the control center officer.
- b. The handling of medications, cleaning materials, and other poisons by jail personnel should be prescribed and supervised.
- c. Officers suspected of collusion with prisoners may be forcefully searched and their personal lockers inspected.

BIBLIOGRAPHY

JAIL ADMINISTRATION

By Myrl Alexander

Publisher: Thomas, Springfield, Illinois

MANUAL OF CORRECTIONAL STANDARDS

The American Correctional Association

Washington, D. C.

1966

XVI. The Jail Count

By the very wording of the commitment to the jail, the Jail Administrator is charged with holding the prisoner in accordance with the mandates of the court. Therefore, he must ascertain, several times a day, that all prisoners are present so that should one be found absent, less time is lost in determining his whereabouts and in returning him to the jail.

The check on the presence of all prisoners and on their location is referred to as the "count." A correct count permits normal operations to continue. An incorrect count delays operations, inconveniences the staff, and, if not detected, gives an escapee additional time to get away.

STANDARDS

1. Register of Prisoners. A register listing the names of all prisoners and their status should be kept current.
2. The Count System. A system for taking jail counts should be prescribed and followed.
3. The Regular Count. The complete count procedure should be followed at regularly established times.
4. The Informal Count. Counts should be taken of prisoners at times and under situations that are not included in the regular count.
5. The Off-Count. A procedure should be established to be followed when the "head" count does not agree with the count according to the register of prisoners.

DISCUSSION OF STANDARDS

1. Register of Prisoners.

This important book serves as a record of all prisoners

for whom the jail administration is presently responsible, and of the prisoners who have previously been in the jail. The names of all prisoners received and discharged each day should be recorded in this permanent record.

The register of prisoners is maintained on a twenty-four hour basis. It contains the count of prisoners at 12:01 a.m. The total number of prisoners received during the day is added and the total number discharged or transferred is subtracted, thereby furnishing the basis for the jail counts.

2. The Count System.

The procedure must be established and published in orders so that strict compliance will be obtained.

It includes:

a. A master count form consisting of the incoming counts from the jail units. It should be the responsibility of a superior officer to retain and fill it out in the control room. It contains:

- (1) a listing of all housing and operational areas.
- (2) a notation of what the count should be in each area.
- (3) a notation of the count reported from each area.
- (4) the total jail population according to the register of prisoners.
- (5) the total count reported.

b. A count form for each unit which contains:

- (1) the count for each section of the unit, as it should be.
- (2) the actual total head count, as made
- (3) notations of prisoners on an outcount, *e.g.*, J. Smith 2-64-96 on kitchen detail; F. Rogers 2-64-72 with maintenance detail. These men would be reported as present, to the control room, by the officers in charge of the kitchen and maintenance details.
- (4) a space for remarks.
- (5) the signature of the officer in charge. In the event one officer is relieving another, both officers should sign.

3. The Regular Count.

There should be at least four counts taken within a twenty-four hour period.

Movement of prisoners within the jail at count time must be kept to a minimum.

An official count should be taken at each change of a shift, 8 a.m., 4 p.m., and 12 midnight. Others are taken sometime between lock-in and open-up periods. During shift changes the personnel from both watches are present to assist in taking the count and to comprise search parties, should a prisoner be missing.

A formal count should immediately be conducted at any time of the day when a prisoner is reported missing, and after a serious disturbance. The identity of the missing prisoner should be established. Possibly, more than one has escaped and the disturbance might be a cover-up for an escape.

4. The Informal Count.

Such counts occur at irregular and frequent intervals. They are taken by the responsible officer:

- a. when receiving a group of prisoners.
- b. when returning a group of prisoners, e.g., a work party to its cell block.
- c. whenever the officer or his superior officer feels that a count is in order, e.g., after a recreation period.

The conscientious officer will acquire the habit of counting his prisoners frequently so that irregularities may be adjusted without delay, and the jail alerted should an inmate be missing.

In making a count the officer not only verifies that the correct number of prisoners is present and that all are inmates who are authorized to be on his post, but he also observes the condition of his prisoners. Some may have marks from an assault; others may show symptoms of intoxication or drug use.

The front gate of the jail should keep:

- a. a roster of all inmates leaving the jail building.
- b. a sign-in and sign-out record of all visitors to the jail.
- c. A list of motor vehicles entering the jail indicating the time entered and time departed.

Such information is helpful in determining locations of prisoners and possible means of escape.

Prisoners should be counted on entering and leaving a vehicle for transportation to such destinations as a work area, court, or another institution.

Informal counts after a mass movement of prisoners should be reported to the control room for entry in the log.

5. The Off-Count.

In taking a regular count, if the reported number of prisoners does not agree with the census of the jail, the shift going off-duty should not be released and a careful re-count should be made.

Should it be determined that a prisoner is missing, the escape plan must be put into effect.

The results of all counts should be entered in the log book.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
The American Correctional Association
Washington, D. C.
1966

JAIL ADMINISTRATION
By Myrl Alexander
Publisher: Thomas, Springfield, Illinois
1957

XVII. Emergency Plans

A jail may operate with no major trouble for many years, thereby giving the staff a sense of complacency, an unwarranted belief that nothing serious is going to happen, and the feeling that everything is under control. Disaster may strike at any time, and when it does, the consequences may cause regret that plans were not on hand to cope with it as quickly and efficiently as possible.

Emergencies take many forms such as escape, riot, fire, civil defense, civil disturbance, medical epidemic, and power failure. While the plans to apply to each type of emergency have activities that are common to all, each requires specific steps that should be taken to bring the situation under control.

The time spent on the preparation of plans, to suit the characteristics of your jail, will pay dividends if and when an emergency occurs. The contents of this chapter are provided as a basis for the development of plans to suit various types and sizes of jails. They can be used for the same purposes in prisons and other institutions in which security is an important consideration.

STANDARDS

1. The Need for Plans. Plans should be formulated to cope with possible emergencies in the jail.
2. Comprehensive Planning. The preparation of emergency plans should be a comprehensive and collaborative project.
3. Availability of Plans. Emergency plans should be available to all officially involved agencies and individuals.
4. Training. The staff should be trained in the implementation of emergency plans.

5. Key Posts. Key posts to be operated during any emergency should be pre-determined and activated when needed.

6. Plan Activation. Plans for specific emergencies should include instructions as to who should effectuate them and under what conditions they should be activated.

7. Prevent Recurrence. Corrective actions should be taken to prevent a recurrence of the conditions that caused the emergency.

DISCUSSION OF STANDARDS

1. The Need for Plans.

The effect of escape and riot on the institution and the community:

- a. Causes possible loss of life.
- b. Causes the commission of other crimes within the institution.
- c. Results in additional crimes in the community.
- d. Results in the destruction of property.
- e. Encourages additional attempts to escape and riot.
- f. Causes additional tensions.
- g. Creates hostility of the public against the jail.
- h. Creates bad public relations undermining confidence in the administration.
- i. Disrupts institutional activities.
- j. Tightens security for an extended period of time.
- k. Sets back treatment programs.
- l. Deploys personnel from their usual posts to cope with the institutional emergency.
- m. Brings a good effect in that it focuses the searchlight on malpractices and institutional shortcomings; thereby resulting in better funding for buildings, staff, and programs.

The values of having plans include the following:

- a. Provides an immediate course of action.
- b. Establishes responsibilities.

- c. Avoids confusion.
- d. Reduces problems.
- e. Avoids trouble caused by omitted steps.
- f. Prescribes necessary supplies.
- g. Lists and locates buildings and equipment that may be needed.

2. Comprehensive Planning.

Characteristics of a good plan:

- a. It was carefully developed by a representative jail committee.
- b. It was coordinated with law enforcement and other community agencies.
- c. It is easily understood.
- d. It establishes clear cut responsibilities.
- e. It is readily available.
- f. It takes into consideration the physical characteristics of the jail.
- g. It includes the area surrounding the jail.
- h. It has been periodically reviewed and brought up to date.
- i. It contains provisions for:
 - (1) Activating the plan.
 - (2) Sounding the alarm.
 - (3) Establishing a control center.
 - (4) Summoning reserve and supplementary forces.
 - (5) Covering pre-established posts.
 - (6) Issuance of weapons and equipment.
 - (7) Notification of authorities.
 - (8) Disposition of non-jail personnel, e.g., visitors.
 - (9) Communications.
 - (10) Food Services.

- (11) Medical Attention.
- (12) Relief of Personnel.
- (13) Repair of damaged areas.
- (14) Post-emergency action.
- (15) Maintaining a log of events.

3. Availability of Plans.

Plans that are not available when needed are practically useless. Since they may be needed at any time, they should always be readily available. To assure their accessibility:

- a. Mimeograph sufficient copies and classify, if necessary, e.g., "Confidential" or "Secret."
- b. Have copies readily available in the control center.
- c. Publish in jail rules and regulations.
- d. Distribute copies to concerned individuals.
- e. Distribute copies to concerned agencies.

4. Training.

The availability of emergency plans, by itself, is not sufficient for their effective use. It is important to train all those involved to function efficiently when a plan is activated.

Training must be provided for the following purposes:

- a. To become familiar with the contents of the plan.
- b. To discuss possible situations that may arise.
- c. To obtain supplementary instructions.
- d. To observe demonstrations.
- e. To become familiar with special equipment used in the emergency.
- f. To rehearse activities.
- g. To learn specific duties.
- h. To know the functions of others in the plan.
- i. To evaluate the contents of the plan.

5. Key Posts.

There are special requirements for certain jail activities during an emergency. They include the following:

a. Control Center. Functions as command post, receives reports, makes decisions, issues orders, deploys personnel, orders reliefs, maintains maps and plans of jail structure, maintains a log of events, and issues news releases.

b. Communications. Contacts all off-duty employees by telephone and radio, notifies agencies and persons officially concerned, contacts news media, sends, receives, and logs all messages. An addendum to the escape plan should be a list in priority of the persons and agencies to be notified. (For marshalling of personnel, a chain system may be used in which one employee phones two others, who in turn notify other employees.)

c. The Armory. Issues weapons and special equipment which were previously determined for specific situations and areas.

d. The Motor Pool. Provides for transportation of personnel, equipment, and supplies. When necessary, mobilizes additional motor vehicles from the community.

e. The Kitchen. Prepares and provides food for personnel in the jail and on outside posts.

f. The Infirmary. Provides medical treatment, first aid, medical examinations, and makes transfer arrangements for the seriously wounded and ill.

g. The Identification Room. Prepares photographs and other identifying information, secures requested information from record files.

h. The Maintenance Shop. Provides emergency power, portable flood lights, special equipment for breaking through to blocked areas, services, repairs, and replacements necessary to support the operation.

6. Plan Activation.

The decision to activate an emergency plan is at times, a difficult one to make. As a rule, it is better to effectuate the plan even when an element of doubt is present. Delay may be costly.

The jail should conduct an occasional drill in the execution of a plan in order to determine its effectiveness.

Since there should not be more than one person with

authority to implement the plan, each plan should specify which staff member is to be responsible for doing so and under what conditions it is to be put into effect.

7. Prevent Recurrence.

The jail administration should carefully study the reasons for the emergency. To benefit by the experience:

- a. Determine the causes.
- b. Determine how they could have been avoided.
- c. Determine contributing weaknesses in the institutional plant, procedures, and personnel.
- d. Take steps to eliminate the causes.
- e. Make the incident the subject of training sessions.

BIBLIOGRAPHY

AMERICAN PRISON ASSOCIATION, Committee on Riots,
Richard A. McGee, Chairman, 1953

EMERGENCY DETENTION MANUAL
U.S. Bureau of Prisons
Washington, D. C.
1969

THE CRIME OF PUNISHMENT
By Karl Menninger, M.D.
1968

JAIL ADMINISTRATION
By Myrl Alexander
1957

CRIMINOLOGY AND PENOLOGY
By Richard Korn and Lloyd W. McCorkle
1964

EMERGENCY PLANS FOR ESCAPE

1. Causes of Escapes.

A lax jail administration invites incidents of escape; an efficient administration prevents them. To prevent escapes we must know the causes.

Personnel should be ever mindful that prisoners "want out" and that many plan to get out, as soon as possible, by escape. Therefore, the jail staff should keep at least a step ahead of them to prevent it.

Causes of escape are numerous. Even the most strongly constructed institutions have had escapes because of:

- a. Personnel failings -- inefficient, insufficient, and corrupt.
- b. Lack of supervision in the housing areas.
- c. Construction weaknesses.
- d. Poor security practices -- no control of tools, insufficient inspections.
- e. Failure to take precautions such as checking locks, bars, and incoming and outgoing articles.
- f. Failure to safeguard tools and weapons.
- g. Lack of staff training.
- h. Improper inmate assignments.
- i. Over-manning prisoner work parties.
- j. Allowing inmates to perform custodial and clerical duties.
- k. Lack of communication between inmates and the administration.
- l. Administrative disorganization and confusion.

2. Action to take when an escape occurs.

In addition to the general provisions for emergency plans, the escape plan should include provisions for:

- a. Recalling all prisoners to their housing areas.
- b. Locking-in all prisoners as soon as possible.

- c. Checking the jail count.
- d. Determining the identity of the missing prisoner or prisoners.
- e. Determining the method of escape.
- f. Mustering of search parties.
- g. Dispatching of search parties.
- h. Discontinuing pre-determined posts.
- i. Reinforcing other pre-determined posts.
- j. Relieving search parties.
- k. Determining the probable destination of the escapee.

l. Terminating the search.

3. Termination of the Search.

The escape plan should include procedures to be followed when the search has been terminated.

- a. Sound the recall signal.
- b. Notify agencies and personnel, and cancel any All-Points-Bulletins.
- c. Return search parties to the jail.
- d. Resume necessary jail activities.
- e. Submit the prisoner to a thorough physical examination and a psychiatric interview.
- f. Interrogate the prisoner and witnesses, and obtain statements.
- g. Have the recaptured prisoner retrace his steps in his attempt to escape.
- h. Prepare a written and photographic record of injuries to persons and damage to property.
- i. Prepare reports.
- j. Refer the case to the prosecuting authorities.

EMERGENCY PLANS FOR RIOT

1. What is a riot?

A riot in a jail may be described as the actions of a group of prisoners, in the process of destruction and assault, that the officers on post cannot control. It is a grave emergency that threatens the entire institution and the community, causes extensive damage, provokes serious crimes, and results in a loss of confidence in the administration of the jail.

Riots assume various forms. Some are spontaneous, triggered by an incident after an accumulation of tension in the jail. Others are race riots and gang fights; and others may be found to be a reflection of the prevalence of violent protest in the free community which has resulted in riots in the streets and in our universities.

2. Signs of an impending riot:

- a. Tension in the air.
- b. An increase in the number of complaints.
- c. An increase in the number of requests for transfer from work assignments or from housing areas.
- d. An increasing number of fights within groups or between groups.
- e. Increasing infractions of the jail rules.
- f. Missing tools.
- g. An unusual accumulation of commissary items in the cells.
- h. Shakedown reveals weapons and other contraband items.

