

NCJ001268

JAIL MANAGEMENT: A COURSE FOR JAIL ADMINISTRATORS

**An independent study course based on the text,
The Jail: Its Operation and Management**

**U. S. Bureau of Prisons Publication
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PREFACE

This course was developed for jail administrators. Running a jail is a complicated and difficult challenge; and it is the jail administrator who bears final responsibility not only for the successes of his jail operation, but for the inevitable mistakes and failures as well. Every jail has problems which are peculiar to that jail; it would be impossible to develop a course which could dictate solutions to all jail problems and develop procedures for every situation. Instead, the course seeks to provide a rational framework through which jail administrators can formulate procedures and policies for their own jails. Much of the material is devoted to discussion of mistakes that other jail administrators have made in the past; it is hoped that this material, and the accompanying suggestions for improvement, can serve as a guideline for administrators who wish to avoid the mistakes of the past and develop new policies which are better suited to the changing role of the jail and its personnel.

Madison, Wisconsin

Alice H. Blumer

1970

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TO THE STUDENT

This course has been developed to permit you to participate in decision-making and problem solving while you proceed through the material. To participate in this type of course, all you have to do is read carefully, follow instructions and complete each section. You cannot use this course like a magazine; that is, opening at the middle and flipping through the pages. It is very important that you begin at the beginning and read all the material. You will see that, throughout the course, when you read some material, you will be asked to respond to written questions and then check your answers by comparing it to the printed answer appearing on the following page. In some sections, you will be asked to read a case study and then formulate solutions to problems presented in the study. Do not hesitate to write in the book whenever you are asked to, and, if you are having any difficulty, simply re-read the pertinent material. It is strongly recommended that, whenever possible, you talk to at least one other person about the material in the case studies as they relate to local conditions and problems. Naturally, a classroom discussion with other jail administrators would be ideal. If you do this, it is inevitable that the material will become more relevant to both of you and will be more useful to you in your work. We think you will enjoy learning in this manner, and hope that you will finish the course with a feeling of pride in your profession and confidence in your ability to function as a competent jail administrator.

BOOK ONE:

ADMINISTRATION OF JAIL OPERATIONS

INTRODUCTION

WHY SHOULD YOU SPEND YOUR TIME READING AND STUDYING THIS COURSE?

Running a jail is not an easy matter; and your job is becoming harder and harder all the time. Although your staff is responsible for handling prisoners and taking care of much of the day-to-day operation of the jail, the final responsibility for everything that happens in the jail is yours. This is a weighty responsibility; every jail administrator must seek the best training he can to prepare him to meet this responsibility.

Never has the jail -- and its administrator -- been so visible to the community. And never has the jail contained as many paradoxes and problems as it does today. The jail administrator must continually wrestle with the problems of conflicting priorities, limited funds, deficient facilities, and a limited, often ill-trained jail staff. At the same time, now, more than ever, the administrator is expected to find ways to develop his jail as a progressive social institution sensitive to the community's needs and flexible enough to change and improve along with the community.

The next few pages contain a brief outline of some of the pressing problems which confront today's jail administrator; problems which this course will help you deal with more effectively.

JAIL POPULATION:

Both the law and tradition have created serious management problems for the jail administrator. Jails traditionally have been required to hold both accused persons awaiting trial and offenders serving short sentences. According to law, accused persons must be assumed innocent and must therefore be accorded more privileges and freedom than those who have been sentenced. Differences in status between the accused and the sentenced force administrators to make an attempt to keep these persons separate wherever possible; housing and eating arrangements must be planned with this purpose. Accused persons must be accorded more freedom in the frequency of correspondence, telephone calls, and visits than sentenced persons. They must also be exempted from work details — except cleaning their own cells — unless they volunteer.

Since the jail has always been used as a convenient "storage" place for social misfits such as alcoholics, the mentally incompetent or insane, the homeless, and the indigent, the jail administrator must often hold these persons in spite of his knowledge that they cannot be helped in the jail and do not belong there. In some jurisdictions, jailers are even required by law to accept every person presented for admission even if they are seriously ill or injured. Although the jail has never been equipped or staffed to handle such persons, this practice will continue until more adequate provisions are made for them in the community.

FINANCING:

The jail performs a vital community service, and yet it still must compete for funds each year with a number of other services which are likely to have more appeal to voters and to decision-making bodies. It is often apparent that funding priorities are decided in light of the community's attitudes toward each requesting agency rather than on a basis of needs. Certainly, highways and schools are traditionally more popular issues with voters than jail improvement. As a consequence, the jail administrator often finds himself spending a great deal of time establishing good community relations and seeking support for his most pressing needs.

PERSONNEL:

Serious salary deficiencies are a constant problem for the jail administrator. Inability to offer reasonable salaries affects recruitment, personnel retention and personnel training. And it is well-known that in many jails, low salaries have attracted a number of persons to the jail who are lacking in educational requirements and lacking in enthusiasm for performing their jobs well. In addition, low funding has seriously limited the jail administrator's ability to hire specialists who are qualified to develop and implement effective correctional programs. Whatever the quality of the persons hired to do jail work, the large majority of them come unprepared by prior experience. In-service training is essential; and yet, ironically, jail administrators usually have no staff member who is qualified to do training and no funds to hire such a person.

PROGRAMS:

Increasingly, communities are looking critically at their jails and are placing responsibility on the jail administrator to develop effective correctional programs designed to eliminate or reduce criminal behavior. The jail administrator who accepts his responsibility to develop and implement such programs takes on additional administrative problems. In many ways, the administrator must become a salesman; he must "sell" decision-makers and the community as a whole on his program ideas, and he must then be able to prove to them that his product lives up to his promises. This is often a complex and difficult task.

PHYSICAL PLANT:

The pressure of an increasing population is spotlighting the inadequacies of existing jail facilities. According to the findings of the Crime Commission, thirty percent of the jails surveyed were 25 to 50 years old, and thirty-five percent were over 50 years old! Problems of many of these jail facilities include overcrowding, inadequate ventilation, and lack of space for needed programs. Aside from the obvious problems involved with administering such jails, the jail administrator often finds himself in the position of trying, once again, to "sell" the community and decision-makers on the need for a new or renovated jail and then must become actively involved with planning for such facilities.

The problems and responsibilities of the jail administrator do not end with the list you have just read. The challenges are great and the burden of responsibility rests with you. This course does not supply pat solutions for your problems; rather, it provides detailed analysis of your role as administrator and encourages you to think carefully about the problems which face you and seek thoughtful solutions. Through a number of case studies, the course provides a means of seeing the mistakes of others in your position and encourages you to learn from these examples and avoid making the mistakes that others have made in the past.

As jail administrator, you must fulfill three basic functions. These important functions are:

DEFINING OBJECTIVES:

The jail administrator must first decide upon the goals or purposes of his jail. Such goals may include: safekeeping and care of prisoners, prevention of escapes, development and implementation of correctional programs. Once he has decided upon these goals, he must turn his energies to selecting and developing procedures and methods through which these objectives, or goals, will be reached. He will then be able to evaluate his jail regularly by determining whether or not objectives are being met, and if not, further determining what will be necessary to bring the jail closer to its goals.

PLANNING:

All too often, jail administrators find themselves involved in "management by crisis". In other words, these people solve each problem as it arises without taking into account the long range implications of the solution and without seeking means by which the problem can be permanently eliminated.

Much of this course deals specifically with the planning process; concerns include not only the important day-to-day decision-making and planning of procedures, schedules and regulations, but, more importantly, the long-range planning necessary for improvement of the jail as a responsible community agency and as an important part of the criminal justice system.

MANAGEMENT AND CONTROL:

The administrator has a number of means available which he can use to monitor and control the jail operation. These include reports, records, and frequent evaluations. For example, an increase in the number of disciplinary reports may indicate to an alert administrator a rise in prisoner dissatisfaction. His evaluation of the situation may point to poor food preparation or menu planning, poor supervisory procedures or to some new and unpopular administrative procedure. If such a program is recognized and analyzed, it is possible to seek solutions to the situation before it becomes a serious problem. Similarly, frequent evaluations of developing or existing programs and day-to-day jail procedures can be extremely useful to the administrator as a means of detecting difficulties and avoiding recurring or compounded errors.

This course is divided into a number of functional units which are: administration of jail operations, fiscal and personnel planning, program planning, community relations, legal problems and jail planning. By studying each unit carefully, you will begin to see how important it is for you to exercise your administrative functions and to develop a rational, well-organized approach to the problems and challenges which are facing you and your jail both now and in the future.

In summary, thoughtful study of this course will make you a more effective administrator by enabling you to analyze the present and potential problems you face and by assisting you to avoid or minimize them.

ADMINISTRATION
OF
JAIL OPERATIONS

It is strongly recommended that before you study this section, you read Book Two: Jail Operations, of the Jail Officer's Course. There are several good reasons for doing so:

- You can brush up on skills that officers must perform and will be better able to manage and direct them.
- You will be able to initiate more efficient suggested procedures in your jail wherever they are apparently needed.

This section, The Administration of Jail Operations, was designed primarily for the jail administrator; you must define your jail's objectives and plan procedures and policies in keeping with these objectives. It is you who must review jail operations — security procedures, disciplinary practices, emergency plans, medical care, food preparation, laundry services, and record-keeping — and you must decide whether these practices and procedures are in keeping with the changing role and objectives of the jail.

EVALUATION AND CLASSIFICATION

Since it is extremely difficult to evaluate prisoners when they are first brought to the jail, a good administrative practice is to provide for a maximum security classification for each new prisoner and to re-evaluate this classification as soon as more is learned about him. Two other general classifications -- medium and minimum -- should be used. This is not to suggest, however, that an involved system using complicated and detailed evaluations should be undertaken. This course recommends elimination of the trusty designation from the classification system. In place of this, prisoners should be assigned a "minimum security" classification. The reasons for this are:

- The term "trusty" is a very misleading one and leads jail officers to the belief that these persons can be trusted to function without any supervision.
- Contrary to the title, "trusty", a person with this classification cannot be trusted to work totally alone and unsupervised -- he requires some supervision.
- A person with this designation should not be given authority over other prisoners and should not have any special privileges.

Are you still designating prisoners with minimum security classifications as "trusties" in your jail? If so, you should consider eliminating this term.

ADMISSIONS PROCEDURES:

A great deal of space in Book Two for the jail officer's course was devoted to establishing guidelines for jail officers who must be involved in the admissions process. Naturally, it would also be extremely worthwhile for you to study this section. For it is you who must know what the legal requirements for jail commitments in your jurisdiction are and then develop the procedures and policies which will meet these requirements.