While all of the above signs may occur individually, to some degree, in the normal conduct of the jail, when they appear more frequently and in larger combinations, the barometer of the jail climate reads danger.

3. Causes of riots

Each of the below listed causes, by itself, may not result in a riot. In combination or individually as the trigger that explodes pent-up tensions, they are causative factors:

- a. Real or imaginary grievances.

- b. Brutality practices by custodial personnel.
- c. Insufficient and inefficient personnel.
- d. Withholding privileges without justification.
- e. Poor food or inadequate amounts of food.
- f. Racial conflicts.
- g. Overcrowding within the institution.
- h. Idleness.
- i. Lack of an adequate program.
- j. Poor parole and/or sentencing procedures.
- k. Improper balance between custody and treatment.
- l. Confusion in administration and breakdown in communications.
- m. Sudden changes in policy and administration.
- n. Unsanitary conditions.
- o. Transfer of free community attitudes, for example, protest against the establishment.
- p. Lack of financial support.
- q. Cover for an escape.
- r. Political domination.
- s. Public indifference.
- t. A psychopath's action for self aggrandizement.
- u. Group loyalty.
- v. Poor physical facilities.
- w. Laxity in criminal justice, in that the courts are overcrowded and the prisoners who engage in crimes during a riot do so with impunity because they feel they have nothing to lose inasmuch as sentences for additional charges run concurrently with the sentence they are already serving.
- x. Sympathetic protest to treatment of fellow prisoners.
- y. Attempt to cause the removal of unpopular officials or officers.
- z. A minor situation that got-out-of-hand when the jail personnel were unable to control it.

4. Activating the riot plan.

The plan is put into effect immediately upon observing a group of inmates assaulting other prisoners or jail personnel, and destroying property, and who refuse to desist when ordered to do so.

When it is apparent that the assaults and rebellion cannot be controlled by the personnel and post, it is time to activate the plan and take the following action:

a. Close all gates and doors in order to limit movement of prisoners and to divide them into smaller groups.

b. Activate the emergency squad consisting of officers from various posts that can be left unmanned for a period of time, e.g., the general office.

c. Issue special equipment to include gas weapons, gas masks, gas goggles, riot sticks, helmets, handcuffs and other restraining devices, firearms, megaphones, two way radios, and first aid kits.

d. Reinforce critical areas in the jail and on the jail grounds. These include:

(1) the exits from the jail,

(2) the power house,

(3) the control center where weapons are stored,

(4) the periphery of the jail,

(5) the kitchen and mess hall from where weapons may be obtained,

(6) the hospital, infirmary, and doctor's office from where drugs may be obtained.

(7) the maintenance shops from where weapons and tools may be obtained.

(8) the commissary and storage areas that may be looted for food and supplies.

e. Direct the rioters to desist and follow orders. Use persuasion prior to threats. The display of a ready force of well equipped officers should be on hand when such an appeal is made.

f. Separate those prisoners who do not desire to participate in the riot by providing a means for them to get out.

g. Lock-up as many prisoners as possible in cells and other housing areas. The more inmates out of the way, the easier it will be to handle the others.

5. Deactivating the riot plan.

a. Make a headcount of the jail to see if any prisoners are missing.

b. Determine if there are any personnel or inmates in need of immediate medical attention.

c. Segregate ringleaders and recalcitrant prisoners.

d. Notify all agencies who were notified when the riot began.

e. Redeploy security personnel.

f. Return all weapons and equipment no longer necessary. (They should be inspected and accounted for).

g. Conduct a complete inspection of the jail in order to determine:

(1) if all prisoners are under control.

(2) the extent of the damage to the jail.

(3) the areas in need of immediate repair.

(4) the areas in need of more security.

(5) what is needed to keep the jail operating under controlled conditions.

h. Conduct an investigation for the following purposes:

(1) To determine the cause of the disturbance.

(2) To single out the ringleaders.

(3) To list those prisoners who actively participated in the riot.

(4) To accumulate information on crimes that were committed.

(5) To gather material for reports.

i. Prepare a written and photographic record of injuries and damages.

j. Obtain statements.

k. Prepare reports for administrative purposes and for possible prosecution.

PREVENTION AND EMERGENCY PLANS FOR FIRE

Fires occur in jail as a result of carelessness, heating of food in cells, actions of mentally ill prisoners, and deliberate arson for malicious or diversionary purposes. A fire may jeopardize the lives of all prisoners and personnel in the jail because security barriers may prevent a timely exit from the cell block or other affected area.

1. A system of periodic inspections should be practiced as an important fire prevention measure:

a. Inspection of cell blocks for signs of unauthorized heating devices. Some devices are connected to electrical outlets in order to heat up the bed springs for warming commissary-purchased food.

b. Inspection of food preparation areas:

(1) To see that the stoves and other equipment are free from grease.

(2) To see that ventilation hoods are clean. The accumulation of grease is a frequent cause of fires in the kitchen areas.

(3) To see that fire prevention rules are followed.

c. Inspection of areas in which combustible materials are stored:

(1) To ascertain that such materials are placed in well-ventilated fireproof buildings.

(2) To see that there is a good supply of air surrounding them.

(3) To be sure that all paint, varnishes, lacquers, oils, and other volatile materials are stored in fireproof rooms, which should be located outside of the housing areas in isolated sections of the jail.

d. Inspection should be constant and findings should be recorded for future reference:

(1) General sanitary inspections should be conducted for the detection of possible fire hazards on the institution grounds and arrangements should be made for the removal of excess materials which may constitute a fire hazard.

(2) Items such as Christmas trees and decorations should be inspected to see that they are sprayed with

fireproof material before being used within the jail.

(3) Fire hoses should be tested at least once a month to determine whether they are in good working condition and free from leaks. Overhead fire extinguishers should be tested at least once a year.

2. A fire fighting team should be organized, trained, and ready to function at any time in the event of a fire.

a. Each member should be carefully selected and trained in the techniques of fire fighting.

b. The team's fire fighting equipment should be readily available to them and they should perform regular drills, under the supervision of the fire marshall, in order to keep them in a proper state of efficiency.

3. A plan of action to be followed in the event of a fire should be available for immediate use:

a. It should designate a fire marshall.

b. It should be conspicuously posted around the jail.

c. It should obtain approval from the community fire chief.

d. In addition to the general emergency plan provisions, it should provide for:

(1) the sounding of the alarm,

(2) notification to the community fire department,

(3) the summoning of the fire fighting team,

(4) the use of fire fighting equipment,

(5) employing emergency lighting and standby power,

(6) the use of emergency keys,

(7) if necessary, the evacuation of inmates to safety areas.

4. The fire plan should include steps to be taken when the fire is under control.

a. An immediate head count should be made to determine if there has been an escape.

b. The inmates should be inspected to determine if any have been injured.

c. The extent of damage and the need for immediate repairs should be determined.

d. the causes should be established.

e. Written and photographic reports should be prepared.

f. Preventive steps should be instituted.

EMERGENCY PLANS FOR CIVIL DEFENSE

A plan of action should be prepared for use in the event of a disaster to the jail or to the community as a result of enemy action in wartime, or a catastrophe caused by a natural calamity such as an earthquake, a flood, or a wide-spread fire.

The equipment supplied by governmental civil defense departments is primarily intended for use in wartime. However, it may be used under certain conditions in the community,

1. The civil defense program for the jail and for the community should be coordinated:

a. The jail can be the storage area for civil defense equipment. It should be stored in a secure room distinctly labeled Civil Defense. Each item must bear the civil defense identification, and is not to be used for any other purpose without clearance from the community civil defense unit.

b. The community civil defense unit should be requested to assist the jail with:

(1) A variety of civil defense supplies and equipment.

(2) Technical advice on such matters as the use of supplies, protection of prisoners and personnel, survival equipment, and construction of shelters.

(3) Formulation of plans to cope with civil defense emergencies.

c. Safety shelters should be selected in the jail and clearly labeled. The prisoners and staff should be trained in protecting themselves from flying debris. The jail should be prepared with weapons and restraining devices to be used for the control of prisoners being transferred from the jail to other buildings when the jail is rendered ineffective for its purpose.

d. In the event the community is in need of additional supplies and manpower for emergency activities, the jail may be in a position to supply them. The jail should be prepared with a list of prisoners who can be released to help in the community. It should also be in a position to assist with equipment and supplies, additional food and water, medical attention, communications, emergency housing, and administrative personnel and equipment.

2. Special functions for key posts:

a. The armory. Provides special security to prevent prisoners from obtaining weapons, issues handcuffs and other restraints, if necessary, to transfer prisoners to another area, issues weapons for officers on guard.

b. The garage. Provides transportation for movement of personnel, prisoners, and citizens when necessary. Should contain civil defense ambulance and other special vehicles.

c. The maintenance shop. Issues tools to free jammed doors, gates, etc. Provides immediate repair service when feasible.

d. The kitchen. Provides food for personnel, citizens, and prisoners.

3. The Civil Defense Plan should include procedures to be followed at the termination of the emergency:

a. Return all prisoners to secure housing areas.

b. Take a head count.

c. Determine casualties.

d. Provide for medical attention.

e. Make proper notifications.

f. Obtain written and photographic reports.

g. Repair all damaged areas.

EMERGENCY PLANS FOR CIVIL DISTURBANCE

Plans should be formulated to cope with situations that arise from civil disturbance and require detention of large groups of arrested persons.

1. Such plans should be part of a community comprehensive law enforcement plan. Therefore, it should be developed by a representative committee and include the following:

a. Housing for prisoners in present facilities or in temporary facilities such as a warehouse, armory, enclosed recreation area, and public buildings.

b. Provision for the separation of the leaders and potential troublemakers from the other detainees.

c. Provisions for the sensitivity of the situation created by:

(1) Rebellious detainees, usually with no criminal record.

(2) Public interest and the interest of the news media.

(3) Possible accusations of brutality and ill treatment.

(4) Accusations of violation of civil rights.

(5) Racial conflict.

(6) Members of opposing sides in the same area.

(7) Provocation of the staff.

(8) Inadequate facilities.

(9) The need for rapid legal processing.

d. Provisions for:

(1) Designating a plan director.

(2) Effectuating the plan.

(3) Augmenting jail personnel.

(4) Establishing a staff for specialized duties.

(5) Security measures.

- (6) Stepped-up receiving procedures.
- (7) Altering the normal jail routine.
- (8) Confinement areas for varying numbers of detainees.
- (9) Medical attention.
- (10) Feeding areas and procedures.
- (11) Attorney interviews.
- (12) Legal guidance.
- (13) Communications.
- (14) Public relations.
- (15) Clerical help.
- (16) Escort services.
- (17) Program activities when feasible, e.g., library books, radio, television, and recreation.
- (18) Maintenance of facilities.
- (19) Identification of prisoners under movement.

e. The duties of key posts:

- (1) Communications -- Receives and relays all messages, collaborates with Public Relations unit.
- (2) Receiving area -- shakedown, personal property, medical examination, identification, interview, assignment to housing.
- (3) Medical Clinic -- conduct sick call, retain medical records, dispense medications, administer first aid, arrange for transfer of serious cases to the hospital.
- (4) Coordinating Attorney -- coordinates legal activities between the arresting officers, the detention centers and the courts, see that sufficient legal services are on hand, arrange for interview rooms, handle writs, take complaints, council the jail authorities.
- (5) Public Relations -- handle all communications to the public and news media; process requests for information. Prepare news releases.

f. The institutional response to the alert:

- (1) Notify the director of the detention center.

~~-----~~ b. Inspect the detention area for damage and needed repairs, to determine its adequacy for future use.

c. Transfer of detainees from detention center to the jail.

d. Discontinue services of surplus personnel.

e. Prepare reports and recommendations.

EMERGENCY PLANS FOR A FOOD POISONING EPIDEMIC

Food poisoning epidemics have occurred in many institutions and organizations in which mass feeding is the practice. The sudden illness of a number of prisoners with similar symptoms such as stomach cramps and nausea should be reason to invoke a plan of action for the purposes of caring for the affected prisoners, determining the causes, and taking preventive measures to avoid a recurrence.

1. The steps to be included in a food poisoning epidemic plan are:

- a. Cease serving the jail food.
- b. Arrange for food service from other sources in the community.
- c. Retain the prepared food for inspection and do not permit the removal of food or alteration of storage arrangements until authorized by public health officials.
- d. Notify the public health unit in the community and request its immediate assistance.
- e. Supplement the jail staff to cope with the extra activities and with possible mass protests by the inmates.
- f. Obtain medical attention for those who are ill, and to standby in the event additional cases arise.
- g. Prepare the infirmary to receive food poisoning patients.
- h. Alert the hospital to the possibility of receiving prisoner patients.
- i. Instruct jail officers to observe the prisoners and to see that those who have symptoms of food poisoning are reported to the physician.
- j. Provide activities for the prisoners to reduce the spread of rumors and the psychological effects of the epidemic.

2. When there are no additional prisoners with food poisoning symptoms, and the public health officials have given clearance to continue jail food services, the jail administrator should:

- a. Obtain a report from the public health and the medical authorities who investigated the causes and treated the sick prisoners and implement their recommendations.

EMERGENCY PLANS FOR POWER FAILURE

The lighting of a jail is an extremely important security factor. When there is a power failure, and no lights in the jail, the prisoners will commit acts which they would otherwise not dare to do. Inmates will deliberately cut off the source of light to create a period of darkness when they cannot be observed attempting to escape, committing an assault or sodomy, and starting a riot.

The jail should be prepared for such an eventuality with a supplementary source of power that can be immediately switched on from the control center.

If the jail generates its own electricity, the source of electricity in an emergency could be the public utility supplying electricity to the closest community.

An emergency generator should be available if the usual source of electrical power comes from the community.

1. When a power failure occurs in the jail, the following action should be taken without delay:

- a. Switch on the supplementary source of power.
- b. Switch on all electric battery-operated emergency lamps. Such lamps should be in place at important locations even if a supplementary source of power is available, as a storm may affect both.
- c. Issue hand electric torches to officers.
- d. Close all gates.
- e. Lock prisoners in their cells.
- f. Exercise caution in admitting people into the jail building.
- g. Assign officers to patrol the periphery of the jail.
- h. Notify the sheriff's office.
- i. Arrange for immediate repairs to the power unit. (The home address and telephone numbers of the repair personnel should be attached to the plan.)
- j. Check the jail for damage.
- k. Take a count of the prisoners.
1. Investigate to see if any attempt to escape was made, if anyone was assaulted, if any part of the jail was broken into or if an escape occurred.
- m. Determine the cause and make a report for the record.

XVIII. Transportation of Prisoners

It is frequently necessary to transport prisoners from the confinement facility to another jail, state prison, court, hospital, to visit a critically ill member of the immediate family, or to attend a funeral.

Official files contain numerous reports of serious incidents such as escapes, murders of escorting officers, and forced sodomy, that have occurred in the process of transporting prisoners. Such incidents can be avoided when the transportation of prisoners is planned and carefully selected, trained officers are assigned, and adequate security precautions are observed.

The opportunity to escape during transportation is greater than while in the jail. Some escapes are planned in advance; others occur as a result of an unexpected opportunity created by unreliable equipment and carelessness of the escorting officer.