In some jurisdictions, requirements guiding the admission practice are very informal. However, in many jurisdictions there are very strict rules governing admissions procedures and practices. In fact, overlooking some of these requirements can bring legal consequences to jail personnel. Several important considerations which govern development of admissions procedures are:

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | • Is your jail required by law to accept injured or ill prisoners, thereby placing responsibility for medical treatment with the jail? If so, do jail officers have immediate access to medical aid for new prisoners who are ill or injured? |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | • Is your jail staff permitted to exercise discretion in deciding, on medical grounds, whether or not prisoners can be admitted? If so, do you have guidelines to be used in deciding whether or not a particular prisoner will be admitted? |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | • Have you provided clear guidelines for jail officers who must decide whether or not a charge against a person brought for admission provides for legal commitment? |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | • Have you provided clear guidelines for jail admissions officers which provide all details of the commitment procedure which must be followed if legal requirements exist? |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | • Are you quite certain that each of your jailers understands the guidelines as you intended? |

ADMINISTRATIVE POLICIES

Every jail administrator must make policy decisions which will serve as guidelines for jail personnel. It is the administrator who must investigate a number of issues and then decide what his jail's policy will be regarding these issues. Jail officers do not make these decisions; jail administrators do. On the next few pages, several of these issues have been examined and arguments for and against certain policies are outlined. After reading these arguments, you should be able to make several practical policy decisions.

. Correspondence

Should the jail administrator establish or continue a practice of censoring prisoner mail? Arguments for and against this practice are outlined below; study them and then draw your own conclusions:

Some administrators use these arguments in favor of censorship:

- Mail censorship prevents escapes.
- Prevents smuggling of contraband.
- Prevents planning of future criminal activities.
- Informs personnel of prisoner complaints and problems.
- Without censorship and control of mail, the load of incoming and outgoing mail would be unmanageable.

But they fail to consider these facts:

- It has never been proven that mail censorship prevents escapes; they occur in spite of the practice.
- Packages provide a much better source of contraband--and yet, they are permitted in most jails and are seldom carefully searched.
- Most planning of future criminal activities goes on inside the jail, between prisoners.
- Well-trained, effective jail personnel establish good relationships with prisoners and are informed first-hand of complaints and problems.
- In jails where censorship of mail has been eliminated and controls liberalized, there has been no measurable increase in incoming and outgoing mail load.
- Censorship of mail places barriers between prisoners and their families which hinder correctional goals.
- Personnel time is diverted from more important tasks when censorship practices are followed.

What is your policy decision on this issue?

Haircuts

Should the jail administrator establish a rule which states that all prisoners who have long hair must be given a haircut? Arguments for and against this practice are outlined below; study them and then draw your own conclusions:

Some administrators use these arguments in favor of required haircuts:

- . Long hair is unsanitary and endangers the health of other prisoners.
- . Long hair harbors lice.
- . Long hair has no place in the jail.
- . Long hair is a safety hazard when it is worn by persons who are operating dangerous machines which can catch their hair.
- . Long hair clogs shower and sink drains.
- . When male prisoners are allowed to wear long hair in jail, they will be attacked and beaten by prisoners who dislike their hair.
- . The jail administrator has the authority to do whatever he feels is necessary to keep a prisoner under control in the jail.

But they fail to consider these facts:

- . Short hair can be just as unsanitary as long; the proper solution to the problem of unsanitary hair is to require regular washing with soap and hot water.
- . Short hair also harbors lice; solutions to this problem lie in careful examination of all hairy body areas and effective treatment if lice are found.
- . Scores of female prisoners are admitted to jails with long hair, and no one ever considers their long hair inappropriate to the jail.
- . When there is a danger of long hair becoming caught in a machine being operated by a prisoner, the person could be required to wear a hat or hairnet to control the hair.
- . When shower and sink drains become clogged in womens' jail sections, the drains are easily removed and cleaned, or else chemical drain cleaners are poured down drains to eliminate the problem. Since drains seldom differ, the same practice can be followed in mens' room drains.
- . When a prisoner is attacked by other prisoners because of his long hair, it is a clear indication that the jail is poorly supervised; the jail administrator has the responsibility to see that his staff is in control of the jail and does not allow attacks of any kind.
- . Increasingly, suits are being brought against jail personnel for forcing prisoners to receive haircuts; prisoners are arguing that such a requirement constitutes an assault and an infringement of individual rights. There are indications that these charges can be legally upheld.

What is your policy decision on this issue? _____

. Clothing and Food Parcels

Should the jail administrator allow a policy of permitting visitors to bring or send parcels to the jail? Or should he forbid such a practice? Below are some arguments for and against:

Some administrators use these arguments in favor of permitting prisoners to receive packages:

- Food packages provide a valuable supplement to the prisoners' diet.
- Street clothing can be worn by the prisoners in jail and laundering can be done by families and taken back to the jail in packages.
- Packages from family can be adequately checked to avoid introduction to contraband.

But they fail to consider these facts:

- Responsibility for providing a properly balanced diet for prisoners belongs with the local government and the jail administrator, not with the prisoner's family.
- Whenever possible, uniform jail clothing should be used in jail to reduce ability to escape, to reduce introduction of contraband, and to make laundering by the jail an easy procedure.
- Countless incidents have revealed that contraband is introduced into jail this way in spite of "careful" checks — for instance, a revolver was once smuggled into jail in a box of cookies which a loving wife had carefully opened and then resealed. All fruit in a fruit basket brought by a girlfriend, was later found to be injected with alcohol! In other cases, packages have been tied with strings soaked in drugs and have gone unnoticed. The possibilities for introduction of contraband in food parcels are endless.

What is your policy decision on this issue?

. Control of Weapons

The recommended system for controlling weapons is that they be stored in a weapons cabinet outside the jail area. Jail officers who have studied the "Jail Operations" section have been told of the dangers involved in carrying weapons inside the jail. They have been advised that, except in extreme emergencies, carrying any weapon in the jail can be extremely dangerous to themselves. Study the arguments, pro and con, yourself, and then make your policy decision:

Some administrators use these arguments in favor of allowing weapons in jail:	But they fail to consider these facts:
<ul style="list-style-type: none">• Guns, mace and other weapons provide officers with the feeling that they are protected from hostile prisoners• Weapons on jail officers show prisoners "who's boss"	<ul style="list-style-type: none">• Countless tragic incidents in jails have indicated that the weapon carried for self-protection by an officer can be easily taken from him by a prisoner. That weapon can be used to kill or wound the officer and effect an escape.• Carrying of weapons by jail officers represents to prisoners a negative symbol of authority and force. As such, they become a barrier to effective communication between prisoners and officers and frequently cause officers to rely on force and abuse rather than good supervisory techniques.

What is your policy decision on this issue?

DISCIPLINE

Concern by the courts for protecting prisoners from capricious and retaliatory punishments has resulted in a growing body of law defining administrative responsibilities in such matters. The jail administrator would be well-advised to formulate a uniform disciplinary policy to be followed by jail officers. To implement this policy, he should also develop a number of disciplinary procedures and devise a system of reporting by jail officers so that he can effectively monitor any punishment undertaken in the jail.

Clearly, prisoners must be informed concerning the behavior that is expected of them while they are in the jail. Rules for their behavior should be carefully defined, stated in positive terms whenever possible, and reviewed regularly by officers and the administrator to determine whether changing situations require revised guidelines for prisoner behavior. For instance, an increasing involvement in community programs will require a definition of rules governing prisoner behavior in the community as well as in the jail.

Therefore, it is recommended that each new prisoner be provided with a set of printed rules which apply exclusively to his behavior while in jail. These rules should not be mixed together with general rules for personnel, attorneys and visitors. Combining all jail rules in one list is sloppy administrative procedure and is likely to result in complete ignorance of rules on the part of prisoners. For instance, here is a portion of the printed rules from one county jail:

GENERAL RULES AS TO CONDUCT OF PRISONERS

1. No "Kangaroo Court" or anything similar will be tolerated.
2. No prisoner will be admitted to the jail without proper commitment papers.
3. Juvenile prisoners should be kept separate at all times from other inmates.
4. All prisoners must retire at 10 p.m.; cell doors must be locked, and all unnecessary noises thereafter must end.
5. All prisoners are subject to strict and impartial discipline. No special privileges or favoritism will be granted to any prisoner or group of prisoners. Brutal or inhuman treatment on the part of jail officials will not be tolerated.

Which of the above rules apply exclusively to prisoner behavior and provide guidelines for prisoner behavior in jail?

Write the numbers here: _____

Turn page to check your answers

Answer:

It is interesting and unfortunate that, although these rules are labeled General Rules as to Conduct of Prisoners, only rules 1 and 4 apply to prisoner behavior; the other rules apply to behavior of jail personnel who supervise prisoners.

It is also interesting to note that it would be impossible for a new prisoner to understand rule 1 unless he knows what a "Kangaroo Court" is. The rule should have explicitly stated that prisoners will not be allowed to join together in groups for the purpose of forcing other prisoners to pay fines to or perform services for other prisoners.

Below is a small portion of a list of rules for prisoner behavior which are posted in a county jail. Notice that these rules contain a clear, positive statement of the behavior expected of prisoners. Also notice that they refer specifically to rules for prisoners; they do not include rules for officers or anyone else connected with the jail.

1. You will be expected to take an active part in keeping your bed and your living area clean according to jail standards which will be explained to you by a jail officer. You will also be expected to follow the regular bathing schedule established for all prisoners.
2. Your stay here can be made less difficult if you try to be courteous and considerate of others. Shouting and loud talking after lights out disturbs others and causes tension and unhappiness. Lights out is at 10 p.m. every night unless a special exception is made. Observance of this rule means that all loud talking and noisy activities must stop and all prisoners must be on their bunks, locked in their cells.
3. The only items you should have in your possession are those supplied by the jail and authorized for your use. Eating utensils will be issued during meals and collected immediately afterwards. Any items which have been authorized for your use will be considered contraband and you will be penalized for possessing them.

Whenever serious disciplinary situations occur in the jail, it is important that the officer who reports the situation not be involved in determining guilt and deciding punishment as well. In our system of justice, we have provided for impartial juries and judges to decide guilt or innocence of an accused person. We do not allow the accuser to decide these matters. The same should be true of the jail situation; the officer who observes or is the object of a serious rule violation should not sit in judgement of the prisoner involved.