STANDARDS

1. **Trained Officers.** Officers assigned to transportation details should be carefully selected and properly trained for escorting duties.
2. **First Steps.** Procedures should be established for planning, preparation, and instruction before the trip begins.
3. **Number of Officers.** A minimum of two officers should be assigned to any transportation detail.
4. **Restraints.** The restraints used should be suitable for each type of prisoners to be transported.
5. **Security.** Security must be foremost in the mind of the transporting officer and enhanced with proper equipment.

6. Special Requests. As a rule, special requests for visits en route are not granted.
7. Vehicles. Special security and communication equipment should be installed in all vehicles used to transport prisoners.
8. Transportation by Train. Special regulations should be prescribed for transporting prisoners by train.
9. Transportation by Airplane. Conditions under which prisoners will be transported by airplane should be prearranged with the airline.
10. In Court. Security measures should be in accordance with the instructions of the court.

DISCUSSION OF STANDARDS

1. Trained Officers.

The assignment to a transportation detail must be based on the officer's dependability, attitude, and capability to accomplish the duties involved. It should never be given as a favor or to permit an officer to have a short holiday.

Those officers who are selected for transportation duties, whether it be for permanent assignment or for only one trip, must be trained in such matters as the use of restraint equipment and the precautions to use when eating, sleeping, using the toilet, and other situations.

Female officers should be assigned to any detail in which a female prisoner will be transported.

2. First Steps.

Every transportation trip should be planned. Procedures pertaining to each mode of transportation should be prescribed and special instructions issued to the transporting officers.

a. The personal characteristics of the prisoner(s) should be explained to the officers. Such matters as the prisoner's security classification, stability and time to serve are important to the officer in charge in order to exercise the proper amount of security.

b. The necessary accompanying papers should be given to the officer as they include the authority to keep each prisoner in custody.

c. Plans should be based on the following considerations:

- (1) Should a prisoner be transferred by himself or with others?
- (2) Which prisoners should be grouped in separate vehicles?
- (3) Which prisoners should be handcuffed together?
- (4) What type of transportation should be used?
- (5) How many officers will be assigned?
- (6) Who will be the officer in charge?
- (7) What restraint equipment will be required?
- (8) How will the prisoners be dressed?
- (9) When and where shall the prisoners be processed for the transfer?
- (10) How will prisoner's property and funds be handled?
- (11) What route will be taken from the jail to the destination?
- (12) Which law enforcement agencies should be notified of the movement?
- (13) How many overnight stops at secure jails will be necessary?
- (14) Which jails will be requested to accommodate an overnight stay?
- (15) Will the jails furnish some of the meals to the prisoner?
- (16) How many meals will be needed?
- (17) How much expense money should be advanced to the officer in charge?
- (18) When should the officer in charge communicate with the jail?
- (19) When and by what means should the transporting officers return to the jail?
- (20) What will be the time schedule from the departure to the arrival at the destination?

3. Number of Officers.

The number of officers assigned to escort prisoners should be sufficient to provide security and allow for reliefs and emergencies. It should consist of at least

two officers, one of whom should be designated as the officer-in-charge.

4. Restraints.

Standard equipment for restraint consists of handcuffs, leather belt or restraint chain, and leg irons. These items may be supplemented with special equipment when necessary. Although some states prohibit the use of a straitjacket, others permit its use for transportation of disturbed prisoners in an ambulance.

All individual prisoners to be taken out of the jail should be thoroughly searched and handcuffed, with their hands behind them, just prior to leaving the jail. They should remain handcuffed at all times during transportation. When handcuffing a prisoner, the palms should be facing outward and the key holes facing the prisoner's back. The handcuffs should be double locked and tested to see that they are secure.

It is important to remember that restraint equipment alone cannot be depended upon to prevent an escape. It is merely an aid to the officer whose careful and personal attention is still necessary even if the prisoner is handcuffed and chained.

In applying restraints, care must be used to avoid being attacked by the prisoner. It is advisable to apply and remove restraints when another officer is present to observe and assist. The prisoner should be kept in necessary restraint equipment at all times; therefore, it should not be so tight as to require adjustment for circulation nor should it be loose enough for a prisoner's hand or leg to slip through. When escorting only one prisoner, his hands should be cuffed together.

The locks on restraint equipment can be picked open with simple devices such as a wire clip or a hair pin. The escorting officer should check the restraints frequently to see that they are secure and are not causing undue discomfort. The prisoner should never know the location of the keys for restraint devices.

The restraint chain is preferable to the leather belt as the latter can be cut more easily. It helps reduce the prisoner's use of his hands when handcuffed to a leather belt or chain. It should be put on tightly enough to prevent it slipping over the prisoners hips.

Leg irons serve the purpose of slowing the prisoner if he attempts to walk or run away.

Lead chains are useful when moving a prisoner through a crowded public area. It provides a distance between the officer and the prisoner while maintaining control. A lead chain may be attached to the leg iron chain, waist

chain or handcuffs so that the prisoner precedes the officer. Caution must be used to prevent the prisoner from gaining possession of the lead chain as it then becomes a dangerous weapon.

The escorting officer's decision as to the amount and type of restraint should be based on his knowledge of the personal characteristics of the prisoner. A juvenile or a female prisoner may be more dangerous than some adult males; therefore, the officer should use the same criteria concerning their restraint.

When transporting a prisoner by way of a commercial airline, a leg brace is an excellent device to use. It is an orthopedic knee cage with ring locks that hinders the prisoner's leg movements, and can be worn under the trouser leg.

5. Security.

The escorting officer must never be lulled into a feeling of complacency nor talked into relaxing his security. The results could be very disastrous.

Firearms must be out of the reach of prisoners at all times.

The prisoner must always be in sight and under control. He should not be left alone particularly behind a closed door.

Removing the prisoner's shoes will also curtail his mobility. This is advisable while in a train.

While in a public area, people should not be permitted to give the prisoner any items, to engage him in conversation, nor to get too close to him. The items may be used to help him escape and the conversation may also be for that purpose.

The local law enforcement department of a community in which a lengthy stop will be made, and the security department of the railroad or the airline being used should be advised of the number of prisoners passing through, the expected time of arrival and departure, and any assistance that may be required.

The strongest security device is the attitude and vigilance of the officer who continually considers all possible means that the prisoner may use to attempt to escape and who takes precautions to cope with them.

6. Special Requests.

The prisoner may ask for favors such as permission to make a telephone call, to purchase items in a store, or to have a visit with a friend or family member. All

such requests should be denied. The officer should not allow himself to be talked into relaxing his security. A phone call could be an arrangement to help the prisoner escape, permission to make a purchase may require moving to an area from where an escape would be easier, and a visit to a friend or relative could result in a departure from the escorting officer. The trip must be as direct as possible with no delays or diversions.

7. Vehicles.

Motor vehicles that are used for the transportation of prisoners should be equipped with special equipment to aid in security and control. Such equipment, suitable for a sedan or station wagon, consists of a screen grill or plastic partition between the front seat and the rear seat of the vehicle, outside door locking devices and a two-way radio. In larger vehicles such as a prison van, these are supplemented with a toilet and an intercom between the driver's compartment and the rear compartment in which armed officers are stationed. Partitions should be used to separate female and juvenile prisoners from the others in the same van.

The vehicle should be thoroughly searched before the prisoners enter and again inspected after completion of the trip.

When one prisoner is escorted by two officers in a patrol car, the prisoner is seated in the rear seat on the right. The second officer should not be armed, but, if he is, he moves his gun to his left side and sits in the rear directly behind the driver. Safety latches keep the rear doors locked.

When two prisoners are escorted by two officers in a patrol car, both prisoners, cuffed together, are seated on the right and center of the rear seat. The second officer should not be armed; but, if he is, he moves his gun to his left side and sits in the rear directly behind the driver.

When three prisoners are escorted by two officers, the prisoners should be cuffed together and seated in the rear seat while the second officer sits next to the driver and faces them. The vehicle used in this case should be equipped with a screen or plastic partition between the front seat and the rear section of the vehicle.

In all the above arrangements, the prisoners should be in restraints before being placed in the vehicle. They should be further restrained with seat belts and shoulder straps. The safety latches on the rear doors should be locked.

A mentally disturbed prisoner should be transported in an ambulance. If the prisoner is violent, it is

advisable to have a physician examine him and possibly administer a sedative to tranquilize the patient during the trip. Restraints should be applied in anticipation of the prisoner becoming violent again. The second officer, unarmed, should be in the rear of the ambulance with the prisoner. The officer in the front of the vehicle should be armed.

8. Transportation by Train.

Whenever possible, a private compartment, drawing room, or bedroom on the train should be used. The room should be searched before entering it.

The conductor should be told that a prisoner or prisoners are in the room and a signal for admission of the conductor should be established.

The officer should see that the prisoner is restrained and should seat the prisoner diagonally opposite him, preferably with a table and a lead chain between them.

The prisoner should never be left alone even when he uses the toilet. The toilet door should be left slightly ajar so that the prisoner may be under observation.

During a lengthy journey when it is necessary to use the railroad sleeping accommodations, the prisoner should sleep in the upper berth fully restrained with a lead chain to the officer in the lower berth. The compartment door should be locked.

If the trip is made in a chair car, the officer and the prisoner should sit as far removed from the public as possible. Meals should be taken in the seating section while the prisoner remains under restraint. When a group of prisoners occupies a chair car, the car should be examined and the exits guarded prior to the prisoners' being seated.

9. Transportation by Airplane.

The airline passenger agent should be contacted in sufficient time to obtain clearance, the conditions under which the flight will be permitted, and necessary flight and boarding information.

Whenever possible, non-stop flights should be used. Boarding of the plane should be accomplished prior to that of the other passengers. The prisoner should be seated next to the window, away from the emergency exits, and as far from the other passengers as can be arranged. The officer should sit next to him. If two officers are used, the prisoner is seated between them.

The airline may object to the usual restraints. The modified leg brace, concealed under his trouser leg, may

be used instead to curtail the prisoner's movements.

The officer and prisoner should deplane after the other passengers have left. The prisoner should be placed in full restraints immediately after leaving the airplane. By prior arrangement, a local law enforcement officer should be on hand to assist the escorting officer if necessary.

10. In Court.

Prior to leaving the jail for court, the prisoner should be thoroughly searched and appropriately restrained. The restraints should not be removed until the prisoner is locked in the court holding cell. The judge's directions concerning the use of restraints in his court room must be followed.

Whenever a prisoner is returned from the court, he should be thoroughly searched. Court appearances create opportunities for the prisoner to obtain contraband.

BIBLIOGRAPHY

DAILY TRAINING BULLETIN

By Los Angeles Police Department
Volume 2
1958

PRISONERS TRANSPORTATION MANUAL

State of California
1968

RULES AND REGULATIONS

New York City Department of Correction
1966

XIX. Food Services

The service of meals to prisoners is one of the basic concerns of the jail's management. A relatively large number of prisoners may be employed to accomplish the numerous tasks concerned with storage, preparation, and service of food, and in maintaining the sanitation of the food service areas.

Poor management can result in food poisoning, concealment of contraband, obtaining of weapons, and mass disturbances. Good management promotes morale, discipline, and good health.

STANDARDS

1. Three meals a day. All prisoners should be provided three meals a day.
2. Supervision. The food service department should be under the direction of qualified supervisors.
3. Careful selection of inmate help. Inmates assigned to food services must be carefully selected and free of communicable disease.
4. The dining area. A dining area should be provided outside the cells.
5. Feeding system. The system of feeding inmates should be included in the rules and regulations.
6. Movement to dining area. The rules and regulations should contain a system for movement of prisoners to and from the dining area.
7. Nutritional needs. The diet should contain all the elements necessary to maintain health and well-being.

8. Menus. Menus should be in accordance with standards established by health and nutrition services.
9. Special diets. Special diets should be provided when prescribed by the institution physician.
10. No food packages. All food consumed by inmates, except for allowed commissary purchases, should be supplied by the institution.
11. Sanitation. The food service department should be maintained in a clean, orderly, and safe condition.
12. Unusual situations. Personnel should be trained to handle unusual occurrences.

DISCUSSION OF STANDARDS

1. Three Meals a Day.

Food service in jails is more than a means of sustaining life. It is a factor in the morale and general behavior of all prisoners. Food has a more immediate, important, and far-reaching effect on inmates and their receptiveness to discipline and treatment than any other single factor. It is important, therefore, that all meals be served properly cooked with sufficient seasoning to make food as tasty as possible. Food should be served in compartmented trays taking care to see that food from one compartment does not spill over into another compartment, *i.e.*, beans into fruit salad, pie into meat, etc. In order to provide a balanced diet, attractive green salads, of which there are many varieties which are reasonably inexpensive, should be served with each meal, *i.e.*, tossed green salad made of fresh green lettuce, green onion tops, particles of cabbage, tomatoes, shredded carrots, raisins, with some type dressing, a piece of canned fruit such as peaches, pears, apricots, etc., possibly placed on wholesome green lettuce leaves with a small amount of some type salad dressing.

If one is not familiar with the actual calorie content of basic foods such as meat, potatoes, beans, etc., this information is readily available at your local county health center. Hot foods should be served hot; cold good and beverages as cold as possible. All food should be served as soon after preparation as possible.

2. Supervision.

The supervisor should have skills, abilities, and knowledge of the following elements:

- a. General cooking knowledge and experience.
- b. General baking knowledge and experience.
- c. Meat cutting knowledge and experience.

d. Ability to operate and maintain food service equipment.

e. Ability to manage and supervise food service operations.

f. Aptitude for work with prisoners.

3. Careful selection of inmate help.

The inmate detail should be based on a survey of the workload of the food service section, which will reveal the number and types of inmates required.

The supervisor should evaluate the abilities of each inmate, keeping in mind the requirements of each job in the department. After these determinations are made, each inmate assigned to food service should be given a physical examination and, if certified free from communicable disease, then assigned to the job for which he is best suited. An inmate assigned to a new job in the kitchen should receive careful instruction as to what he is expected to do. It should be fully explained to the inmate worker at this time that he should bathe frequently, change clothing at least once a day, and keep his fingernails closely trimmed. The supervisor at this time should also explain to the inmate proper work methods, tools to be used, and custodial and safety regulations of the jail. Preferably a written job description should be given to the inmate after the work assignment has been explained to him.

Since the number of inmates assigned to food service may be relatively large, it is expected that some problems with inmates may arise. A major factor contributing to fewer disciplinary cases is the supervisor's effective use of the following techniques:

a. Recognition of developing problems.

b. Handling of cases which he feels qualified to handle.

c. Referring those cases he is not prepared to handle to the disciplinary committee or the administrative officer.

d. Furnishing the institution administrators with reports of the inmates' job performance and attitudes.

Food service inmates should be issued white clothing, including caps, which should be laundered daily. On reporting for duty, each inmate culinary worker should be checked for the proper dress, neatness, and personal hygiene, with emphasis on short, neat haircut, length and cleanliness of fingernails, and the wearing of the hat.