When rule infractions by prisoners are serious enough to involve actual punishment such as isolation, loss of "good-time", and loss of recreation privileges, the following is suggested:

IN A SMALL JAIL:

All serious infractions should be reported to the jail administrator who should determine guilt and assess punishment.

All punishments should be recorded and records should be filed (in cases where prisoners file suit for "cruel and inhuman" punishment, the jail will have access to a complete record of the punishment and the reasons for it to show the court).

IN A LARGE JAIL:

The administrator should appoint a board of two or three persons to hear disciplinary cases. He should receive written reports of all cases and, if he approves the board's recommended action, assign the penalty to the prisoner.

Again, all disciplinary actions should be recorded and records filed (such records can reveal to a good administrator much about jail climate and the morale of prisoners and jail personnel).

If you employ isolation as a penalty, it is essential that conditions of isolation meet a number of standards. If the conditions do not meet such standards, it is extremely likely that legal problems will result. Does your jail use isolation as a punishment? If so, check to see if your isolation unit meets the following standards:

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Is isolation cell clean, well-lighted, heated, ventilated and sanitary? Does it, in all respects, meet the standards of the regular cells in your jail? |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Are isolation cells furnished with clean mattresses and bedding? (In some extreme cases prisoners will tear up all clothing and bedding given to them in isolation and use it to stop up plumbing or clutter their cells. These are the only cases in which an administrator is sometimes justified in taking these things from them.) |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Are isolated prisoners given the same three meals a day as the rest of the jail population? |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Are isolated prisoners required to achieve and maintain the same level of personal hygiene as other prisoners? Are isolated persons permitted to retain essential personal items such as eyeglasses, false teeth, and toilet tissue? |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Are isolated persons allowed essential drinking water? |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Are isolated persons given an opportunity to exercise? |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Is early release from isolation used as an incentive for good behavior? |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Is the isolation unit supervised and checked at least every half hour? |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Are sick call opportunities made available to persons in isolation? |

☐ ☐ 10. Are writing and visiting privileges granted to persons in isolation? (Only in extreme situations — when a prisoner is violent and dangerous for instance — should visiting privileges be removed.)

☐ ☐ 11. Are adequate records kept which include:

- . reason for isolating person
- . date isolation began
- . details of prisoner behavior in isolation
- . date of release from isolation

If you can honestly answer YES to all of these questions, you have taken the necessary steps to ensure that the isolation unit in your jail can provide humane shelter for prisoners. If you answered NO to any of the questions, you should make the necessary changes in your isolation unit; otherwise, you may be inviting intervention by the courts.

EMERGENCY PROCEDURES

If a serious emergency occurred in your jail tomorrow, would your personnel know what is expected of them? Would they be able to perform planned emergency procedures in a controlled, professional manner?

It is extremely important for each jail officer to be able to follow a pre-arranged plan for every type of emergency which could occur in the jail. On the next few pages are suggestions which jail administrators are advised to employ in developing such plans for dealing with emergencies which might occur in the jail. If you have already established a number of emergency procedures for your jail, review your procedures and compare them with those suggested here.

. Escape Procedures

Checklist

- . When was the last time that you reviewed your jail's emergency procedures to be followed in the event of an escape? _____

If it was more than a year ago, a review is overdue.

- . Do all of your staff members receive training in the procedures to be followed in the event of an escape?
_____ Do you frequently check to see that they know what their particular duties are? _____
How often do you check? _____
You should check several times a year.

- . When was the last time an escape was attempted or actually successful in your jail? _____

- . Have any security weaknesses been corrected since that time? _____ If not, why not? _____

_____.

When developing emergency procedures to be used in the event of an escape, the jail administrator must make plans that cover three eventualities:

- . Word might have been received that a prisoner, or group of prisoners, is in the process of planning an imminent escape.
- . The escaping prisoner, or prisoners, might not have left the jail yet.
- . The prisoner, or prisoners, might have successfully escaped from the jail premises and might be on the run.

When planning the specific procedures to be followed by jail officers in any of these eventualities, the jail administrator should consider these important points.

STEP ONE: SOUNDING THE ALARM

Escape still in planning stage	Escape in progress; escapee still inside the jail	Escape successful; escapee(s) on the run
. The officer who learns of escape plans must alert all jail personnel immediately	. Jail officers must know how to inform all personnel of situation (preferred alarm equipment: phone, intercom, radio; an alarm bell causes unnecessary tension)	. All nearby law enforcement agencies must be alerted of situation

STEP TWO: MOBILIZING RESOURCES

Escape in planning stages	Escape in progress; escapee still inside the jail	Escape successful; escapee on the run
<ul style="list-style-type: none">. Officers must be organized to conduct immediate shakedown of cell area. Officers must see that prisoners involved in escape plans are separated and/or isolated	<ul style="list-style-type: none">. One officer must contact off-duty personnel if extra help is needed (phone numbers should be available always). All nonessential duties should be abandoned and personnel re-assigned to special posts. All tools or potential weapons should be locked up or taken out of sight	<ul style="list-style-type: none">. All nearby law enforcement agencies should be informed of how they can lend assistance in search effort. News media should be informed and given details of prisoner identities and other pertinent details (direction of escape route, etc.). Descriptive information and identification of escapee(s) should be prepared for immediate distribution to neighboring jurisdictions

STEP THREE: IMPLEMENTING EMERGENCY PLANS

Escapee in progress; escapee(s) still inside the jail	Escape successful; escapee(s) on the run
<p>. If officer or any official is taken hostage, staff must not comply with prisoner's orders to release them from jail. Likewise, any orders by the hostage to release them should not be followed. (Danger to the hostage is increased when prisoner is allowed to take him outside of jail)</p> <p>. Use of weapons should be authorized <u>only if absolutely necessary</u>. Authorization should be given only by jail administrator or chief officer and <u>only under extreme circumstances</u>, and when there is little chance that escaping prisoners can take these weapons away from officers.</p>	<p>. Person in charge of communications center should keep one line clear for incoming calls from emergency posts outside jail or for relaying important messages to these posts and other agencies participating in the search. This person should also be authorized to give press releases and answer inquiries from news media or other law enforcement agencies.</p> <p>. A careful investigation should be begun in the jail to uncover any clues which might aid the search. Prisoners might be interviewed to provide any important details of the escapee's plans.</p>

STEP FOUR: ENDING THE ALERT

Escapee apprehended	Escape successful; prisoner not apprehended
<ul style="list-style-type: none">• When escapee(s) is apprehended, all agencies involved in the search or in standby alert should be informed immediately• Apprehended escapee(s) and other accomplices should be interviewed only on the advice of a prosecuting attorney -- and care should be taken that rights of suspect(s) are not infringed upon.	<ul style="list-style-type: none">• If search is to be discontinued, all persons involved in search effort should be informed

STEP FIVE: FINAL PROCEDURES

- . If escape has involved property damage such as bar-cutting or window damage, photographic and written records should be made and all evidence gathered
- . All damaged security equipment should be repaired to prevent a repeat of escape attempt by other prisoners
- . The jail security system should be re-evaluated to determine where the lapse occurred and how it can be avoided in the future. Study should include an investigation of:
 - all security equipment
 - all security procedures
 - personnel performance of security procedures
- . Corrections and improvement should be made in the security system if recommendations reveal that they are necessary.

NOTE: Most jails could use at least some improvement in their escape plans. Before continuing, stop and think of how your escape plans might be improved. List your ideas for improvement while they are still fresh in your mind.

. Riot Emergency Procedures

Checklist

When was the last time that you reviewed your jail's emergency riot plans? _____

If it was more than a year ago, a review is long overdue.

Do your staff members know what their duties are during a riot?

_____ Have they all received training in riot procedures?

_____ Are their skills for dealing with riots updated and reviewed regularly? _____

Is all riot equipment kept in working order and inaccessible to prisoners? _____

Have you ever experienced a riot or disturbance in your jail?

_____ If so, was your staff confident and well-trained to deal with it? _____

Emergency plans to deal with riots in the jail should be developed with the following objectives in view:

- . To control rioting with minimum danger to personnel, other prisoners and rioters
- . To prevent escapes during rioting
- . To protect property as much as possible during rioting

When planning specific procedures to be followed by jail officers during a riot, the jail administrator should consider these important steps:

STEP ONE: CONTAINMENT

- . Whenever the disturbance begins, officers must move quickly to localize it and prevent the disturbance from spreading to other parts of the jail. Personnel should be assigned to emergency posts and off-duty employees called back to the jail. If the disturbance occurs in a cellblock, containment can be effected by:
 - . closing off the area
 - . assigning personnel to key posts
 - . keeping all uninvolved prisoners out of the area
- . If the disturbance begins in a dining room or recreation area, containment is more difficult because the area is larger and more difficult to close off. In such a situation, prisoners who are not participating should be given an opportunity to leave the area and return to their living areas. Then, officers should:
 - . close off the area
 - . move to their assigned emergency posts

STEP TWO: ESTABLISHING CONTROL

- . If prisoners are destroying property and are not attacking jail personnel or each other, it is often best to simply allow them to continue until their energy is spent.
- . If prisoners are fighting with each other, attacking officers or lighting dangerous fires, officers must be given orders to intervene in order to prevent injuries and subdue rioters. Several methods are used to actively subdue rioters. These are:
 - Use of Force: This is only possible when there are enough officers available to outnumber prisoners to control prisoners without further violence. If officers do not outnumber the rioting prisoners, injuries to prisoners and officers are bound to result. Good riot emergency plans always include establishing an agreement with other nearby law enforcement agencies to provide assistance when called for by the jail.
 - Riot Squads: When officers have received thorough training in riot and crowd control techniques disturbances can be ended swiftly and with a minimum of injury. The jail administrator should make certain that the jail staff receives this type of training.

- Use of Gas: This is an effective method of controlling serious disturbances; however, it is essential that some members of the jail staff receive thorough training in the use of gas and that its use is authorized only by the jail administrator and is not used indiscriminately. When gas is used, it is essential that exits be made available for the dispersing crowd and that proper ventilation be provided to eliminate the danger of gas lingering in a closed jail.
- Water: When not used for putting out fires set during disturbances, water hoses can be effectively used to disperse crowds of prisoners. Again, it is essential that officers be trained in its use because water, if used while on high pressure, can cause serious injury.