If an inmate culinary worker is assigned to the butcher shop and his clothing should become dirtier than usual, *i.e.*,

grease, blood stains, before his tour of duty is completed, and inmate is going to assist in serving food, he should change into clean uniform before meal serving time.

If possible, inmate culinary workers should be housed separate from other prisoners.

4. The Dining Area.

From a standpoint of consumer satisfaction, economy, and waste control, the most satisfactory dining area is a central dining room. This method of group feeding provides a pleasant, relaxed atmosphere, with normal conversation and a welcome break in the day's routine.

Where these facilities are not available in a jail, the food should be transferred by heated and refrigerated carts to the day room or to the cells. Group feeding in day rooms or other areas is preferable to cell feeding if security considerations permit. When cell feeding is necessary, the cells should be equipped with food slots (through which trays can be passed without unlocking the door), a small table or shelf, and some type of seating.

5. Feeding System.

If space is available, cafeteria-type service is more economical and provides a higher standard of service. Serving lines and all the serving operations should be arranged to enable the hot food to be eaten hot and the cold food cold, and all food eaten while fresh and most palatable. A well-arranged serving line operates smoothly and rapidly. Each man should be able to select the servings that he wants and be able to get them to the table in good condition. These arrangements require planning on the part of the supervisor in charge. The work schedule in the kitchen must be organized to conform to the established meal serving hours.

6. Movement to Dining Areas.

The jail administrator and food supervisor should establish the hours for serving of food. The time published should be strictly followed. The spacing of meals at reasonable intervals is of prime importance. The evening meal should be timed as late in the day as institution scheduling will permit.

Traffic lines to meals should provide rapid, uncongested flow from entry to exit of the dining area. Trays, cups, bowls, and all eating utensils should be stored in appropriate handling equipment and placed conveniently near the serving line. It is now considered practical to give full cutlery service to the general population in accordance with the diet and group being served. Effective means should be developed to collect the cutlery, to prevent any custodial hazard. Dishwashing facilities should be located near the dining area

exit for efficient disposition of used dining utensils. Where the security of the facility permits, free movement is recommended between quarters and the dining area.

7. Nutritional needs.

Too many facilities provide diets which satisfy hunger and maintain body weight yet do not include the foods necessary for good health. Scientists have classified the foods necessary for human nutrition into groups according to the substances they provide. These food groups vary and include from seven to sixteen groupings. One of the most widely used groupings of foods for nutritional accounting is the "Basic Seven" grouping.

The Basic Seven food groups are:

Group 1 - Leafy, green, and yellow vegetables.

Group 2 - Citrus fruits and other foods high in Vitamin C.

Group 3 - Potatoes and other vegetables and fruits not included in Groups 1 and 2.

Group 4 - Milk and milk products except butter.

Group 5 - Meats, poultry, fish, eggs, dry beans, and peas, nuts.

Group 6 - Bread, flour, cereals.

Group 7 - Butter and vitamin-enriched margarine.

8. Menus.

Inclusion in the menu of one or more servings daily from each of the seven food groups insures a balanced diet. Menus should be prepared in advance for periods of a week, ten days, or more. The ten-day menu is preferable in that it eliminates the possibility of excessive repetition on a particular day of the week. Consideration should be given in menu planning to age, sex, and physical condition of inmates. Also important are geographical location and regional eating habits. Meals should be appropriate to the season and to prevailing weather conditions. Full recognition should be given to national holidays and other days of special note so that menus will reflect the occasion observed. Most important in meal planning is that the menus meet proper dietary standards and are within local budget limitations.

Following are example-menus for a ten-day period. Some butter or margarine and milk should be served each day. Bread, sugar, and an appropriate beverage should be served with each meal.

MENUS FOR A PERIOD OF TEN DAYS

FIRST DAY

BREAKFAST

Stewed Mixed Fruits
Corn Flakes W/Milk

DINNER

Steamed Franks
Mustard
Hash Brown Potatoes
Steamed Sauerkraut

SUPPER

Cubed Beef W/Vegetables
Noodles
Corn Bread
Beet & Onion Salad

SECOND DAY

Pineapple Jam
Bran Flakes W/Milk

Eggs, Scrambled W/Onions
and Green Peppers
Mashed Potatoes
Carrot & Raisin Salad
Purple Plums

Creole Soup
Sauteed Liver
Onion Gravy
Paprika Chopped Potatoes
Succotash

THIRD DAY

Apple Jelly
Rice Krispies W/Milk

Tuna Creole
Steamed Rice
Parsley Carrots
Bread Custard

Corn Chowder
Baked Fish
Tartar Sauce
Mashed Potatoes
Tossed Green Salad

FOURTH DAY

Plum Jam
Wheat Flakes W/Milk

Green Split Pea Soup
Salisbury Steak
Onion Gravy
Mashed Potatoes
Spinach

Navy Beans W/Ham Shanks
Mixed Green Salad
Raspberry Gelatin

FIFTH DAY

Apricot Jam
Hominy Grits

Chicken Barley Soup
Roast Chicken
Giblet Gravy
Mashed Potatoes
String Beans

Chow Mein
Steamed Rice
Chow Mein Noodles
Cole Slaw

SIXTH DAY

Stewed Prunes
Corn Flakes W/Milk

Baked Macaroni W/Cheese
Raw Vegetable Salad
Almond Ice Cream

Lentil Soup
Baked Corned Beef Hash
Southern Gumbo

SEVENTH DAY

Grape Jelly
Wheat Flakes W/Milk

Spanish Rice W/Meat Sauce
Rice
Carrot/Green Pepper Salad
Crushed Pineapple

Mutton Stew
Corn Bread
Harvard Beets

EIGHTH DAY

Apple Butter
Rice Krispies W/Milk

Sliced Bologna
Mustard
Mashed Potatoes
Kernel Corn W/Green Peppers
Tossed Green Salad

Lima Bean Soup
Baked Hamburger
Onion Gravy
Paprika Chopped Potatoes

NINTH DAY

Stewed Figs
Corn Flakes W/Milk

Jambalaya
String Beans
Orange Gelatin

Yellow Split Pea Soup
Steamed Franks
Mustard
Baked Beans
Steamed Sauerkraut

TENTH DAY

Pineapple Jam
Bran Flakes W/Milk

Tuna Salad
Hash Brown Potatoes
Parsley Carrots
Lemon Pudding

Tomato Rice Soup
Deep Fat Fried Fish
Tartar Sauce
Mustard Greens
Mashed Potatoes

9. Special Diets.

Medical diets should be prescribed in writing, and they should be specific as to content and duration. Insofar as possible, items to be served as a part of the diet should be selected from those scheduled for service on the regular bill of fare. The supervisor should be responsible for seeing that all dietary requirements are met as prescribed.

10. No Food Packages.

Food packages from outside sources should not be permitted. Such packages pose a threat to the security and sanitation of the institution. They offer a source of introduction of contraband into the facility and contribute to roach and rodent infestation, and they provide a bartering tool for the few and an adverse morale factor for the majority who would not receive packages.

11. Sanitation.

Good housekeeping is standard practice in any well-run institution. With respect to the handling of food, the utmost care should be taken in the handling of food preparation and eating utensils. Stainless steel or a high quality plastic, trays, bowls, and eating utensils should be utilized if at all possible. It is essential that the care and cleaning and storage of food preparation and eating utensils be closely supervised. Washing of all food preparation and eating utensils should be accomplished in either of the following ways. Three containers, one holding hot soapy water, one with hot clear water for rinsing, and the last one containing some type of bacteria neutralizer should be used. (Check with your local health department for local health regulations.) The ideal situation would be to wash in hot soapy water, rinse in clear hot water, and then place in a sterilizer with hot steam under pressure. Eating utensils should then be taken either from the sterilizer or the container of bacteria neutralizer and placed on some type of drying rack where the air can circulate freely. When dry, they should be properly stored. All food preparation and eating utensils should be thoroughly checked after cleaning for traces of grease upon which bacteria can and do accumulate. If this condition is found, utensils should be rewashed.

Meat blocks should be thoroughly cleaned with a steel brush immediately after use, making sure that all particles of food are cleared from the top, sides, and legs. Each block should then be scrubbed with a hot soapy solution. Stove and grill should be thoroughly cleaned after the preparation of each meal. Garbage disposal units should be thoroughly flushed with hot soapy water, or if garbage containers are used, they should be equipped with an airtight lid which should be placed on the container after being filled with garbage. Garbage should be disposed of regularly

and frequently. Garbage containers and lids should be thoroughly cleaned and sterilized after being emptied. Pots and pans should be thoroughly cleaned using the same methods as for the eating utensils, then hung on drying racks which permit circulation of air in and around them. Meat slicing machines, food grinders, etc., should be dismantled at least once a day for the purpose of removing all crumbs and particles of food that cannot be reached with ordinary cleaning. Ventilation hoods, ceilings, and walls over and around the stoves should be cleaned daily, thus eliminating any buildup of grease, food particles, etc., upon which bacteria feed.

A plan for regular inspections should be followed. An effective method of inspection utilizes a sanitation check sheet to make sure that no areas are overlooked. Such a check sheet should include notations on the cleanliness of the facility and equipment, repairs needed, fire or safety hazards, presence of vermin, storage temperature, orderly storage, and evidence of contraband.

12. Unusual situations.

All employees should be trained to implement immediately the institution's "special emergency" plan for riots, escapes, fire fighting, emergency lighting and standby power, and civil defense. Employees should be trained to use appropriate techniques to handle arguments at the serving line, emotional outbursts, and fights.

The dining room is a sensitive area and emotions are contagious; therefore, all emergencies should be handled as quietly and discreetly as possible.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Washington, D. C.
1966

JAIL ADMINISTRATION
By Myrl Alexander
Publisher: Charles C Thomas, Springfield, Illinois
1957

XX. Health Services

Health Services in this chapter encompasses the areas of mental as well as physical health, prevention of disease, dental care, diagnostic examinations, the furnishing of prosthetics, and health education.

For some prisoners, arrest and imprisonment are a blessing in disguise as many have long-neglected ailments which are detected by the jail physician and treated either in the jail or the local hospital. If not so detected, the consequences could have been incapacitating or fatal.

Because of the close proximity of large groups of prisoners in confinement within a small area, which is usually poorly ventilated, it is to be expected that contagious diseases would spread rapidly and affect other prisoners, officers and members of their families, and people in the community with whom they come in contact. It is an important responsibility of the jail to provide the services to diagnose and treat diseases.

The lack of medical attention coupled with improper medical treatment is the most frequent complaint from prisoners. Unfortunately, to a large degree these accusations are justified. Even in jails furnishing excellent medical attention, such complaints are numerous. There are psychological reasons for the prisoner's overconcentration on his body and desire for care and attention, particularly in jails furnishing little or no outlet for physical and mental energies.

The maintenance and improvement of prisoners' health is of vital importance for their adjustment in the jail and for re-entry into the community. It has a direct bearing on the health of residents of the community and is of paramount importance in the efforts of the staff to resocialize the prisoner so that he may be an asset rather than a liability to society.

STANDARDS

1. Examination of New Prisoners. Every newly received prisoner should undergo a physical examination before his assignment to a housing area.
2. A Doctor Always Accessible. The services of a physician should be available at all times.
3. Sick Call. Sick call should be held daily.
4. Staff. The health services staff should be adequate for the number of prisoners in the jail.
5. Community Health Facilities. Maximum use should be made of community health facilities.
6. Distribution of Medication. The distribution of medications to prisoners should be carefully supervised.
7. Prosthetic Devices. Necessary prosthetic devices should be furnished to needy prisoners.
8. Examining Room. The medical examining room should be adequately equipped.
9. Infirmary. An infirmary should be set aside for the housing of prisoners receiving medical treatment within the jail.
10. Mental Health. A mental health staff should be available for the examination and diagnosis of every prisoner, and treatment of prisoners who are not sufficiently disturbed to be committed as psychotic.
11. Sanitation. A system should be established for keeping the jail in good sanitary condition.
12. Bathing, Washing, Drinking, and Toilet Equipment. Adequate bathing, washing, drinking, and toilet equipment should be furnished to the jail population.
13. Haircutting and Shaving. Haircutting and shaving facilities should be available.
14. Medical Records. Medical records should be kept current for all prisoners.
15. Rehabilitation. Medical treatment should aid in the rehabilitation of prisoners.

DISCUSSION OF STANDARDS

1. Examination of Prisoners.

A prompt and thorough examination of each prisoner is a vital part of the receiving procedure.

a. It establishes a physical and mental profile of the prisoner.

b. It resolves any questions about whether a prisoner was injured, stricken by illness, or mentally ill, prior to or after entering the jail.

c. A properly kept medical record, initiated at admission, can provide much information that will later prove useful.

d. It detects prisoners in need of immediate or emergency treatment.

e. Proper treatment for certain types of inmates, e.g., drug addicts, diabetics, epileptics, alcoholics, infirm prisoners, etc., can be thereby determined.

f. Contraband hidden in body orifices, in prosthetics, or under surgical dressings, may be detected by the examining physician.

g. It provides a description of the inmate's scars, tatooes, and other physical features for the identification and medical records.

Newly-received prisoners should be kept in a "holding" cell until examination. The examination should be conducted, however, at the earliest practicable moment.

2. Physician Always Accessible.

Depending on the number of prisoners, the following alternatives should be considered:

a. A contract can be made with a local physician to be on-call to conduct "sick call" and examine newly received prisoners.

b. A contract can be made with a local physician for full time coverage on certain days.

c. A full time resident physician can be employed. He may be a medical intern or a student who will work in exchange for room and board.

d. A full time staff of physicians can be employed and scheduled. One or more would then cover each eight-hour tour of duty.

e. Arrangements can be made with a local hospital for medical services.

3. Sick Call.

A definite time should be set daily. This may be:

a. prior to the start of the day's activities, or

b. during recreation periods. (This may reduce malingering.)

Methods of conducting sick call vary. The officer on post should list the names of inmates reporting sick. The physician's examination may be conducted in:

a. the examining room where the inmate has been brought for this purpose;

b. the cell block, with the physician visiting those inmates listed for sick call;

c. the cell block, with the examining room used for selected patients at the discretion of the physician.

An officer should be present:

a. to maintain order.

b. to prevent theft of medication.

c. to prevent arguments with the physician.

All complaints of illness or injury should be noted on the prisoner's medical record together with treatment prescribed.

4. Staff.

The size and type of staff depends on the number of prisoners to be served.

a. It may consist of medical doctor or doctors, nurses, technicians, pharmacist(s), medical clerks, psychiatrists, psychologists, psychiatric social worker(s), dentist, optometrist, and consultants.

b. It may be augmented by prisoners who can be trained to function as medical technicians and orderlies.

It has been recommended that an institution of five hundred prisoners should have, on a full time basis, a minimum of:

a. a chief medical doctor,

b. a technician,

c. a psychiatrist,

d. a psychologist, and

e. a dentist.

An institution of three hundred prisoners should have,

on a full time basis, one physician. An institution of fifty prisoners should have, as an absolute minimum, one full time nurse.

If the attendance of a full time nurse or medical technician cannot be obtained, smaller institutions should resort to the alternatives mentioned in the discussion of standard 2. a. through 2. e. above.

The number of physicians and other medical personnel will not only depend on the number of prisoners, but on the desire of the community to provide health care equivalent to that accorded citizens in the free community.

Duties of the medical doctor include:

- a. diagnosis,
- b. treatment of ailments,
- c. prescriptions of medications and special diets,
- d. examination of employees when necessary, as in the event of injury or emergency illness or to detect suspected intoxication,
- e. arrangements for hospitalization,
- f. liaison with community medical facilities,
- g. sanitary inspections,
- h. supervision of the infirmary,
- i. supervision of special treatment programs, as for drug addicts,
- j. approval of restricted diets for punishment,
- k. visitations to solitary confinement prisoners at least twice a day.

Duties of nurses include:

a. functions related to the care and treatment of prisoners in accordance with the doctor's orders, e.g.,

- (1) administration of medications.
- (2) screening cases for the doctor to see.
- (3) supervision of the infirmary.

Duties of technicians include:

- a. operation of equipment for diagnosis and treatment.

- b. laboratory analyses,
- c. those duties of the nurse as the medical doctor may assign, under the supervision of the physician.

Duties of the medical clerk include:

- a. keeping medical records.
- b. typing reports and correspondence.

Duties of the pharmacist include:

- a. ordering stock and safeguarding medications and medical supplies.
- b. filling prescriptions as directed by the doctor.
- c. keeping careful records of inventory, particularly of narcotics, barbiturates, amphetamines, and other dangerous drugs.

Duties of the dentist include:

- a. making dental examinations,
- b. providing emergency treatment,
- c. providing dental treatment when situations permit, including the obtaining of dentures,
- d. maintaining dental records.

Duties of the optometrist include:

- a. determination of the need for eyeglasses,
- b. determinations of eyeglass prescriptions,
- c. furnishing of eyeglasses,
- d. referring prisoners with eye diseases to the jail's medical doctor.

Functions of consultants are many. Highly trained specialists may be recruited to provide their services, free of charge, for periodic visits to the jail and to give diagnostic opinions and treatment.

5. Community Health Facilities.

A community hospital may be utilized:

- a. for cases which cannot be treated adequately in the jail, e.g., surgery and serious ailments.
- b. to include a prisoners' jail ward, in which case:

(1) Security features, such as locks, gates, and bars should be installed.

(2) Jail officers should be assigned.

c. for temporary holding of prisoners receiving clinical treatment.

d. for assignment of residents, interns, and medical students to medical functions in the jail.

The Department of Health:

- a. sets standards for health treatment,
- b. inspects the jail for sanitation and health hazards,
- c. provides immunization and treatments, when necessary,
- d. provides a portable x-ray machine for tuberculosis diagnosis,
- e. investigates epidemics, food poisoning, etc.
- f. provides health education.

Mental Health Facilities can provide:

- a. mental health staff members for the jail.
- b. hospitalization of psychotic prisoners.
- c. in-patient and out-patient treatment for discharged prisoners.
- d. mental health education.
- e. diagnostic examinations for reports and commitments.

The continuity of treatment for discharged prisoners in need of physical or mental treatment, *i.e.*, from the jail to community facilities, should be arranged for by the jail medical staff.

6. Distribution of Medication.

All medications should be:

- a. administered always under the supervision of a nurse or trusted employee.
- b. given in accordance with the doctor's written instructions.
- c. dispensed only one dose. at a time.

d. swallowed by prisoner, if taken orally. (An accumulation of pills may be bartered or used for a "heavy jolt" or suicide.) Hoarding of medications must be prevented.

7. Prosthetic Devices.

A prosthetic device is an artificial part added to the human body to replace one that is lacking such as a leg, an eye, or a tooth. Such a device should be:

a. furnished when necessary for normal function or health while in jail.

b. furnished as an aid to rehabilitation.

c. paid for by the prisoner or from profits from commissary sales. (The Veterans Administration, Medicare, and other sources may pay for prisoners who are qualified to receive benefits from these organizations).

8. Examining Room.

An examining room must be equipped with at least the following basic necessities:

a. minimum furniture: desk, chair, examining table, cabinet for supplies,

b. adequate lighting fixtures,

c. minimum equipment: washbasin, scale, electrocardiograph machine, and drinking fountain,

d. supplies:

(1) appropriate medications for immediate treatment.

(2) an emergency kit containing hypodermic syringes and needles, tourniquets, hemostats, tongue depressors, and resuscitators.

(3) instruments, dressings, and material for minor surgery.

(4) a supply of forms for entering medical findings and dispositions.

The need for security precautions in the examining room cannot be overemphasized.

9. Infirmary.

An infirmary may be used to house:

a. prisoners with such minor ailments as a respiratory disease.

b. prisoners with minor ailments who need more intensive medical care for short periods of time.

c. prisoners who are crippled, aged, and infirm. They may be housed in a special area in the infirmary away from those with contagious diseases.

10. Mental Health.

Mental health care is vitally important. Many prisoners are emotionally disturbed, some are pre-psychotic, and others may be psychotic but in a temporary state of remission. Even these ostensibly "normal" prisoners may benefit from some form of treatment. To provide this treatment, the services of a professional social worker, psychologist, or psychiatrist, either individually or as a mental health team, are necessary. They should coordinate their efforts with the medical staff.

The duties of the psychiatrist include:

- a. diagnosis of mental illness.
- b. prescription of medication or other treatment for mental illness.
- c. to provide psychotherapy, individual and/or group.
- d. certification of mentally ill prisoners.
- e. submission of reports to authorized agencies.
- f. acting as chief of the mental health team.

The duties of the psychologist include:

- a. administration and evaluation of psychological tests, e.g., intelligence tests, personality, and aptitude tests.
- b. performance of some duties of the psychiatrist, if qualified, except for prescription of medications.

The duties of the social worker include:

- a. some duties of the psychologist, if qualified to do so.
- b. relating test results and psychiatric diagnosis to the patient's social situation. The prisoner's family situation, community adjustment, employment and general adjustment are all relevant to a mental illness.

11. Sanitation.

Sanitation practices are necessary for preventing disease. All of the following recommendations should be

considered in planning for sanitation in the jail:

a. Establish a schedule for cleaning every area in the entire jail.

b. Provide proper and sufficient cleaning supplies. (Do not use disinfectants.)

c. Establish a system whereby daily sanitation inspections will be conducted to ascertain cleanliness.

d. Provide for medical examination of food handlers, barbers, and medical orderlies at frequent intervals.

e. Prohibit the accumulation of any materials in the housing areas.

f. Provide for proper refrigeration and storage of food.

g. Provide adequate ventilation.

h. Provide freshly laundered linen to be issued at least once each week.

12. Bathing, Washing, Drinking, and Toilet Equipment.

Personal cleanliness is no less important than institutional cleanliness. For this reason, the following fixtures should be provided:

a. Showers. The number of shower stalls should be appropriate for the number of prisoners, e.g., three shower stalls for twenty individual cells or a twenty-five bed dormitory.

(1) Individual showers should be made available in the housing area. Each prisoner should shower at least twice weekly.

(2) Group showers must be scheduled for housing areas or work groups.

(3) Food handlers should shower at least once daily, perhaps more often.

(4) Showers should be prescribed daily for prisoners on certain work details.

b. Washbowls (lavatories): There should be:

(1) One washbowl in each single cell.

(2) One washbowl for each eight prisoners in a multiple cell or dormitory.

c. Drinking fountains. These should be provided in

cells, dormitories, recreation areas, and waiting rooms. They may be:

- (1) a sink tap, or preferably
- (2) a sink spout.

d. Toilets. Adequate toilet facilities must be provided. For sanitary and security reasons, each cell should have at least one toilet. Multi-occupied rooms should have at least one toilet for each eight inmates.

13. Haircutting and Shaving.

Excessive hair growth must be avoided for sanitary reasons. Provisions must therefore be made for haircutting and shaving of prisoners.

a. Haircutting. The services of a barber or barbers must be procured. Each person used as a barber should undergo a thorough medical examination.

Barber services may be arranged by:

- (1) establishing a barber school in the jail with a qualified civilian barber to instruct the inmates, or
- (2) by using barber students from the community.

Prisoners' hair should be reasonably short. Shaving of the head should be done only by order of the medical doctor, for medical reasons. When hair on an unconvicted prisoner is considered unsanitary, he may be isolated until he consents to having it cut to an acceptable length.

b. Shaving. Each prisoner may normally be expected to shave himself. Instruments must be furnished to him in most cases.

- (1) locked safety razors should be issued.
- (2) electric razors may be permitted if they are the prisoner's personal property.
- (3) Individual razors may be allowed for certain prisoners, e.g., work release and minimum security inmates.

Prisoners should not have unsightly beards.

- (1) Beards may be removed for purposes of sanitation and identification.
- (2) Prisoners should be cleanly shaven before court appearances and visits.

14. Medical Records.

Medical records are necessary for:

- a. providing a case history for reference.
- b. providing information necessary for answering complaints relative to injuries and treatment.
- c. forwarding to the receiving institution when the prisoner is transferred.
- d. use in institutional classification.
- e. use by the courts.

15. Rehabilitation.

Rehabilitation has many facets. Its benefits and services include:

- a. rendering the prisoner fit to participate in jail treatment programs.
- b. rendering the prisoner better able to earn a living upon his release.
- c. providing corrective surgery.
- d. providing cosmetic surgery when deemed necessary.
- e. providing for continuity of treatment from the jail to the community.

BIBLIOGRAPHY

A MEDICAL SERVICES PROCEDURAL MANUAL
New York City Department of Correction
1966

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Washington, D. C.

JAIL ADMINISTRATION
By Myrl Alexander
Charles C Thomas
1957

XXI. Short-term Treatment Program

Most jail personnel recognize the fact that the great majority of persons committed to their custody have some problems of a personal, social, and/or medical nature, that such problems vary according to the individual, and that the community and jail personnel should be doing far more to help resolve the problems of prisoners, if the real and sensible objective of the jail is to be accomplished. That objective is properly to confine, supervise, and help solve the problems that prisoners have so that they are less likely to come into further conflict with the law after release. If these functions of custody and treatment are effectively performed, future crimes by current prisoners will be reduced. Thus, the community will be a better and safer place in which to live for the prisoner and the citizens in the community.

In this chapter, Short-Term Treatment Programs may be defined as planned programs of an individual and group nature necessary to solve the personal and social problems of both the unsentenced prisoners and those with sentences of one year or less.

Obviously such treatment activities must be varied, so as to meet the needs of the different types of inmates such as the pre-trial, the first offender, the juvenile or youthful offender, the alcoholic or drug addict, the mentally or physically ill, and others. Because of the diversity of types of persons committed to most jails and their relatively short stay, programs must be well organized, supervised, and effectively administered in a relatively short period of time. The services that must be made available include medical, psychiatric, counselling, guidance, therapy, education, religion, vocational training, work, and many others to be discussed below.

The availability and use of the above services in a jail will necessarily be determined by its size, the needs of a particular jail population, and the geographical location

of the jail. However, all jails must have the necessary treatment services to fulfill properly their legal, moral, and professional obligations regardless of size or the availability of funds (See chapter 6 regarding the legal aspects). Many of the above services can be obtained through other local, state and federal health and welfare agencies. Above all, the jailer and his staff are as vital and essential to the treatment programs as are the educators, psychologists, psychiatrists, and medical doctors.

Without their support, knowledge, and active participation, such critically needed treatment programs are impossible. Without such services, jails will be far more difficult to administer; adequate treatment programs prevent most escapes, disciplinary problems, and possible legal actions for not filling the basic mental and medical needs of prisoners.

STANDARDS

1. **Philosophy and Objectives of Short-Term Treatment Programs.** It is essential that all jails have well organized, planned, and administered programs for treating both the unsentenced and sentenced prisoners. Such programs may be provided on a full or part-time basis within or without the jail facility, but should be varied enough to meet the many different needs of prisoners.
2. **Personnel.** Staff should be appointed, or utilized, on a full or part-time basis. Each should be professionally qualified to perform specialized treatment services. A maximum use should be made of the regular jail staff in the treatment process, and of appropriate community volunteers.
3. **Physical Facilities.** Adequate space and facilities within or outside the jail should be made available to administer proper treatment services, and to separately confine and treat special or unusual and different types of prisoners.
4. **The Classification Process.** A well-planned and administered procedure for receiving, diagnosing, and treating new prisoners, and for reviewing the status of current prisoners, is mandatory for the proper administration of a jail.
5. **Counselling, Guidance, and Therapy.** All jails must provide for the diagnosis and treatment of the mentally ill, as well as for regular counselling of prisoners relative to personal or group problems. These services should be supervised by a professionally competent staff, and will involve individual or group programs for the unsentenced and the sentenced prisoner. An institution's staff members should be counsellors as well as custodians.

6. Educational Programs. In view of the general educational deficiencies of offenders, intensive and effective programs of basic, adult, vocational, academic, and social education are a most critical part of the total program in the jail.

7. Religious Services. Religion is one of the community's most basic institutions, and thus fulfills an especially important need of those confined in jails. The chaplain provides for worship services, religious education, spiritual counselling to both the prisoner and his family, and is a most necessary person in times of personal tragedies such as death, serious illness, or injury.

8. Recreational Activities and Privileges. To eliminate the dull monotony of jail life, to prevent disciplinary problems, to teach prisoners the constructive use of leisure time, and to maintain the prisoner's family ties, well-supervised and planned recreational activities and privileges are mandatory.

DISCUSSION OF STANDARDS

1. Philosophy and Objectives of Short-Term Treatment Programs.

It is common knowledge to authorities in the administration of justice that the greatest number of persons who come into conflict with the law are misdemeanants (those sentenced or detained for offenses punishable by an institutional commitment of one year or less). There are no valid or reliable statistics as to the precise number who are committed to jails, but one good estimate is that approximately 1,500,000 were committed to jails in 1965, and many of these have been in jail before! (Task Force Report: Corrections. Washington, D. C. 1967, P. 72). The majority of persons so committed serve less than six months; most serve sixty days or less. Many persons in jail have significant personal and social problems which cause them to drink excessively, use drugs, or commit other types of crimes resulting in their arrest and commitment to jails (any institution for misdemeanor offenders is herein referred to as a jail). Most offenders come from the lowest social classes, and have inadequate backgrounds in education, vocational training, inadequate family situations, and are incapable of dealing with the stresses of everyday living.

Obviously, they need help. They need adequate help, and they must receive it in a proper and effective way while in jail. Jail administrators and staffs have a duty to provide and supervise the most effective short-term treatment programs possible if they are to help solve the important crime problem. Programs can be provided on a full or part-time basis by utilizing available governmental and community resources, by cooperating with other jails, and by directly involving all staff members

in the treatment program. Remember, the jailer who supervises the prisoners comes to know and understand them well. Thus, he can positively influence the prisoner and greatly assist him in the solution of his personal problems. This will result in a more adequately administered jail with fewer disciplinary problems. Such staff involvement will most importantly help in the reduction of future crime by those now in jails.