STEP THREE: POST-RIOT PROCEDURES

- . As soon as the riot is under control, a count should be performed to determine if anyone has escaped.
- . Any damage done to security equipment should be immediately repaired.
- . If gas has been used in a cellblock, prisoners should be moved out and the area ventilated.
- . Work crews should be assigned to cleaning up riot debris.
- . Each officer who witnessed the disturbance should be required to submit a list of possible participants and his description of the event. In addition, any suggestions concerning the cause of the disturbance should be noted by the officers.
- . Effectiveness of riot procedure and performance of personnel should be evaluated by administrator.

. Emergency Fire Procedures

Checklist

- . When was the last time that you required your staff to run through a fire drill? _____
If you haven't had one within the last six months, it is time to do so now.
- . Do your staff members know what they must do in the event of a fire emergency? _____ Do you make sure that all new staff members receive training in jail fire emergency procedures and that the skills of experienced staff members are reviewed and updated regularly? _____
- . Is all fire equipment in your jail inspected several times a year and kept in good working order? _____
- . Have you ever had a fire emergency in your jail? _____ If so, was your staff trained to deal with it quickly and efficiently? _____

When planning specific procedures to be followed by jail officers for the purpose of preventing or dealing with a fire emergency in your jail, you should consider these important steps:

- . Make sure that fire inspections are conducted annually in your jail by a fire marshal
- . Identify all fire exits for all prisoners and jail officers
- . Conduct regular (several times a year) inspections of fire extinguishers, fire hoses, hydrants, etc.
- . Make sure that all staff members know the location of keys for fire equipment and hydrant wrenches. Also inspect frequently to see that these things are consistently kept in their assigned locations
- . Designate an area outside the jail into which prisoners can be evacuated in the event of fire
- . Make sure that all jail officers receive training in fire emergency procedures -- also, make sure that training is repeated often to refresh skills
- . Identify agencies to be called in case of fire and see that emergency telephone numbers are kept next to all jail telephones.

- Emergency Procedures for
Civil Emergencies

The jail must often play an important role in the event of civil emergencies such as civil disorder and civil disaster. For this reason, it is essential for the jail administrator to plan for certain eventualities and coordinate his plans with those of other community agencies which may also be involved in dealing with these emergencies.

Civil Disorder

Group protest or riots may result in the detention of large numbers of persons or in the necessity to provide trained personnel to assist in crowd control. Planning for these possibilities should include the following important points:

- The jail administrator must assess the jail's capacity for detention of large populations which include juveniles and women as well as men. If he determines that the jail could not house large groups, he should work with persons from other agencies to determine where these persons could be housed on a temporary basis.
- If the jail must be responsible for processing and controlling a large number of people at one time, the jail administrator should develop an emergency procedure which allows for expedition of:
 - record-keeping
 - bail procedures
 - contacting attorneys
 - court appearances and schedules
 - visiting
 - feeding

Other details to be considered when planning procedures to be used during civil disorder can be found in an Emergency Detention Manual published by the Bureau of Prisons, which can be sent upon request.

NOTE: In some jurisdictions, jail personnel must be made available to local law enforcement authorities for crowd control outside the jail. If this is a possibility in your jurisdiction, it is essential for the jail administrator to ensure that his staff receives essential riot training and equipment.

Civil Disaster

Floods, forest and brush fires, and earthquakes require the coordinated efforts of almost every available community agency. Naturally, the jail will be expected to participate in any way it can. The jail facility can be used to provide emergency food and shelter to disaster victims and, if it has an extensive communication system, it can serve as a command post for rescue operations. In addition to offering the use of the jail facility and essential manpower, jail personnel and prisoners can offer vital assistance in rescue operations and, in emergency operations, can assist in fighting fires, stacking sandbags, reinforcing levees, etc.

MEDICAL PROGRAM

How complete is your jail's medical program? Put an X next to all the elements described below which are now included in your medical program:

- ☐ A full or part-time physician
- ☐ A full or part-time dentist
- ☐ One or more nurses or medical corpsmen
- ☐ An arrangement with community hospitals or clinics, state and local health departments, and other public health authorities for assistance in medical treatment
- ☐ Provision for immediate medical screening of all new prisoners and for a physical examination within a reasonable time following admission (within 24 hours)
- ☐ Isolation facilities for prisoners suffering from contagious illness (or arrangements in community where these persons can be taken)
- ☐ A jail infirmary (or other area where medical exams can take place)
- ☐ A daily sick call
- ☐ Employee training in first aid and emergency treatment to give before a doctor arrives
- ☐ Maintenance of a complete medical record for each prisoner
- ☐ Control of all medications, needles and other medical equipment (locked up and carefully supervised by jail officers)
- ☐ Maintenance of good sanitation practices throughout the jail
- ☐ Maintenance of good physical hygiene by all prisoners (regular bathing)
- ☐ Arrangements for psychiatric services
- ☐ Arrangements for after-release care for prisoners whose health problems have not been corrected before release

Not all jails are able to develop a medical program as complete as the one outlined. Perhaps yours is just such a jail. However, even if your jail does not have an infirmary, and does not have a doctor who visits the jail daily or works there full-time, it is essential for you to make up for these deficiencies by making specific arrangements with community health services to fulfill the bulk of the jail's medical requirements.

. Medical Records

A basic requirement for every jail medical program is maintenance of detailed medical records and careful control of medicine and medical equipment kept in the jail. Complete and detailed medical records serve two important purposes. These are:

- . Any physician called upon to examine the prisoner either in the jail or in a community health facility will be able to learn valuable information about the prisoner to help him in diagnosing or treating an illness
- . When prisoners claim to have been injured or neglected during confinement, complete medical records serve as evidence to refute false claims

What should medical records consist of? Since you are the one responsible for seeing that record-keeping systems are either instituted or improved upon, you should review the medical record system in your jail and check to see if the following elements are included:

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Description of prisoner's condition at time of admission to jail (all cuts, bruises, injuries and abnormalities which are apparent described in detail and signed by officer making description). |
| <input type="checkbox"/> | <input type="checkbox"/> | All orders given to jail officers by doctors concerning care of particular prisoners written and signed by the doctor and kept on file |
| <input type="checkbox"/> | <input type="checkbox"/> | All administration of medicine to prisoners recorded by time, date, and name of officer giving dosage |
| <input type="checkbox"/> | <input type="checkbox"/> | If a doctor has been called concerning a certain prisoner, a record made which included name of the officer making the call, the time and date of the call, and the reason for calling. |
| <input type="checkbox"/> | <input type="checkbox"/> | If anything is known of the prisoner's past medical record, details recorded and kept on file |
| <input type="checkbox"/> | <input type="checkbox"/> | If the prisoner becomes ill while confined, or is injured in some way, details and pertinent dates recorded and filed |
| <input type="checkbox"/> | <input type="checkbox"/> | Prisoner's condition upon release described in detail; record signed and filed by releasing officer. |

If your procedures for keeping medical records do not include all of these elements, you should take the time to re-evaluate and upgrade your system of medical record-keeping.

. Control of Medicine and Medical Equipment

Do you insist that the jail medicine and medical equipment supply be carefully controlled in your jail? Answer the following questions:

YES NO

- ☐ ☐ Does your jail have a locked cabinet or safe where medicine and medical equipment (hypodermic needles, etc.) are stored?
- ☐ ☐ Do officers in your jail keep a careful record indicating the amounts of drugs purchased, amounts dispensed, and amounts on hand?
- ☐ ☐ Is a regular inventory of the drug supply made by a jail officer and periodically checked by the jail physician?
- ☐ ☐ Do officers in your jail carefully write down the physician's instructions describing how to give each drug, how often, under what conditions, and to whom?

If you cannot answer YES to all of the above questions, you should take steps to tighten control over medicines and medical supplies in the jail.

. Sick Call

Administration of sick call in the jail is one of the critical aspects of the jail operation. Neglect of a prisoner's health needs can lead to severe illness or even death. And since you are responsible for the welfare and safekeeping of each prisoner, proof of negligence can bring serious legal consequences.

As a rule, each jail with a population of 25 or more should hold a sick call daily (smaller jails can manage with twice-weekly sick calls). These should be held for the following purposes:

- . To provide medical attention to all prisoners who report medical complaints
- . To provide a medical examination for new prisoners within 24 hours of admission

Now answer these questions about the sick call procedure in your jail:

YES

NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Are all prisoner medical complaints forwarded by jail officers to a medical authority? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are medications administered only when prescribed by a doctor? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is pill-taking carefully supervised by jail officers to see that: <ul style="list-style-type: none">. each prisoner receives the correct dosage at the correct time. each prisoner <u>actually swallows</u> the medication and does not hoard it |

If you answered No to any of the above questions you should take steps to improve your jail's sick call procedure.

List the steps you will take:

FOOD SERVICES

What system are you using in your jail to serve food to prisoners?

- ☐ central dining (cafeteria)
- ☐ dayroom dining
- ☐ food service to individual cells

Each of these serving methods involves special administrative problems. As jail administrator, you should be aware of the problems involved and seek ways in which you can change or improve upon the system you are now using. On the next page is a chart which should serve as a guide to you in evaluating your present food serving operation and should suggest ways in which you can improve serving practices which you determine to be inadequate or poorly supervised.

CENTRAL DINING ARRANGEMENTS	DAYROOM OR CELL DINING ARRANGEMENTS
<ul style="list-style-type: none"> • The rules of prisoner behavior in the dining room must be clearly defined. Rules should deal with three critical areas: <ul style="list-style-type: none"> - prisoner behavior in serving line and while eating - Necessity for prisoners to return all eating utensils before leaving dining room - behavior of prisoners serving food (fair distribution of food to all prisoners) • General supervision of dining room should be accomplished by stationing jail officers at key locations throughout the area or by assigning officers to circulate around these critical areas: <ul style="list-style-type: none"> - serving line - area where dishes and utensils being returned • Care should be taken that the following persons should not be considered for food service duties: <ul style="list-style-type: none"> - prisoners with poor habits of personal cleanliness - prisoners with skin diseases or other unattractive outward disabilities - prisoners with communicable illnesses of any sort or with poor health records - prisoners who are generally resented by other prisoners because they are sex offenders or homosexuals 	<ul style="list-style-type: none"> • Special attention should be given to the problems involved in keeping food hot (or cold, as the case may be) throughout serving period -- food that has become cold (or too warm) during the serving period can cause prisoner unrest and tension • Jail officers must be assigned to accompany all food cart operations to prevent prisoner servers from showing favoritism in serving practices or delivering food too slowly and inefficiently • Care should be taken that the following persons should not be considered for food service duties: <ul style="list-style-type: none"> - prisoners with poor habits of personal cleanliness - prisoners with skin diseases or other unattractive outward disabilities - prisoners with communicable illnesses of any sort or with poor health records - prisoners who are generally resented by other prisoners because they are sex offenders or homosexuals • Return of all eating utensils and uneaten food should be carefully supervised by jail officers who accompany food service carts

Has this chart pointed to any deficiencies in your food service system? If so, what steps will you take to correct these deficiencies?