2. Personnel.

No jail, or any other type of institution, can be properly administered without an adequate staff, both numbers and kind. All jail personnel do not have to be college graduates with specialized training. However, personnel should be selected who are flexible, understanding, and interested in helping the inmate adjust to the jail and his community. Obviously, trained specialists are more desirable in matters of psychiatry and psychology (See chapter 6 for legal obligations). Only such qualified persons should be appointed to supervise such special programs, to treat prisoners, and to educate and train jail personnel on how to recognize, supervise, and treat prisoners with mental or medical problems. However, the officer knows the prisoner best, and it is he who can contribute most greatly to the successful treatment of prisoners.

Jail personnel may be taught by trained specialists in the use of various counselling techniques and how to recognize special or difficult personal problems that prisoners may have. Specialists can often teach staff members as a regular part of the ongoing or organized in-service training program at the jail. Jail personnel can also be sent to special or regular courses at local universities or to university extension programs usually held in the evenings or on weekends in most communities. Many specialists such as psychiatrists, ministers, psychologists, and educators can be hired on a full or part-time basis, or be acquired at a minimal expense by acquiring federal or state funds, and/or by utilizing available specialists in private practice, at a university, in state and local welfare, mental health, or community clinic organizations. Often advice and assistance in educational, vocational, and work programs may be obtained from local school systems, technical schools, and private industry.

It is also very possible that several jails in nearby counties or regions may pool staff resources so that each may acquire the services of a different specialist whose services can be utilized by two or more jails in the same region. Thus the cost for these services can be shared.

Above all, it is essential that the regular jail personnel and the specialists are properly coordinated and supervised so that the effectiveness of short-term treatment can be realized.

3. Physical Facilities.

Adequate physical space in the jail, or in the community, must be available to implement a treatment program properly (See chapter 5 for a detailed discussion of this subject). Prisoners who present special problems, e.g., those addicted to drugs or alcohol, or who may have severe mental or physical illnesses, must be kept separate from those who do not have such problems. So also must the juvenile and youthful prisoner be separately confined from those who are older or more sophisticated, in crime, or who may be escape risks. Then there is the separation of the detentioner and the unsentenced from the sentenced prisoner.

Many jails do not have adequate physical space and facilities to separate properly the many special prisoner types. Where such is the case, separate wings or groups of cells or dormitories may be utilized to confine prisoners separately. Such housing should be assigned on the basis of the types and numbers of prisoners with different problems. For example, addicts, escape risks, and the mentally ill should be under the most direct supervision, but removed as much as possible from the other prisoners.

Again, wherever distance and the law permit, several jails in the same region may pool their physical facilities and cooperate in confining different types of prisoners. One jail may best confine and treat youthful and/or first offenders, another the mentally ill, the addict, of the escape prone. Where possible, state mental health or correctional facilities may be used, or local hospitals can house the seriously ill.

It is necessary that there be rooms for individual or group counselling and therapy, education, religious services, and vocational training. A maximum use should be made of community school facilities, churches, mental health centers, and private industry for all those prisoners who can participate in such programs without threat to the community safety. After all, the prisoner upon release must live a law abiding life in the community. Is there any better way to prepare him for this future freedom? Additionally, the expense of constructing additional physical facilities for such programs can often be avoided.

4. The Classification Process.

It will soon become evident to jail personnel that some well-planned and well-organized administrative procedure is necessary to process and treat the sentenced and unsentenced prisoners properly. Additionally, such a procedure should involve all key personnel who will regularly meet to discuss the administration of such a procedure. If the sentenced are to be separated from the unsentenced, the juvenile or youthful prisoner from the older prisoner, the maximum

security prisoner from the minimum security prisoner, the prisoner with special problems from those with few or routine problems, and the determination of proper programs of treatment based on individual need, personnel must establish such a procedure and properly and regularly implement it.

Such a process is fairly well-established in institutions for long-term offenders in most states, and exists in the larger jail systems. This process is known as classification and is defined as:

"The organized procedures by which diagnosis, treatment-planning, and the carrying out of the component parts of the general treatment program are coordinated and focused on the individual in prison and on parole...It is the process through which the resources of the correctional institution can be applied effectively to the individual case." (Manual of Correctional Standards, American Correctional Association, Washington, D. C. 1966, PP. 352-53).

In jail-type institutions where persons are, for the most part, committed for relatively short periods of time, an elaborate and complex procedure involving a great deal of personal time and records keeping is impossible and unnecessary. However, a brief and regularly executed classification process will be well worth the time and effort in effectively administering the jail and properly treating the prisoners (See chapter 7 and 8 regarding a more detailed discussion of admission and discharge procedures).

5. Counselling, Guidance, and Therapy.

As discussed above, most persons committed to jails have many different types of personal and family problems. If this were not so, they would not come into conflict with the law and would not have been committed to jails. Most of a prisoner's problems may be minor, and may be easily handled by interested jail personnel who have good common sense and whom the inmates respect. Other prisoners' problems may be so complex as to require the services of trained specialists in psychiatry, psychology, and casework. Whatever the nature of the prisoners' problems, most need counselling, guidance, and/or therapy. These techniques of treatment have one goal; to solve the problems of the prisoner, and to assist him in adjusting to a socially acceptable way of life in the community.

Counselling and guidance are nothing more than the use of sensible and proper methods by jail personnel to teach prisoners acceptable ways of behaving, both in the jail and after release as a law-abiding citizen in the community. Counselling involves assisting the prisoner to respect the rights of others, to learn to adhere to the rules of the jail and of the community (its laws and proper customs of behavior), to learn how to earn a living within the law, to learn how to work and how to maintain personal cleanliness and dress, to know the responsibility to one's family.

Such counselling can and should be done regularly by all jail staff members in the routine performance of their duties with prisoners. The work supervisor will assign jobs and will see that they are properly performed; the cell block or dormitory officer will assign house cleaning duties and enforce personal cleanliness and neatness; all personnel in the enforcement of rules and regulations will indicate why rules exist and the necessity for observing them. Remember that the officers know the prisoners best, and can have the greatest impact on them. It is they more than any other staff who can assist a prisoner in leading a law-abiding life after release. In so doing, the officers will help reduce crime.

Counselling can be done on a one-to-one basis, as between an officer and a prisoner. Or it can be done on a group basis, as one officer meeting regularly with a group of ten to fifteen prisoners. The latter is known as group counselling, and is most effective as it teaches individuals to function in groups, to understand that other persons have similar problems, to use the group in helping each to solve his problems. After all, we are all social beings, and we must all live in groups throughout life. Group counselling deals with family problems, social living, personal problems, and the hopes and desires of prisoners. Many such problems can be handled by mature and well-meaning officers who themselves lead acceptable lives. Various techniques for using groups in counselling can be learned from professionals at the jail, by attending short courses at the universities, or in mental health clinics or hospitals (A very excellent and non-professional booklet on Short-Term Counselling is cited in the bibliography by that title at the end of this chapter). Examples of group counselling for special problems include Alcoholic Anonymous and Narcotics Anonymous. These groups involve prisoners with alcohol or narcotics problems who regularly meet and frankly discuss the nature of their problems, and seek solutions to these problems from each other. These groups are usually directed by ex-alcoholics or drug addicts who are usually readily available in any community to assist in such programs.

Casework with prisoners involves a more thorough knowledge and study of a prisoner's complete social history, and should be done by professionally trained personnel. This method of treatment involves working with one prisoner at a time and includes a careful study of the individual's personal, family, and social background. The caseworker determines the factors which have led the individual into conflict with the law, and seeks, through careful discussions and interviews, to assist the prisoner in better understanding of himself and his relationships with his family and others. The goal in casework is to help the prisoner understand his problems, solve them, and thus lead a more fruitful and useful life.

Therapy, the third most often used treatment technique is applied in those cases involving the most difficult and

complex behavioral problems. Those prisoners who have severe anxieties or deep-seated emotional problems must have therapy. Therapy is always done by a professionally trained person, and involves either the group or individual method. Many alcoholics, drug addicts, and homosexuals need individual and group therapy. Such special cases must be medically and psychologically diagnosed and treated. Quite often medication must be prescribed, and this should only be done by a qualified physician. Once the professional therapist has diagnosed and treated special and difficult problem cases, the therapist can instruct the regular jail staff to assist in treating the prisoner.

All of the techniques discussed above can be used and should be used at all times in the jail. Individual counseling, guidance, and therapy should come into play at the time a prisoner is committed, while he is serving time and just prior to release. If a prisoner is obviously seriously ill mentally, he should be immediately referred to a physician, psychiatrist, or psychologist on the jail staff or if necessary, to a mental hospital or clinic. Most prisoners do not require such treatment, and can and should be counselled and guided by jail staff under the supervision or instruction of professionally trained caseworkers or counsellors.

Specific individual or group counselling services by regular jail staff with only basic training in counselling techniques will suffice for many prisoners. It is therefore important that short-term and intensive group counselling should be organized and administered. The structuring of such a program should be done by a well-qualified person from the universities, mental health departments, or one loaned from other jails or state correctional institutions. Various types of groups can be formed to include:

- a. Alcoholics
- b. Drug Addicts
- c. The Unsentenced.
- d. The Youthful Offender
- e. The Repeater
- f. The First Offender.

In the smaller jails where insufficient numbers of different types of prisoners are not available for groups, individual officers may be assigned to counsel regularly a specific type of offender to whom he can best relate and with whom he may best succeed. Many questions can be raised in individual or group counselling sessions to assist the prisoner in understanding and solving his problems. These include the prisoner's asking:

- a. Who Am I?

- b. Why Am I Here?
- c. What Have I Done And Why?
- d. What Must I Do To Lead A More Acceptable Life?

It is important to remember that misdemeanants quite often have many more problems than felons. Note the frequent number who are committed for thirty, sixty, or ninety days over and over again. If jails are to achieve an important goal, treatment must take place. Treatment involves the methods of individual or group counselling, guidance, or therapy. Much of the counselling can be done by the jail staff with a minimum amount of training. Assistance in more intensive casework and therapy can be obtained by hiring full or part-time persons from other state or local agencies or utilizing the professional services of other jails or state institutions. In many instances college students, community volunteers, ministers, ex-alcoholics, and ex-drug addicts can be utilized without charge. What is important is that the jail staff understands the need for treatment and acts to implement such programs.

6. Educational Programs.

In addition to the personal and social problems that most jail prisoners have, it is also known that many persons committed to jails have inadequate education and vocational training which prevents them from functioning adequately in society generally or from obtaining adequate employment. Without a basic education and appropriate job skills it is difficult to earn an adequate income and to support one's self and one's dependents. The result too often is a resort to excessive drinking and/or law violating behavior resulting in a jail, prison, or reformatory commitment.

Although educational programs in jails must be limited in terms of goals, many excellent, short-term programs can be developed and be effective. In the case of persons serving very short sentences, the educational program can be geared to preparing prisoners for continuing education in the community after release.

Educational programs in jails should be geared to the needs of the individual. Thus, for those who are adults, and have inadequate elementary educational backgrounds, courses in adult basic education would be most appropriate. Such courses attempt to teach one how to read and write adequately, as well as to understand basic arithmetic and the society in which the prisoner lives. Such a program can be established and taught by college students and/or by teachers in the local schools or universities. Funds for establishing such a program can often be obtained from federal sources through state or local departments of education. Adult basic education courses are quite common, and suitable prisoners may attend classes in the evenings at local schools or universities. Such basic courses in

education specifically attempt to eliminate basic illiteracy, and apply their learning to everyday problems, e.g., how to figure a budget, interest rates, expenses, income, etc. Included in such education is learning to read about government, law, business, customs, personal responsibilities, etc.

For the more youthful offenders, special emphasis should be on an elementary and high school education to assist the prisoner in achieving a level of education and learning that will permit him to continue in the regular community schools or vocational trade schools.

If there are some prisoners who have completed high school, additional college level courses offered in the jail or at local universities or extension centers should be encouraged. Wherever desirable, correspondence courses should be provided.

In addition to the above types of educational programs, two other forms of education are most promising in preparing offenders for socially useful lives. These include social education and vocational education and training.

Social education is a special type of education suitable for any of the offenders. Its primary goals are attained:

"Through forums, movies, discussion clubs, and in social studies courses, content is presented which is intended to bring about better understanding and practices with respect to family and home problems, problems related to successful adjustment to an occupational situation, problems pertaining to employer-employee relationships, respect for law and order" (Contemporary Correction by Price Chenault, McGraw-Hill Book Co., N.Y., 1951, P. 232)

Thus, social education programs attempt to teach the individual offender to understand himself better and how to relate to others.

Another very important program for preparing offenders for employment is vocational education. Most prisoners possess inadequate work habits or skills; so, their potential for finding suitable and non-criminal employment is greatly limited. Obviously, most jails cannot afford the space, personnel, and expensive equipment to conduct an elaborate and varied vocational training program. In most jails the most efficient and effective way for preparing inmates for jobs is to use jail or community work projects as training sites. For example, inmates can be taught to cook and prepare meals, to learn general maintenance work, to repair and maintain institutional equipment, to perform various construction trades in the jail, or to work for community public agencies. Again, the staff may be qualified to instruct inmates in such work, or qualified instructors may be hired on a part-time basis from local trade schools, unions, or industry. Certainly, interested

jail staff members can serve as teachers, and should be encouraged to do so. Much of the vocational training may actually be learned in local schools or on the job for those inmates who can be released into the community during the day and returned to the jail at night and on weekends.

In the larger jails, elaborate training programs can be established and financed by federal funds such as that provided for under the Manpower Development and Training Act. In one state, an elaborate and accredited welding program was organized which trained inmates for beginning jobs in industries located in the surrounding communities.

Without a doubt, preparing inmates for useful employment in the community is one very important need that the jail staff should meet. In such programs, merely teaching basic vocational skills and assisting the offender to obtain a job for further training is the most appropriate solution.

Above all, it is most important that vocational training and regular work in or out of the jail be combined. In those jails where some inmates may not or cannot be involved in organized and combined vocational training and work, every attempt should be made to provide them with some employment while in the institution. Work is important for the prisoner's physical, mental, and emotional health. Many routine but necessary jobs are available and include working on public roads, parks, or in public buildings, hospitals, etc. In the jail, there is always a need for persons to perform various types of housecleaning chores. It is equally important that whatever work a prisoner may perform, he should be paid a wage, particularly if he performs essential jail duties or work involving public works projects. The wages so earned should be essentially saved for release needs and/or sent to the inmates dependents. In all vocational or work programs, prisoners should be taught proper work habits, and should be regularly counseled on how best to perform a job, how to relate to other workers, how to apply for a job, and most importantly how to retain a job. Finally, jail personnel should assist all inmates in finding suitable employment after release, and utilize the services of local unions, employment offices, or private industry.

7. Religious Services.

There is no prisoner need any greater than that which is religious in nature. The church, more than any other community institution, has traditionally helped those in trouble and in need of spiritual counselling and guidance. Certainly, this is one of the most pressing needs of the inmates.