. Menu Preparation

As a professional jail administrator, proud of your accomplishments and your jail's programs, you should not be content to use a strict budget as an excuse for monotonous menus or poorly prepared food. Food becomes very important to people in confinement; the methods of planning and preparing for food service can have as dramatic an effect on prisoner attitudes as your most important jail programs.

Some menu planners think that by buying starchy foods and by capitalizing on sales of unpopular food items, they will "kill two birds with one stone". That is, they think they will save money for the jail and will meet feeding requirements at the same time. This type of reasoning is often faulty. For instance, although starchy foods are generally cheaper than other types, they generally are the cause of prisoner complaints about monotonous and poorly prepared foods. Prisoners often waste these foods and, even when they do eat them, they fail to receive most of the nourishment which other types of foods offer (a varied, nutritional diet is especially vital in jails where juveniles must be held). Also, although it is generally recommended policy for an administrator or purchasing officer to take advantage of sales, it is foolish to buy unpopular food items such as those which will be rejected by prisoners and will constitute a severe waste of food and money. Such waste will not occur when more popular food items—even if more expensive—are purchased.

Administrators of jails that are too small to have their own food services have often shown ingenuity in seeking ways to provide varied and sufficient food for prisoners. Some of these jails contract with local restaurants to provide meals, and others have found that frozen TV dinners and other prepared frozen foods that have been overstocked in local stores can be purchased at a discount and served to prisoners with little trouble and usually to the satisfaction of both prisoners and staff.

If yours is a larger jail with facilities for food preparation, you should seek help in the community in developing varied, appealing menus at the least possible cost. Skilled professional dietitians are available in the community to assist any jail administrator who is willing to seek aid in planning food services. Such persons can usually be found in the following places:

- . county or city hospitals
- . public school systems
- . local colleges and universities
- . departments of public health
- . some large industries with food service for employees
- . local gas and electric companies

. Special Menus

It is considered good practice to offer special menus in jail on traditional holidays. Naturally, traditional Thanksgiving and Christmas menus are most commonly planned for jail prisoners. In addition, in jails where prisoners wish to observe religious laws which prohibit certain foods (for instance, pork is prohibited by the Jewish and Moslem religions), a reasonable effort should be made to arrange for preparation of alternatives to these food items when they are being served.

Prisoners with medical problems often must have special foods prepared for them. Their diets, as outlined by a doctor, should be viewed as an important part of the jail's medical program. Diabetics, persons suffering from ulcers, and cardiac patients may all require special diets. However, careful supervision of this group and a strong policy of cooperation with the doctor who prescribes these diets should be established as a means of preventing prisoners who do not have these problems from joining the special diet line also.

Checklist

Read the following list and evaluate your jail's system of menu planning and food preparation by indicating next to each suggestion whether your present policy is adequate or needs improvement. If you do this, you should be able to develop some ideas for improving your present system.

<u>ADEQUATE</u>	<u>NEEDS IMPROVEMENT</u>	
<input type="checkbox"/>	<input type="checkbox"/>	. Prisoner eating habits are carefully considered when planning menus; unpopular items are not served or purchased again.
<input type="checkbox"/>	<input type="checkbox"/>	. Care taken in purchase of bargain items to determine if: <ul style="list-style-type: none"> - items will be eaten or simply wasted - bargain meat is a good buy; not simply bone, gristle and waste with little nutritional value
<input type="checkbox"/>	<input type="checkbox"/>	. Fresh vegetables and fruits bought in season when prices are lower (often these things can be frozen or canned for future use)
<input type="checkbox"/>	<input type="checkbox"/>	. Bulk purchases are made only when storage and refrigeration facilities are available (some jails rent food lockers for refrigeration space.)
<input type="checkbox"/>	<input type="checkbox"/>	. Professional dietitian help used in planning varied and nutritional menus
<input type="checkbox"/>	<input type="checkbox"/>	. Reasonable complaints about food investigated and steps taken to correct problems
<input type="checkbox"/>	<input type="checkbox"/>	. Special holiday meals planned and special medical diets carefully adhered to

SANITATION

As jail administrator, you are responsible for setting high standards for jail sanitation and for providing proper equipment and supplies for maintaining these standards. The questions below cover a number of basic measures which you should take to protect your jail from unsanitary conditions. Answer these questions honestly, with a view towards evaluating your jail's sanitation procedures:

YES NO

☐ ☐

Are covered, leakproof, nonabsorbent containers provided for storage of your jail's garbage until it is disposed of?

☐ ☐

If garbage must be stored for more than one day at your jail, has a special enclosure been provided for storage of garbage containers?

☐ ☐

Have special brushes, can-washing machines or other cleaning equipment been provided for regular cleaning of garbage containers?

☐ ☐

If food is served in cells or dayrooms in your jail, are jail officers instructed to inspect regularly to see that no leftover food is kept in these areas?

☐ ☐

Is proper screening provided and used to keep insects out of the jail?

☐ ☐

Are regular inspections made to determine if rats and vermin are present in the jail? If found, are exterminators or the local health department consulted to determine the proper extermination method to use?

☐ ☐

Are jail personnel instructed to carefully examine new prisoners and clothing for vermin? If they find vermin, do they follow established procedures for getting rid of lice or other vermin?

How many of the procedures described above are now practiced in your jail? If some of them are not practiced, you should plan to upgrade your sanitary program.

JAIL CLOTHING

Earlier in this section, when clothing and food parcels were discussed, it was mentioned that, whenever possible, jail clothing should be supplied by the jail; use of street clothing is poor policy. The reasons for this are stated below:

- Even if prisoners and their clothing are carefully searched at admission, it is still possible to overlook contraband which might be hidden in street clothing
- A prisoner wearing street clothes is an escape risk; his chances of walking out of the jail unnoticed during visiting hours are very great
- Street clothing can be used for trading among prisoners and for gambling. In some instances, expensive clothing worn by a young or inexperienced prisoner might encourage more experienced prisoners to "strong-arm" him and steal his clothing
- Street clothing might be infested with lice or be otherwise unsanitary and might be a source of infestation for the entire jail

YES NO

☐ ☐ Do the prisoners in your jail wear uniform jail clothing?

If your answer was NO, you should consider changing this policy. Suggestions for uniform jail clothing are:

- Coveralls (in areas where the jail becomes hot and humid in the summer months, these are not recommended)
- Plain cotton dresses for female prisoners
- Rented uniforms - some companies provide a rental service which includes pickup, delivery, laundry and repair of rental clothing
- Military surplus fatigue trousers and T-shirts
- Tennis shoes (these are recommended for use with all prisoner uniforms)

. Laundry

Whether or not your jail provides uniform clothing to prisoners, all prisoner clothing, as well as bedclothes and towels, must be laundered regularly. Many jail administrators arrange to have dirty laundry sent to laundry services available at other local institutions (some send it to state prison laundry operations). Other jail administrators prefer to establish a small laundry operation at the jail to provide work and training to prisoners who would be otherwise unemployed while in jail. Still other, smaller jails have a system which permits prisoners to wash their own clothes in a jail washer-dryer to which they have access on a regular basis.

No matter what system you use for laundering clothing, bedclothes and towels, your system must provide:

- . frequent changes of clothing, bedding and towels for prisoners
- . the most efficient, least expensive means of laundering available to the jail
- . a means of returning prisoners to the community in clothing that has been freshly laundered

What improvements (if any) are needed in your jail's laundry system?

JAIL MAINTENANCE

Buildings can deteriorate rapidly when not kept in good repair. Aside from the security risks which are inevitable in a poorly maintained building, the costs of repairing extensive deterioration are often a great burden on the community. As jail administrator, you should take the responsibility for developing procedures designed to detect building and equipment deterioration in the early stages and provide needed repairs. A suggested policy for you to follow is:

- . require jail officers to report any deterioration and needed repairs which they notice during their routine security checks of the jail
- . appoint an inspection committee of jail officers and make members responsible for determining where maintenance and equipment repairs should be made and submitting a detailed report to you for immediate action (you can make their job easier by developing detailed checklists to guide their inspections)
- . review maintenance records often to determine which areas need frequent repairs and should receive regular attention

RECORDS AND REPORTS

Throughout this course, you will notice the importance of maintaining accurate and uniform records of all jail activities. Such records can be invaluable as a means of evaluating past performance, making plans for future programs and procedures, documenting administrative actions for use by the courts or other decision-making bodies, and assessing the causes of all serious incidents which occur in the jail so they can be avoided in the future. Although jail officers are largely responsible for routinely keeping records of all activities in the jail, you are responsible for seeing that procedures for record-keeping and writing reports are carefully defined and are seriously followed by all jail officers.

On the next few pages, key information needs will be outlined briefly. You should study these needs carefully and then determine whether your jail records are meeting these basic requirements or whether you should take steps to see that they will be met in the future.

The following is a basic list of details which should be included in your jail's records. Check the YES column if your officers record a detail that is listed; check the NO column if they do not include a detail that is listed:

<u>YES</u>	<u>NO</u>	POPULATION RECORDS
		. Admission
<input type="checkbox"/>	<input type="checkbox"/>	Number of actual commitments to the jail(number detained and number sentenced)
<input type="checkbox"/>	<input type="checkbox"/>	Ages of persons actually committed to the jail
<input type="checkbox"/>	<input type="checkbox"/>	Sex of persons committed to the jail
<input type="checkbox"/>	<input type="checkbox"/>	Specific charges against persons committed to the jail

		. Release
<input type="checkbox"/>	<input type="checkbox"/>	Number of persons released from jail
<input type="checkbox"/>	<input type="checkbox"/>	Specific reasons for release (bail, completion of sentence, death, release to other authority, etc.)