Again, as in the discussion of previous programs, the services of a full or part-time chaplain is necessary. The chaplain will perform many of the same functions as

they do in the community. These include regular worship services, the administering of the holy rites, and regular visitations to inmates who may be sick or may be confronted with serious family problems. Additionally, the chaplain will personally interview and counsel individual inmates regarding religious or personal problems. Obviously, a chaplain cannot be appointed for each denomination, but he will be able to provide for various community ministers to meet with inmates of various religious beliefs. However, in most jails one full or part-time chaplain should be responsible for coordination of all religious programs with the jail staff and the community churches in accordance with institutional rules and regulations. Many lay persons active in community church affairs can often be utilized through the chaplain to provide religious counseling, guidance, and education. Quite often such groups will be of invaluable assistance in providing constructive recreational or leisure time activities for prisoners.

Certainly marriages should not be performed in jails except in very exceptional cases. Inmates should not be encouraged to adopt a faith different from their own. Such matters are to be considered after release and in the community.

Above all, space should be provided to hold church services, confessions, or individual counselling sessions. Whenever feasible, inmates should be permitted to attend regular church services in the community.

8. Recreational Activities and Privileges.

All persons, inmate or not, must have the opportunity to engage in enjoyable activities that reduce anxieties, allow for the constructive use of leisure time, and promote general physical and mental health. In the confines of a jail, such activities are of critical importance to the inmate and the jail staff. The proper planning and supervision of such a program will lessen jail tensions and minimize disciplinary, physical, and mental health problems.

Again, the jail staff can be utilized to establish such a program. Invaluable and often inexpensive or free assistance can be obtained from local recreation or athletic directors in schools, parks, or universities. The types of recreational activities should be adapted to the individual inmates. The younger inmates will need a more active type of program; the infirm will require less vigorous types of activities. The only limit to the kinds of activities are the limitations of the staff, facilities, or security problems peculiar to some inmates. Some activities which should be considered are:

- a. Athletic Programs.
- b. Radio, Television, and Motion Picture

- c. Dominoes, Puzzles, Checkers, etc.
- d. Hobbies and Handicraft Projects.
- e. Clubs as Dale Carnegie, Jaycees, Book-of-the-Month, Glee Clubs, Toastmasters, etc.

What is important is that recreational activities or privileges should be provided as space, staff, resources, and security will permit.

BIBLIOGRAPHY

JAIL ADMINISTRATION

By Myrl Alexander
Washington, D.C.

A PRIMER OF SHORT-TERM GROUP COUNSELLING

By American Correctional Association
Washington, D.C.

MANUAL OF CORRECTIONAL STANDARDS

By American Correctional Association
Washington, D.C.

Community Work--An Alternative to Imprisonment

Correctional Research Associates
Washington, D. C.
December 1967

THE PRISON JOURNAL

"Part-Time Prisoner"
Vol. 44, NO. 1, Spring 1964

FEDERAL PROBATION

"Work Release and the Misdemeanant"
By Stanley Grupp
Vol. 29, NO. 2
June 1965

THE ARIZONA SHERIFF

"Arizona Sheriffs View Day Parole"
By Stanley Grupp
Vol. 17, NO. 6
November-December 1963

THE PRISON JOURNAL

"Jails and Lockups"
The Pennsylvania Prison Society
October 1956

FEDERAL PROBATION

"Day-Parole for Misdemeanants"
By Sanger B. Powers
Vol. 22, NO. 4
December 1968

XXII. Community Resources

The jail as a community institution has often been socially and politically isolated from the very community which has created it, as well as from the normal governmental processes and concerns. This is why it has been, and for the most part remains, a concealed and least talked-about facility. The only time jails come to the public's attention is when there has been a riot, escape, or staff wrong doing. All of this must change if the disgusting conditions of our jails are to be improved, and if the offender is to be truly rehabilitated.

Modern correctional thought emphasizes the importance of reintegrating the offender into the community. It is often referred to as community corrections. To prepare the offender properly for normal community living, he must participate in such as much as possible while in jail and under the supervision of the jail staff. Therefore, jail administrators must make a maximum and sensible use of community resources. It should be done with careful planning and supervision. The use of appropriate community resources is often not costly, and if properly utilized will greatly assist the offender in establishing himself after release. The Task Force Report: Corrections has stated this philosophy as follows:

"The task of corrections includes building or rebuilding solid ties between the offender and community, integrating or reintegrating the offender into community life, restoring family ties, obtaining employment and education, securing in the larger sense a place for the offender in the routine functioning of society." (President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: Corrections, Washington, D.C., 1967, P. 7.)

To accomplish the above, community resources must be mobilized and effectively utilized.

STANDARDS

1. Philosophy. The maximum use of community resources by the jail staff is essential in preparing the offender for a socially useful and productive life in the community.
2. Planning. The use of community resources should be carefully planned and policies should be established with the community agencies prior to their implementation.
3. Staff, Space, and Funds. Where necessary it should be provided prior to the active use of the community services.
4. Community Resources. All types of lawful and constructive community resources and services of a public, private, and volunteer nature should be utilized.

DISCUSSION OF STANDARDS

1. Philosophy.

As has been expressed in previous chapters, the goal of contemporary corrections is to prepare the individual inmate to lead a law-abiding life. This is just as true for the misdemeanant as it is for the felon. The goal of the jail is to rehabilitate the jailed inmates. To do so requires preparing the inmate for a life in the normal community by utilizing decent citizens in jail programs, or by allowing the inmate to meet with citizens who will offer helpful services to him. The jail staff cannot reduce the incidence of future crime by merely locking a man up and completely ignoring his personal, family, and social problems. In fact, a jail staff which does so may be guilty of encouraging future criminality on the part of committed prisoners. This is so because the prisoner may feel the staff is not interested in assisting him with the result that he may become apathetic and continue in a life of crime. He may take the position that if no one else cares, why should I? Therefore, the use of appropriate community services in and out of the jail must be realized. These services are often inexpensive and require only careful planning and supervision.

2. Planning.

The introduction of community persons and programs into the jail should be carefully planned and supervised by a responsible person, preferably of the jail staff. If this is not done, these programs can create an administrative "nightmare" for the jail staff as most inexperienced persons are not aware of inmate attitudes and problems nor of the jail requirements regarding custody, security, and the problems of contraband.

The chief jail administrator and appropriate staff should clearly define the purposes and goals of private, public, and voluntary agencies to be used in or out of the

jail. Certainly specific needs of the prisoner should be a foremost consideration, and the specific legal and regulation requirements of the jail should be carefully discussed and understood by all. Private citizens who will participate in these activities must be reputable persons who clearly understand their role in working with the inmates and the staff.

3. Staff, Space, and Funds.

In the use of community resources, the need for additional staff members, space, and monies is usually not necessary. It certainly is no excuse for not commencing at least a minimal use of community services. In fact, one of the most convincing and practical reasons for using such services is that they are not costly, yet they greatly assist in the rehabilitation of the offender. This is particularly so where the prisoner will use the resources in the community proper. Where these services are brought into the jail, quite often all that is needed is a single room and a single on-duty jailer to supervise the activities while performing his routine assignments.

4. Community Resources.

The use of particular community resources and services will be determined on the basis of individual inmate needs. Therefore, before such services are obtained, a careful review of the characteristics and problems of a particular jail population should be made. If there are alcoholics and drug addicts, appropriate in-jail and out-of-jail resources to assist addicts should be sought. So be it for those with problems of a mental or physical nature or needs involving education, vocational training, employment, religion, welfare, legal counsel, family problems, and many others.

What will follow will be a brief listing of the types of resources that may be utilized. It would be wise to establish a Community Resources Advisory Committee representing the major services in a given locale. Such a committee will establish permanent channels of communication and information with the jail staff. Without such, obtaining community services will be impossible, or most difficult at best.

TYPES OF COMMUNITY RESOURCES

a. Churches. Individual counselling regarding religious, personal, and family matters.

b. Local academic and trade schools. Educational and vocational testing programs to eliminate academic and/or trade training deficiencies.

c. State Employment Service. Assistance to the inmate in finding a suitable job while on work release or after release from the jail.

d. County or State Hospitals. Medical, dental, or psychiatric diagnosis and treatment on an out-patient or in-patient basis.

e. Vocational Rehabilitation. Numerous programs exist to assist the handicapped in obtaining training and finding appropriate employment.

f. Welfare Departments. Assistance to the inmate in matters of family problems and finances.

g. Self Help Groups. Alcoholics Anonymous and Narcotics Anonymous.

h. Legal Aid Society. Obtaining needed legal assistance in matters of marital problems, debts, purchases, etc.

i. Charitable Organizations. The Salvation Army, Goodwill Industries, Volunteers of America, Osbourne Association, Prisoner's Aid Societies.

j. Volunteers. Individual volunteers for in-jail or out-of-jail counselling and recreation.

k. Organized Labor. Assistance in pre-training programs for apprentices, and the acceptance of ex-inmates into union membership.

l. Private Industry. Providing employment for jail inmates under work furlough and after release.

m. Mental Health and Hygiene Clinics. Providing psychiatric services to adult offenders with severe emotional disorders on an out-patient basis.

n. National Organizations. The National Sheriffs' Association, the American Correctional Association, and the National Council on Crime and Delinquency are national organizations which have as members professional and lay persons active in the correctional and law enforcement fields. Invaluable professional advice, assistance, and literature are available for the asking.

BIBLIOGRAPHY

FEDERAL PROBATION "What Is A Community Prison"
By Howard B. Gill, Vol. 29, NO. 3, 1965

MANUAL OF CORRECTIONAL STANDARDS
By American Correctional Association
Washington, D. C.
1966

TASK FORCE REPORT: CORRECTIONS
President's Commission on Law Enforcement and the Administration of Justice, Washington, D. C. 1967, Chapters 1, 7, and 9.

XXIII. Community Release Programs

In this chapter we are concerned with those programs in the regular community in which the inmates will participate. The use of various community resources for treating the misdemeanant was discussed in chapter twenty-two. In this chapter, a more detailed description and use of community resources for the jailed inmate will be discussed. A special emphasis will be placed on work release programs because these are most easily implemented and effective for the short-term offender. The use of community release programs are most practical and economical and can significantly assist in the rehabilitation of the offender by training and treating him in the community in which he will shortly return and be expected to pursue a law-abiding life.

It is important to emphasize that community release programs should not be started merely because it is the thing to do. Jail administrators should not plan such programs until they have considered the following:

- a. Does the law permit these programs?
- b. Do the proper facilities and staff exist to carry out such programs?
- c. Do adequate and appropriate community resources exist?
- d. Have appropriate public and private persons been properly informed and has their support been obtained?
- e. Will the inmates so released be a threat to public safety?

Remember, work release programs are to involve only the sentenced inmates who are not security risks.

STANDARDS

1. Philosophy and Objectives of Community Release Programs. All institutions for sentenced misdemeanor offenders should establish community release programs for appropriate inmates. It is economical, sensible, and practical to do so. Most importantly, it prepares the offender for a normal, socially acceptable life in the community.
2. Personnel. Adequate personnel on the jail staff should be available to plan, implement, and supervise such programs properly.
3. Public Education and Information. Community release programs should not be started until the private citizens and appropriate public officials have been informed of the programs and their support obtained.
4. Physical Facilities. In any jail system, housing and office space for offenders should be provided, either within or without the institution proper.
5. Work Release. One of the most important community programs that should be established for inmates is that involving employment.
6. Educational and/or Vocational Programs. Wherever possible, appropriately selected offenders should be allowed to attend educational and/or vocational programs in the local community.
7. Additional Release Activities. Other community release activities which will assist the inmate in maintaining family ties as well as socially acceptable relationships with other basic community institutions should be established.

DISCUSSION OF STANDARDS

1. Philosophy and Objectives of Community Release Programs.

It is important to remind oneself constantly that the jail is a part of the community, and has been established to protect the community by preparing each inmate for a responsible life in the community to which he will soon return. Given this practical and common sense goal, the institution should make the greatest use of community resources and establish appropriate programs for those offenders who will not pose a serious threat to the public safety. If jail administrators do not adhere to this philosophy, they are not truly protecting the public except for that very short period of time during which the offender is jailed. The result is inmate idleness, isolation from his family, church, and previous employment. Community and social relationships must be maintained, or improved upon, if one is to be discouraged from engaging in future criminal behavior.

Community release programs are attempts to prepare and reintegrate the offender into the normal community gradually under the restraints of constructive supervision by the jail administration. After all, most inmates are sentenced for a short period of time, and the majority will be released into the community in less than one year; most within two to six months. If the jail administration is to meet its obligations, it must prepare prisoners for a lawful life. It cannot do this in most cases by merely locking-up a man and isolating him from the very community life in which he is expected to participate after release. The offender is punished by being convicted, sent to jail, and losing his freedom. If additional punishment is necessary after commitment because of the inmate's misbehavior, it should be administered through the use of constructive and humane disciplinary techniques.

As the Task Force Report: Corrections states, the jails do have some important and distinct problems and advantages such as:

a. Most misdemeanor offenders do not require maximum security supervision.

b. The public is more receptive to community treatment programs for misdemeanants than for felons.

c. Jails are generally small and located in or near cities or communities where some resources exist for community release programs.

d. That some misdemeanants have social and/or psychological problems as alcoholism, mental illness, etc. that the public recognizes and is more receptive to the community treatment of such offenders.

e. That even though most misdemeanants are sentenced for short terms, that the wise use of community release procedures can start the offender on a non-criminal treatment program in the community and he can continue such after release. (President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: Corrections, Washington, D. C., 1967, P. 77).

2. Personnel.

No organization can establish and properly administer new programs without a sufficient staff. Any institution which attempts to do so will soon find the program to be a dismal failure, and may very well so alienate the community that future programs may be difficult to organize.

The community release activities should be the responsibility of one full time staff person and such other full or part-time persons that the budget will allow and the number of inmates involved will dictate.

A member of the regular staff can be assigned as the community release program's officer, and he can be taught the fundamental knowledge needed for this job in a short time by sending him to another state or county institution where comparable programs are in operation. Additional skills can be obtained by attending short courses on counselling, interviewing, and the use of community resources. This knowledge can be obtained at local universities, welfare departments, mental health agencies, or at other nearby correctional facilities which utilize community resources. Quite often local probation and parole officers are available, and they know the available community resources and how best to utilize them.

If a regular jail staff person cannot be utilized to supervise such a program, the person who is appointed should be thoroughly familiar with custody and security requirements jail and legal requirements, and above all he should effectively coordinate with the chief administrator and his key staff members. Any other full or part-time persons involved in this program should be under the direct supervision of the community release program's officer. It is particularly important that any community volunteers who may assist in this program be carefully screened and supervised.

In conclusion, one or more persons must be specifically delegated to supervise, plan, and implement a community release program to ensure at least the following:

- a. That responsibility is clearly defined and delegated to one responsible staff member.
- b. That adequate planning and emphasis will be given such a program, especially in the critical matter of public education and information.
- c. That inmates will be properly screened as to their readiness to participate in such a program.
- d. That an appropriate use of community resources will be made to meet the needs of a specific inmate.
- e. That appropriate records are maintained regarding the characteristics of the offender and the resources being utilized.