PROGRAM PARTICIPATION RECORDS		
<input type="checkbox"/>	<input type="checkbox"/>	Number of persons participating in each program
<input type="checkbox"/>	<input type="checkbox"/>	Number of persons who complete each program
<input type="checkbox"/>	<input type="checkbox"/>	Test scores of those participating in programs involving testing
<input type="checkbox"/>	<input type="checkbox"/>	Number of persons who drop out of program before completion
<input type="checkbox"/>	<input type="checkbox"/>	Reasons for each drop-out
<input type="checkbox"/>	<input type="checkbox"/>	Any other information relevant to program which could be used in evaluating success

YES NO

DRUG USE RECORDS

- ☐ ☐ Federal law requires periodic reports on use of narcotics; forms provided for this purpose should be filled out every time narcotics are administered by a doctor in the jail

MEDICAL RECORDS

- ☐ ☐ Number of sick calls held
- ☐ ☐ Number of persons seen during each sick call
- ☐ ☐ Name of doctor conducting each sick call
- ☐ ☐ Number of referrals made during each sick call (to hospital or mental health agency)
- ☐ ☐ Purpose of each referral (X-Ray, mental evaluation, etc.)
- ☐ ☐ Number and date of emergency calls made to doctor and reason of each
- ☐ ☐ Number and date of emergency visits to jail by doctor and reason for each
- ☐ ☐ Medication purchased and dispensed:
- ☐ kind
- ☐ amount
- ☐ ☐ Individual medical records for each prisoner

FOOD AND SUPPLY RECORDS

- ☐ ☐ Detailed list of supplies purchased (paper napkins, sheets, soap, etc.)
- ☐ ☐ Detailed list of food items purchased (kinds and amounts)

YES NO

MACHINERY AND EQUIPMENT RECORDS

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Maintenance history of all machinery and equipment
(type of equipment, repairs needed, frequency of
repair, costs, etc.) |
|--------------------------|--------------------------|--|

DISCIPLINARY RECORDS

- | | | |
|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Type of infraction |
| <input type="checkbox"/> | <input type="checkbox"/> | Disciplinary action taken |
| <input type="checkbox"/> | <input type="checkbox"/> | Name of prisoner |
| <input type="checkbox"/> | <input type="checkbox"/> | Name of officer reporting infraction |
| <input type="checkbox"/> | <input type="checkbox"/> | Details of infraction |
| | <input type="checkbox"/> | witnesses |
| | <input type="checkbox"/> | relevant details |

DETENTION RECORDS

(to be submitted weekly to court administrator)

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Number of persons detained in jail |
| <input type="checkbox"/> | <input type="checkbox"/> | Amount of time each person has served awaiting trial
(from time of commitment) |

If you are typical of most administrators, and face the problems found in most jails, this chapter has helped you identify at least a few deficiencies in the way your jail is now being administered. The chapter has also given you the guidelines upon which you can build an even better program within your jail.

As stated in the introduction, this course will not provide pat solutions for your problems; rather, it provides a detailed analysis of your role and encourages you to think carefully about how to solve the problems you face. The analysis, the guidelines, the discussions in this course are designed to assist you; the primary responsibility for defining your objectives, for planning to reach those objectives, and for management and control in your jail must be yours.

The chapter you have just studied can be of immeasurable value to you in improving the efficiency and effectiveness of your administration, but only if you put it into action. Apply what you've learned and you can eliminate or minimize problems; you can fulfill your role more effectively and with less effort.

BOOK TWO:

PERSONNEL AND FISCAL MANAGEMENT

. Budget Preparation

For the jail administrator, the process of budget preparation may vary from minimal participation — as when budgeting responsibility rests with local fiscal specialists — to extensive program and fiscal analysis. Whatever the organizational arrangements followed in your jurisdiction, it is inevitable that you will bear some responsibility for contributing to the preparation of the jail budget.

This section is a discussion of three types of budget: line-item, performance, and program. An attempt has been made to explain the merits and limitations of each type of budget. It is hoped that after carefully studying this section, you will be better prepared to participate in budget planning for your jail and, in spite of the limitations of the budget system you must follow, to think of the budgeting process as a vehicle for evaluating past and present performance and planning to meet new objectives in the future.

Line-item Budget

This type of budget is the most traditionally used and perhaps the most limiting. It is characterized by:

- . A basic concern for strict control of spending; deviations from specified categories are difficult and sometimes impossible to make. Authorization by a legislative body or a chief executive is necessary when funds must be transferred to meet unanticipated problems or to take advantage of money saved in one category which can be used for something else that is needed.
- . An emphasis on fiscal data that is related to an agency's operation. In other words, expenditures are marked for very specific purposes which are itemized (i.e., telephone and telegraph charges, travel expenses, office supplies, etc.).
- . Limitation of projected costs of future operations to only one year ahead; usually the year for which a budget request is being made.

The line-item budget, although able to control spending effectively, is extremely rigid and discourages thoughtful program review and planning. The approach to this type of budgeting is usually incremental. In other words, each new budget is developed by simply adding a stated percentage increase to the amount in each category that was budgeted the year before. Budget decisions are made on the basis of this question: How much did we budget for this last year, and how much should we add to that this year? Seldom, if ever, do line-item budgets reflect a concern for planning the future of the jail and a realization that some of the past programs and expenditures will simply not be relevant to these future plans. In fact, the line-item budget has a built-in resistance to change.

Below is a typical example of a line-item budget which might be developed by a county sheriff's department:

OBJECT OF EXPENDITURE	ACTUAL BUDGET 1969	ESTIMATED EXPENDITURES FOR 1970	PROPOSED BUDGET 1971
PERSONAL SERVICES			
111 Salaries and Wages--FT	\$111,500	\$122,360	\$143,957
112 Salaries and Wages--PT	8,000	8,760	9,520
119 Pensions and Retirement	11,467	11,512	13,591
TOTAL	\$130,967	\$142,632	\$167,068
CONTRACTUAL SERVICES			
211 Postage	\$ 445	\$ 490	\$ 560
212 Telephone and Telegraph	1,440	1,680	1,880
213 Travel Expense	980	940	1,250
214 Uniform Allowance	1,150	1,280	1,400
219 Printing	290	265	300
239 Insurance Charges	725	775	850
TOTAL	\$ 5,030	\$ 5,430	\$ 6,240
COMMODITIES			
331 Office Supplies	\$ 600	\$ 670	\$ 700
351 Expendable Tools and Equipment	240	210	280
374 Motor Fuel, Oil and Grease	11,875	12,120	13,000
TOTAL	\$ 12,715	\$ 13,000	\$ 13,980
CAPITAL OUTLAY			
411 Furniture and Fixtures	\$ 1,250	\$ 1,660	\$ 3,500
420 Motor Vehicles	3,240	4,960	10,220
499 Miscellaneous Capital	830	680	1,780
TOTAL	\$ 5,320	\$ 7,300	\$ 15,500
TOTAL BUDGET	\$154,032	\$168,362	\$202,788

Notice that there is little flexibility allowed the sheriff in his spending. For instance, even if he had a dollar surplus in the Furniture and Fixtures category, it would be extremely difficult to transfer this money to the Motor Vehicle category to enable him to purchase another needed patrol vehicle which had not been budgeted.

Now that you have seen an example of a line-item budget, see if you can identify which of the following statements are true and which are false:

TRUE FALSE

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Much complicated planning for the future is essential to the development of a line-item budget. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The budget increases proposed in the line-item budget are the result of careful evaluation of the purpose of each expenditure. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The budget increases proposed in the line-item budget are incremental; they encourage a tendency toward automatic increases over amounts spent last year. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. If the jail administrator decides that he does not need a new motor vehicle and would rather spend the money on developing a new correctional program, it will be an easy matter for him to transfer the funds to a new category. |

Turn page to check your answers

Answer:

TRUE

FALSE

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Much complicated planning for the future is essential to the development of a line-item budget. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. The budget increases proposed in the line-item budget are the result of careful evaluation of the purpose of each expenditure. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. The budget increases proposed in the line-item budget are incremental; they encourage a tendency toward automatic increases over amounts spent last year. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. If the jail administrator decides that he does not need a new motor vehicle and would rather spend the money on developing a new correctional program, it will be an easy matter for him to transfer the funds to a new category. |
-

Is your budget developed by the line-item system?

If your answer is yes, read the following suggestions which you can use during preparation of your next budget to make the process more useful and relevant to you:

- . Try to plan in terms of the future of the jail; avoid relying simply on expenditures and ways of operating used in the past
- . Review each category of spending each year; if a category is no longer needed, eliminate it and substitute a new category which will enable you to begin fulfilling new objectives for the jail
- . Think in terms of priorities and, where necessary, reduce the expenditures for some items

Performance Budget

This type of budget provides a relatively detailed view of the services which are performed by the jail as well as the costs of performing these services. It has these advantages:

- . It focuses on the various types and the level of services provided by the agency
- . It increases comprehension of the purpose and function of the agency
- . Because this type of budget is structured around identifiable units of service and their specific costs, future program costs can be more accurately forecast

If a performance budget is used, the jail administrator will be required to identify specific services such as feeding prisoners, booking prisoners, and providing medical services for prisoners. Naturally, this will require him to insist that thorough and detailed records of all costs involved in jail services be kept by jail officers during the year. Using these records, the administrator will be able to arrive at fairly accurate projections of total dollar requirements by isolating the unit costs and multiplying them by the estimated number of prisoners who will be using these services in the future. For instance, he might be able to estimate the costs of feeding prisoners in the next year by studying the jail records and determining:

- . the cost of labor involved in food preparation for a year
- . cost of provisions for a year
- . cost of maintaining and repairing equipment for a year
- . cost of kitchen utilities for a year

He can then compute the cost of feeding one prisoner for one day and, using his projected population figure, arrive at a fairly accurate estimate of the cost of feeding prisoners for the next year.

Below is a portion of a performance budget:

PROGRAM SUMMARY

PROGRAM SUMMARY

Program Goals	To provide for admission, care and custody of an estimated 1,500 prisoners; (2) to enroll double the number of sentenced prisoners in the Work Release program				
	MAJOR UNITS OF SERVICE PERFORMED	ESTIMATED UNIT COST	UNITS OF SERVICE PROVIDED		
			1969 Actual	1970 Estimated	1971 Projected
1. Prisoners booked and admitted	4.00	1,000	1,500	1,750	
2. Prisoners discharged	3.00	930	1,150	1,340	
3. Feeding	.25	985,500	1,000,000	1,500,000	
4. Laundry	.20	18,720	19,450	20,500	
5. Work Release Program	2.00	75	150	300	
6. Medical care	1.00	450	500	600	
7. Prisoner transportation (miles traveled)	.20	25,000	30,000	40,000	

Notice that the performance budget includes a statement of program goals and that the services designed to meet these goals are examined in detail. This type of budget is valuable to the administrator and staff as a means of focusing attention on specific activities and raising these important questions concerning their cost and the present means of providing them:

- Can methods of providing specific services be improved?
- Can costs of providing specific services be reduced?

Although the performance budget represents an improvement over the line-item budget method, it still does not force budget planners to look towards future goals and plan in advance for reaching these goals. It focuses, rather, on the present operating efficiency of the operation and fails to provide planning much beyond costs for the following year.

See if you can correctly indicate which of the following statements concerning performance budgets are true and which are false:

TRUE FALSE

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Unlike the line-item budget, the performance budget allows the administrator to isolate the costs of specific services performed in his jail. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The performance budget is as rigid as the line-item budget because it does not require budget planners to re-evaluate existing services and improve them. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The performance budget provides an opportunity for evaluating performance of specific services and deciding whether costs of providing the service can be reduced. |

Turn page to check
your answers

Answers:

TRUE FALSE

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Unlike the line-item budget, the performance budget allows the administrator to isolate the costs of specific services performed in his jail. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. The performance budget is as rigid as the line-item budget because it does not require budget planners to re-evaluate existing services and improve them. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. The performance budget provides an opportunity for evaluating performance of specific services and deciding whether costs of providing the service can be reduced. |
-

Is your budget developed by the performance budgeting system? If your answer is yes, study the following suggestions which you can use if you wish to make preparation of this budget more useful and relevant to you:

- . See that jail officers keep careful records of all costs involved in providing specific services,
- . Rather than simply adding personnel and money to the budget each year to solve recurring operating problems, always analyze new or different methods of providing services to see where improvements and changes can be made.
- . Determine each year what your future goals for the jail are and determine if the services which you are providing are designed to fulfill these objectives or if services should be changed or improved.

Program Budget

Several years ago, a government official stated:

"Every item in a budget ought to be on trial for its life and matched against all the other claimants to our resources".

In essence, this is what the program budgeting system is all about; last year's activities, programs and goals are not simply taken for granted. They are carefully reviewed to see if they are still necessary and worthy of continuance. One of the major aims of this budget method is to convert the annual routine of budget preparation into a careful appraisal and formulation of future goals and policies. In other words, it encourages planning for the future.

Although many people tend to think of program budgeting as new and revolutionary, it is essentially a common-sense approach to budget matters. In fact, it effectively combines previous approaches, control of spending (line-item budget) and management of on-going activities (performance budget), with an organized and constructive planning effort.

Program-oriented budgets have the following characteristics:

- . They deal with "packages" of commonly related activities. For example, the sheriff's budget may deal with subprogram activities such as Operation of the Jail, Services to the Courts, Administration and Training, and Transportation Services. Some of these activities may cut across organizational lines; for example, "Administration and Training". It is quite possible that training activities are carried on which affect each division or bureau within a sheriff's department. When this is true, the total cost of all training activities can be summarized at the departmental level to give the sheriff a better idea of the relationship between "Administration and Training" and other departmental activities.
- . They focus on the results of the performance of a public service rather than specifically on a description of its dollar costs. Activities are reviewed to determine if they fulfilled a stated goal, or if they fell short of this purpose and should be discontinued.
- . Program planning efforts are designed to produce a projection of costs at least three years beyond the current fiscal period in order to give decision-makers a better perspective of long-range program costs and an opportunity to plan a more meaningful fiscal program.
- . Attention is drawn to specific problems and relevant policy issues.

Here is an example of how part of a jail administrator's budget might look when he submits it to the sheriff or his representative for review and evaluation:

MULTIYEAR FINANCIAL PLAN

SUBPROGRAM ACTIVITY	1970 Estimated	1971 Requested	1972 Projected	1973 Projected	4-Year Cost
A. Processing and Supervision	\$ 15,152	\$ 19,602	\$ 20,974	\$ 22,442	\$ 78,170
B. Inmate Care and Maintenance	25,254	29,794	31,880	34,112	121,040
C. Work-Release Program	10,101	11,010	16,185	17,318	54,614
D. Administration and Training	3,232	6,478	6,931	7,416	24,057
TOTAL EXPENDITURES	\$ 53,739	\$ 66,884	\$ 75,970	\$ 81,288	\$277,881

ESTIMATED PROGRAM REVENUES

XXXXXXXXXXXXXXXXXXXXXX	\$ 8,329	\$ 10,635	\$ 12,307	\$ 13,646	\$ 44,917
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NET PROGRAM EXPENDITURES

County General Fund	\$ 45,410	\$ 56,249	\$ 63,663	\$ 67,642	\$232,964
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PRIORITY PROGRAM GOALS

- I. Jail operations need to be improved during the peak hours of the day beginning with the daily release of inmates permitted to work outside the jail under the work-release program, continuing through the hours in which the county courts are in session, and ending either with the dinner hour on non-visiting days or at 8 p.m. on visiting days. We intend to accomplish this goal through three administrative means:
 - A. Asking the county's Administrative Analysis Office to study the staffing pattern to determine if manpower can be allocated more effectively.
 - B. Asking the same office to assist us in up-dating our procedures for initiating and maintaining prisoner records.
 - C. Leaving prisoners appearing in court in custody of the court bailiff.
- II. Initiate planning for the construction of new jail facilities in 1974 when the present county jail will be inadequate to handle the projected jail population.

Notice that the jail administrator has been very specific in outlining the program goals which he plans to concentrate on in the future. He has then outlined the approach he will take to achieve these goals. Much thought has gone into development of this budget; for instance, rather than simply budgeting more personnel in an attempt to solve recurring manpower problems, he has considered a more sensible approach; initiating a study to determine if manpower can be allocated more effectively. Although the incremental approach (automatically adding more personnel) would have made the budgeting process easier, using the program budget approach makes far more sense. The administrator, realizing that his recurring manpower problem has not been solved in the past by addition of more personnel, seeks a way to increase the efficiency of his present staff and reflects this goal in the budget.

The program budget method is essentially a building block approach to budget development. The jail administrator builds his budget after defining his program goals for the future, and then submits this budget to the sheriff. If there are several other sub-departments in the sheriff's organization, the heads of each of these will be expected to submit their budget and planning summaries. At this point, the sheriff can incorporate these budgets into one final departmental program and fiscal plan which will eventually become part of the county's overall plan. After review and evaluation — and perhaps some reductions — all the subprogram budgets are incorporated into an overall departmental budget that might look something like this:

MULTIYEAR FINANCIAL PLAN

SUBPROGRAM ACTIVITY	1970 Estimated	1971 Requested	1972 Projected	1973 Projected	4-Year Cost
A. Operation of County Jail	\$ 50,507	\$ 60,776	\$ 72,210	\$ 81,555	\$265,048
B. Services to the Court	25,254	30,388	36,105	40,776	135,523
C. Criminal Complaints	58,925	70,906	84,245	95,148	309,224
D. Transportation Services	13,468	16,207	19,256	21,749	70,680
E. Administration and Training	20,203	24,311	28,884	32,622	106,020
TOTAL EXPENDITURES	\$ 168,357	\$202,588	\$240,700	\$271,850	\$886,495

ESTIMATED PROGRAM REVENUES

XXXXXXXXXXXXXXXXXXXX	\$ 26,263	\$ 34,604	\$ 36,105	\$ 40,778	\$134,750
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NET PROGRAM EXPENDITURES

County General Fund	\$ 142,094	\$167,984	\$204,595	\$231,072	\$751,745
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PRIORITY PROGRAM GOALS

- I. To improve department capacity to respond to requests for assistance in quelling civil disturbances within Panatella County. This goal can be realized through:
 - A. Realistic and intensive in-service training conducted in cooperation with municipal law enforcement agencies.
 - B. Procurement of necessary equipment and supplies for use in controlling civil disturbances.
 - C. Development of mutual assistance pacts with surrounding counties.
- II. To improve operation of the county jail through:
 - A. Review and evaluation of present staffing pattern to achieve more effective coverage during peak hours of operation.
 - B. Modernizing procedures for the initiation and maintenance of individual inmate records.

Are you required to participate in the development of a program budget each year? Even if you are not required to use this method, it can be extremely valuable to you as a method of planning for the future. No matter what form your budget takes, you should try to think in these terms when developing a budget:

- . What are the goals I am trying to accomplish in my jail and why?
- . How will I be able to achieve these goals?
- . Are existing services and programs designed to achieve these goals or should they be replaced by more relevant concerns?
- . How will I measure the effectiveness of jail activities and programs?

Frequent program review and analysis is essential as a means of evaluating your progress in achieving the program goals which you set when the budget was being developed. This evaluation of activities should be based on these questions:

- . What objectives were planned?
- . What objectives have been fulfilled?
- . If planned objectives have not been fulfilled, why not?
- . How will these findings affect planning for future operations?

The decisions made as a result of frequent program review and analysis can have a significant effect on the day-to-day operations of an organization. Development of new objectives and policies may often be necessary to the proper functioning of the jail both now and in the future. Here is an example of how the review and analysis function can work:

Suppose a jail administrator stated that a program goal was to provide custody and care for an average daily population of 120 people on the following year. In addition, he stated projections for two following years; 132 and 148. After six months of operating during the budget year, the sheriff finds that the population has been averaging 130 people a day, representing a 10 percent deviation from his goal. He must then ask himself; why has this deviation occurred? He must examine several critical areas:

- . Did the community experience unexpected civil disorders which distorted the daily average for several weeks?
- . Has there been an increase in jail sentences handed down by the courts?
- . Has the workload of the court or a new court policy caused a longer pre-trial waiting period?

Whatever the cause of the deviation, the jail administrator must identify it and determine the probable impact on future jail operations. If a civil disturbance was the cause for an unanticipated increase in daily population, his original projections of daily populations for coming years may still be valid. If other factors are at work which will cause the jail's workload to rise above that originally projected, the administrator must reflect this in his planning, programming, and budgeting for the next years. He must reconsider a number of factors:

- . Will additional personnel be required?
- . Will additional housing facilities be necessary?
- . Will specialized services of community agencies be required?

Which of the following statements are true and which are false?:

TRUE FALSE

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. The program budget approach is so revolutionary that few people will be able to use it. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The program budget approach provides a rational framework for planning goals for the jail both present and future. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The program budget approach is dependent on frequent program review and analysis to ensure that objectives will be met and essential changes will be made. |

Turn page to check your answers.....