3. Public Education and Information.

Certainly no community release program should be implemented without first informing and educating the particular community in which the programs will take place. At least the following segments of the private and public sector of a given community should be informed of these programs and their support and cooperation obtained.

- a. Private and public administrators and labor unions.

b. Public administrators and officials should include judges, prosecutors, chiefs of police, government leaders, and administrators of local educational, medical, psychiatric, and welfare institutions.

c. Heads of radio, television, and newspaper enterprises.

d. Religious leaders.

In a democracy, public opinion is critical to the success of any government program, as the political leaders are elected by the people and they are rightly sensitive to popular feelings regarding programs. Governmental programs, in the community, involving prisoners is a particularly sensitive matter, and thus the proper education of community leaders is of the utmost importance. It would be very wise to establish a community corrections' program advisory committee or council to assist in educating the public, and to obtain the necessary community support. Such a council should include members representing both the private and public sector as listed above.

4. Physical Facilities.

As discussed under "Personnel" above, any new program should ideally have adequate space for its proper administration. Certainly, in the construction of new facilities, or in the modification of existing structures, community release programs should be kept in mind. However, even in existing jails such programs can be implemented with the proper planning and supervision.

Obviously, quarters outside the main jail itself provide the most appropriate arrangement for housing inmates active in community activities. Such quarters eliminate the problems of contraband being brought into the jail, avoid the possibility of escape risks leaving as a participant in community activities, and eliminate the very time consuming procedures of extensive shakedowns or "frisks" of inmates (although to some degree this would be done if they were housed in separate, minimum security quarters outside the jail proper). Finally, quite often, numerous representatives from the community may wish to counsel, interview, or discuss pertinent matters with inmates participating in community programs they may represent. These interviews are more easily managed in separate, minimum security quarters.

However, where separate housing facilities are unavailable, community programs can and should be developed in the jail proper. This can be accomplished by housing inmates who participate in these programs in separate cells, dormitories, wings, or buildings within the jail proper. Thought might be given to arranging separate or different feeding and/or departure times for these inmates, and may include the use of separate entrances and exits, if possible.

What is important is that a community release program be established regardless of space limitations. These programs can obviously be only as extensive as space, staff, and community resources permit.

6. Work Release.

There is no more practical, acceptable, economical, and potentially rehabilitative community release program than work release. It is particularly suitable for the short-term, misdemeanor offender who, for the most part, is a resident of the very community which he is jailed.

Work release is nothing more than the jail's permitting selected prisoners to leave the institution daily for a regular job in the community, and having him return to the jail at the end of a workday. This work may be with public or private agencies, and may include manual labor, semi-skilled, or skilled employment. The work may be the same as the inmate had prior to conviction, it may be a different job better suited to his needs, or it may be the only employment available to him in the community in which the jail is located. Finally, before a work release program is considered, be certain the law will permit it. Excellent and existing laws and policies on work release may be obtained from the Federal Bureau of Prisons, or any number of states with existing programs, e.g., Wisconsin, Minnesota, Delaware, Indiana, California, Texas, Florida, North Carolina, Massachusetts.

Any work release program should include at least the following:

- a. The selection of suitable prisoners.
- b. The careful investigation of each job by a jail staff to make certain it is lawful, and that inmates will not be exploited or that regularly employed persons will not be displaced.
- c. That arrangements will be made for the transporting of prisoners to and from such employment, and that they will have the necessary work clothes and tools.
- d. That all wages earned in such employment is properly recorded and disbursed. (Community Work—An alternative to Imprisonment, Correctional Research Associates, Washington, D. C., December 1967).

In the selection of prisoners for work release, the most important considerations are that he be a minimum security inmate, that he is in adequate physical and mental health to perform the designated job, that he be desirous of working and has consented to do so in writing, that where applicable, his earnings are to be used to pay his jail keep, to support his dependents, and to meet any financial obligations involving fines or restitution.

It is most important that a careful investigation of jobs for prisoners be conducted before allowing inmates to work. Certainly, there is no general restriction on the kinds of employment in which inmates may be involved except that they be in the immediate vicinity and be of a lawful nature. Types of employment are as varied as the job classifications that exist in a given community. Employment can be public or private. Employment may be in a private business as a laborer, electrician, plumber, brick layer, clerk, welder, I.B.M. operator, etc. Many of these same jobs in the public section, e.g., in schools, mental hospitals, or in town, city, or state government. What is important is that the inmate not be exploited because he is an offender, that he be paid a salary equal to the work, and that wherever possible the employment will be related to prior training or work experience.

The transporting of work release inmates to and from employment is another matter that must be considered. This appears to be the one most difficult problem particularly for the larger jails in metropolitan areas. Transportation may be by institutional bus or car, it may involve the prisoner using public transportation, or arranging for rides with other workers on the job. The type of transportation must be determined by the particular locale. What is important is that the inmate is expected to defray the cost of transporting himself to and from work just as it is expected from workers in the free community.

The inmate's earnings from community employment must be carefully recorded and disbursed in accordance with a written agreement which the inmate is expected to sign prior to accepting employment. Inmate earnings should be utilized in the following ways:

- a. To help support his dependents.
- b. To pay a per diem to the jail for housing, clothing, and feeding him.
- c. To meet the costs of fines and/or restitution.
- d. To purchase necessary work clothing.

The above ideas comprise a brief description of the work release program. Certainly the benefits of such a program are many:

- a. It assists the inmate in leading a law-abiding life.
- b. It helps defray the cost of his institutionalization to local government.
- c. It allows the inmate to contribute to the support of his family, thus reducing the welfare payments to it.
- d. It makes the inmate a tax payer.

e. It allows inmates to pay fines, costs, or restitution.

6. Educational and/or Vocational Programs.

Community release programs should assist the inmate to meet educational and/or vocational deficiencies. Wherever community resources exist, those prisoners who are illiterate or who need vocational skills should be permitted to participate in ongoing programs in the community which will eliminate or reduce such deficiencies.

There are numerous day and evening courses in adult basic education which are taught in most local schools. There also exist numerous federal, state, and local financed vocational training programs including those sponsored by labor unions and private enterprises. What is particularly important for the short-term misdemeanant is that he be permitted to begin a program in education and/or vocational training while in jail so that he may continue it after release. In some instances he may participate in an educational program while working in the community to complement his work and enhance his skills.

Some resources permitting these programs include those sponsored by the state or local employment offices, Manpower Development and Training Act and the Office of Economic Opportunity. In one state, inmates have been trained as welders and paid a beginning wage while learning; in another state inmates have participated in all types of vocational training programs conducted by community trade schools and colleges. Other prisoners have attended high school or college classes and benefited greatly from the counselling, guidance, and testing made available to them.

What is briefly being stated here is that wherever resources permit, inmates in need of further academic and/or vocational training should be encouraged to participate in the community. Inmate attendance costs the jail or local government little or nothing. There are excellent programs, which if utilized, makes it unnecessary for duplicating expensive programs in the jail.

7. Additional Release Activities.

Whenever possible, and where the law permits, other community release activities with treatment value should be established. These include home visits to the prisoner's family to maintain its unity and to assist in the solution of family problems, release to visit a seriously ill member of the immediate family, or to attend funeral services in case of death. Many other release activities may be arranged and encouraged as individual needs may dictate, or as the jail administrator may deem appropriate and contributory to the rehabilitation of the offender.

BIBLIOGRAPHY

MANUAL OF CORRECTIONAL STANDARDS (1966)
American Correctional Association
Washington, D. C.

CONTEMPORARY CORRECTION (1951)
By Paul W. Tappan
McGraw-Hill Book Co., New York

THE PRISON JOURNAL - "Part-Time Prisoner"
Vol. 44, NO.1, Spring 1964

THE PRISON JOURNAL - "Work Release: Statutory Patterns
Implementation and Problems" Vol. 44, NO.1, Spring 1964

FEDERAL PROBATION, "Work Release and the Misdemeanant"
Vol. 29, NO. 2, June 1965. Reprinted in COMBATING SOCIAL
PROBLEMS: TECHNIQUES OF INTERVENTION, Scarpitti and Gold
(eds.) Holt, Rinehart and Winston, 1967

FEDERAL PROBATION - "Work Furlough for the Jailed Prisoner"
By David R. McMillan, Vol. 29, NO.1, March 1965

FEDERAL PROBATION, - "Day-Parole for Misdemeanants" By
Sanger B. Powers, Vol. 22, NO. 4, December 1968

"Community Work-An Alternative to Imprisonment" By
Correctional Research Associates, Washington, D. C.
December 1967

THE ARIZONA SHERIFF - "Arizona Sheriffs View Day Parole"
By Stanley Grupp, Vol. 17, NO. 6, November-December 1963

THE IOWA SHERIFF - "Iowa Sheriffs View Day Parole"
Vol. 36, NO. 4, June 1964

POLICE - "Work Release as Viewed by Illinois Sheriffs"
Vol. 9, NO. 6, July-August 1965

THE JOURNAL OF CRIMINAL LAW, CRIMINOLOGY AND POLICE SCIENCE
"Work Release in the United States" Vol. 54, NO. 3, September
1963, (Excerpts reprinted in PRESIDIO. December 1963, and
INSIDE WORLD, February 1964).

CRIME AND DELINQUENCY - "Work Release...the Sheriff's
Viewpoint" Vol. 13, NO. 4, October 1967

XXIV. Public Relations

Public Relations may be defined as "a management function which evaluates public attitude, identifies the policies and procedures of the jail with the public interest, and executes a program of action to gain public understanding and support." "The production and distribution of a good reputation" is another way of defining it. A facitious but fitting statement is: "Public Relations is the art of not treating the public like relations."

In discussing public relations we must give some thought as to what the public includes:

1. Anyone reached by the news media.
2. The community as a whole.
3. Visitors to the jail.
4. Lawyers representing inmates.
5. People who write to the jail.
6. People who phone the jail.
7. Former prisoners.
8. The prisoner's family.
9. The working representatives of the news media.

STANDARDS

1. Sympathetic Public Understanding. The administration should strive for sympathetic public understanding of the jail, its problems, and its needs.

2. Acceptance. Jail objectives and operations should meet with public acceptance.

3. Informed News Media. The administration should establish a good working relationship with informed and cooperative members of the news media.

4. Effective Recruiting Program. The Public Relations program should be effective in attracting high caliber employees for recruitment.

5. Responsibility. The responsibility of the Public Relations program should be that of only one person who operates within the framework of the policies of higher authority.

DISCUSSION OF STANDARDS

1. Sympathetic Public Understanding.

The community should realize the function of the jail in a total law enforcement picture.

In the long run, it does not pay to deceive the public with false information concerning jail conditions. Poor conditions that can be improved with additional funds, personnel, and program activities, should be admitted. The public can be enlisted to help obtain the budgetary support that is needed for improvement.

The public should be made aware of what is being done to improve the jails in order to alleviate the crime situation. It should also be alerted to the harmful consequences of neglect and of avoiding a confrontation with the many problems that jails present. An effective way to accomplish this is to invite civic groups to visit the jail.

A scandal or serious incident in the jail can be used to publicize the factors that caused it. At the same time, it should be pointed out that public support is needed to effect the necessary changes.

2. Acceptance.

Sell the idea of treatment geared towards rehabilitation of prisoners. Associate the jail programs with community organizations, e.g., educational programs in cooperation with the local schools. Establish good community relations by obtaining volunteers from the community to work with the treatment program. Make the appearance of the jail an asset to the community rather than an eyesore. Have members of the staff address various groups within the community such as the Parent-Teacher Association, church groups, and boy scouts. Participate with them in community activities.

A favorable public image is gained by:

- a. frequent contact of staff members with public organizations,
- b. the neat manner in which the uniform is worn by jail personnel,
- c. the behavior of the jail employees on duty and off duty,
- d. the courteous and pleasant manner in which telephone communications are handled,
- e. the prompt and courteous reply to all correspondence,
- f. the courteous, pleasant, and helpful manner of jail staff in handling visitors to the jail.

3. Informed News Media.

To gain the confidence and cooperation of the news media, the administrator should understand the problems and know the proper approach to them. He should tell the story of the jail at every opportunity and make himself and the story available for the news media. The administrator should get acquainted with the representatives of the press, radio, television, and representatives of local industry house publications, and maintain this contact on a personal basis.

Don't suppress or tone down explosive news. Instead, be objective, honest, and aboveboard to gain the confidence of the people who are interested. Issue news releases with photographs on appropriate occasions, e.g., when new programs are introduced into the jail, when promotions of staff members are made, when a training academy has a new class graduation or outstanding speaker, and when there are favorable reports concerning the jail from inspecting agencies. When a serious incident occurs (which will come to the attention of the press in any event) the news media should be advised by the administration in advance. Special achievements of the staff, whether it be a bowling game, placing high in an athletic event, or an award from a civic group should be publicized as should any incident or achievement that reflects credit on the jail personnel.

4. Effective Recruiting Program.

Good public relations can obtain good personnel for your organization by creating a favorable public image of the jail.

The release of items to the news media, which will result in an association of the jail with important public service that was rendered in an efficient manner, will

serve this purpose.

A pleased public will inform the news media, public officials, and their friends when they are impressed with the efficiency and consideration of the jail staff and with the constructive program of the institution.

The Jail Administrator and competent members of his staff should address civic groups and participate in discussion panels during which they can advise the public of the favorable aspects of correctional work.

A good public image will dispel much of the unfavorable publicity concerning jails which tends to discourage the type of personnel the jail administrator desires, from applying for an assignment to the jail staff.

A jail with a resocialization program has a great deal to offer to students of any of the behavioral sciences, who wish to make practical application of the theories they learned in college. Students of criminology and government are also good prospects for recruitment for a jail staff.

In talking to such groups the favorable conditions of employment should be pointed out. These include:

- a. A worthwhile career in public service.
- b. A good salary.
- c. Opportunities for advancement.
- d. Interesting assignments.
- e. An opportunity to use previously acquired skills.

Discipline and rehabilitation are more easily achieved when there is understanding of the prisoner's situation, background, culture, and language. This is of special importance to jails housing groups of prisoners from a particular ethnic or racial group. Such understanding is more readily obtained by recruiting qualified citizens from these groups for employment in the jail.

Advertisements and appropriate news items should be placed with the media that reaches minority groups, so that an invitation may be extended to qualified persons to apply for a position in the jail. Discussions with their leaders in which the problem is explained and an invitation for employment is extended, may result in the recruitment of personnel who will prove very valuable to the jail administration.

5. Responsibility.

In the interest of avoiding confusion and conflict, the responsibility for the release of news and handling

the public information media should be that of only one person. He may be an employee with special training in such skills or the sheriff himself. The sheriff should develop the public relations program, establish policy, and publish a procedure for releases to the news media.

BIBLIOGRAPHY

PUBLIC RELATIONS HANDBOOK
Trans World Airlines, Inc.
1960

P.R. and YOU
A PAR Public Information Activity
American Gas Association
420 Lexington Avenue, N.Y.

MANUAL OF CORRECTIONAL STANDARDS
American Correctional Association
Washington, D. C.
1966

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