Answers:
TRUE FALSE

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. The program budget approach is so revolutionary that few people will be able to use it. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. The program budget approach provides a rational framework for planning goals for the jail both present and future. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. The program budget approach is dependent on frequent program review and analysis to ensure that objectives will be met and essential changes will be made. |

The following statements represent comments that could be made during the budget planning process. See if you can correctly identify those that represent line-item thinking, those that indicate that a performance budgeting method is being used, and those that indicate that a program budget method is being used:

- A. Line-Item budget
- B. Performance budget
- C. Program budget

- ___ 1. "I think that we spend too much on food service; let's evaluate our procedures and see if we can improve efficiency and reduce costs."
- ___ 2. "What are we trying to accomplish in the following year and in the future?"
- ___ 3. "Find out what we spent for supplies last year and add 10% to that".
- ___ 4. "Every four months I want to have a complete review of our operations and our budget to see if we are doing what we planned to do".
- ___ 5. "I want the jail officers to keep careful records of all costs involved in providing each jail service so that the next budget will show more accurately what our projected costs will be".
- ___ 6. "The vocational training program has not fulfilled the goals which we set for it last year. I think we should reassess the needs of the prisoners and determine if this program should be eliminated for the jail program."

Turn page to check your answers

Answers:

- B 1. "I think that we spend too much on food service; let's evaluate our procedures and see if we can improve efficiency and reduce costs."
- C 2. "What are we trying to accomplish in the following year and in the future?"
- A 3. "Find out what we spent for supplies last year and add 10% to that."
- C 4. "Every four months I want to have a complete review of our operations and our budget to see if we are doing what we planned to do".
- B 5. "I want the jail officers to keep careful records of all costs involved in providing each jail service so that the next budget will show more accurately what our projected costs will be".
- C 6. "The vocational training program has not fulfilled the goals which we set for it last year. I think we should reassess the needs of the prisoners and determine if this program should be eliminated from the jail program."
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. Checklist

When you are involved in planning any type of budget for your jail, you should make a concentrated effort to follow the steps outlined below. If you do so, your budget will undoubtedly reflect intelligent concern, not only for the efficient fiscal operation of your jail, but also for the future direction of the jail's programs and activities. Keep this checklist so that you can refer to it when you are next faced with the need to participate in development of a jail budget:

- ☐ 1. IDENTIFY THE GOALS YOU WISH TO ACHIEVE
- ☐ 2. IDENTIFY METHODS OF ACHIEVING THESE GOALS
- ☐ 3. IDENTIFY THE SERVICES WHICH ARE NOW BEING PERFORMED IN YOUR JAIL
- ☐ 4. EVALUATE THE EFFECTIVENESS OF EVERY SERVICE PERFORMED IN THE JAIL AND, IN PREPARING THE BUDGET, PROVIDE FOR MAKING CHANGES AND IMPROVEMENTS
- ☐ 5. DETERMINE IF SERVICES PROVIDED CONTRIBUTE TO THE ACHIEVEMENT OF THE OBJECTIVES WHICH YOU HAVE DEFINED
- ☐ 6. IDENTIFY THE COSTS OF PEOPLE, SUPPLIES AND EQUIPMENT NEEDED TO PERFORM ESSENTIAL SERVICES
- ☐ 7. IDENTIFY THE UNIT COSTS OF PROVIDING EACH SERVICE
- ☐ 8. DETERMINE IF COSTS OF PROVIDING ESSENTIAL SERVICES CAN BE REDUCED BY MORE EFFICIENT MANAGEMENT

REMINDER: It is essential that careful records are kept concerning all costs and expenditures. You, as jail administrator, should insist that detailed records are kept by officers so that the budgeting process can be as efficient, accurate and realistic as possible. In addition, it is important that you regard program review and analysis as a continual process. You must frequently review the jail operation and your objectives to determine if changes in programming, budgeting and future plans are in order.

. Staffing and Manpower Analysis

Many jail administrators find it difficult to estimate their manpower needs in a precise manner and, for this reason, are often unable to justify manpower increases when the budget is being reviewed and analyzed. Since 80 to 90 percent of the jail operating budget is related to the costs of salaries and fringe benefits, staffing and manpower analysis is an extremely vital concern for the administrator. On the next pages, a rational and systematic technique for calculating manpower requirements is discussed in detail. This technique is called Staffing and Manpower Analysis (SAMA).

The first step of the Staffing and Manpower Analysis technique is:

Deciding what posts must be filled and determining the personnel required for each shift.

Such decisions can be based on a study of the jail's operating problems and program objectives, an analysis of the jail populations and its supervisory needs, and a consideration of any alternative methods which might reduce manpower requirements. The staffing pattern illustrated below is the result of one jail administrator's analysis of his staffing needs.

POSITION TITLE	Shift 0700-1500	Shift 1100-1900	Shift 1500-2300	Shift 2300-2700	Enter Totals
Captain (jail administrator)	1	0	0	0	1
Lieutenant (shift commander)	1	0	1	1	3
Sergeant (shift supervisor)	2	1	1	1	5
Deputy (jail officer)	10	6	8	6	30
ENTER SHIFT TOTALS	14	7	10	8	39

Since the jail provides 24-hour service 365 days a year, and since no employee works 365 days a year, you must find a practical way of determining how many men must be assigned to each shift in order to man the number of positions listed in the staffing pattern. To do this, follow several steps:

FIRST: calculate the average number of off-duty days observed in your jail. For example:

- . Normal days off (each employee will have 2 days off each week or a total of 104 days a year)..... 104
- . Holidays (the number of authorized holidays must be determined by the administrator; in this case, we will estimate 8 days). 8
- . Annual leave (employee records should provide an average number of leave days taken by employees; in this case, we will estimate 8)..... 8
- . Sick leave (again, employee records should provide an average number; we will estimate 4) 4
- . Short-term leave (military leave, jury duty, etc., employee records should provide an average--we will estimate 8). 8

Total average Off-Duty days: 132

. NEXT: calculate the average number of On-Duty days. To arrive at this figure, simply subtract Off-Duty days (132) from the number of days in the year (365):

Estimated On-Duty days:
$$\begin{array}{r} 365 \\ -132 \\ \hline 233 \end{array}$$

- NEXT, you must calculate how many personnel must be included in the budget to insure full coverage of each position. To arrive at this figure, follow this formula:

$$\frac{\text{Base Figure}}{\text{Estimated On-Duty Days}} = \text{Full Coverage Factor}$$

On the basis of the figures on the previous page, this formula would be worked like this:

$$\frac{365}{233} = 1.57$$

The figure arrived at — 1.57 — tells you that in order to achieve full coverage for any single position which must be staffed 365 days a year, you must actually include in your budget the cost of 1.57 personnel.

- NEXT, you must decide how many positions must be budgeted for each shift.

Suppose you wish to find out how many jail officer positions must be budgeted on the 0700-1500 shift. According to the planned staffing pattern, 10 positions are needed. Using this figure, multiply the number of posts (10) by the full coverage factor (1.57):

$$\begin{array}{r} 10 \\ \times 1.57 \\ \hline 15.70 \end{array}$$

In this case, 15.70 positions must be budgeted for this shift. The same procedure can then be repeated for each of the remaining shifts.

Using the figures given in the staffing pattern chart, see if you can calculate how many positions should be budgeted for jail officers on the 2300-2700 shift.

(do your calculation here):

Turn page to check your answer

Answer:

$$\begin{array}{r} 6 \\ \times 1.57 \\ \hline \end{array}$$

9.42 positions should be budgeted for this shift

How many positions should be budgeted for jail officers
on the 1500-2300 shift?

(calculate your answer here):

Turn page to check your answer.....

Answer:

$$\begin{array}{r} 8 \\ \times 1.57 \\ \hline 12.56 \end{array}$$

positions should be budgeted for this shift

In order to provide full coverage for the 30 jail officer posts spread over the four shifts, the department must include how many officers in its budget?

(calculate your answer here):

Turn page to check your answer

Answer:

47.10 jail officers should be included in the budget to fill these 30 positions.

NOTE: In actual practice, the fractional figures should be rounded off to the nearest whole number. In this case, 47 positions would be budgeted.

Naturally, some posts may not have to be filled every day. This is normally true of the Captain's post. Usually this post can be filled on the basis of a normal 40-hour week. And in the captain's absence, command would be exercised by the shift lieutenant on duty. For this reason, only one position calling for an officer with the rank of captain would be incorporated in the budget.

Using the planned staffing pattern, see if you can calculate how many positions should be budgeted for all the posts assigned to lieutenants and all the posts assigned to sergeants.

(calculate your answers here--remember to round off fractions to the nearest whole number):

Turn page to check your answers

Answer:

Lieutenant positions: 3
x 1.57

4.71 or 5 positions

Sergeant positions: 5
x 1.57

7.85 or 8 positions

• The chart below illustrates the projected manpower requirements to attain the staffing pattern planned for this jail:

POSITION TITLE	Shift 0700-1500	Shift 1100-1900	Shift 1500-2300	Shift 2300-2700	ENTER TOTALS
Captain	1.00	0.00	0.00	0.00	1.00
Lieutenant	1.57	0.00	1.57	1.57	4.71
Sergeant	3.14	1.57	1.57	1.57	7.85
Deputy	15.70	9.42	12.56	9.42	47.10
ENTER SHIFT TOTALS	21.41	10.99	15.70	12.56	60.66

A traditional way of determining manpower requirements is to simply multiply the number of full coverage posts by 50 percent. In the case of the jail we have been discussing, if that method had been followed, only 57 positions would have been budgeted rather than the 60 positions which were budgeted by this technique. The Staffing and Manpower Analysis technique is widely considered to be a more precise means of measuring manpower requirements and a more effective means of demonstrating to those who must review and approve the budget exactly how staffing and manpower needs are determined. Naturally, the Staffing and Manpower Analysis cannot prevent the problems caused by unbalanced vacation schedules or by vacancies created by high employee turnover. Nor can this technique guarantee that scheduling has been done correctly.

If you are interested in using this technique in planning manpower requirements for your jail, complete the problem outlined on the next few pages. Once you are sure you understand this technique, you can use your own jail's manpower pattern and pertinent figures to arrive at more precise manpower requirement estimates.

Staffing Pattern

Position Title	Shift 7:00 - 3:00	Shift 3:00 - 11:00	Shift 11:00 - 7:00	ENTER TOTALS
Captain	1	0	0	1
Lieutenant	3	1	0	4
Sergeant	5	2	1	8
Deputy	15	12	10	37
ENTER SHIFT TOTALS	24	15	11	50

Calculation of Estimated On-Duty Days

Planning base in days	<u>365</u>
Normal days off	104
Holidays	5
Annual leave	15
Sick leave	8
Other short-term leave	<u>7</u>

- Using these figures, calculate the total average Off-Duty days and the Estimated On-Duty days for this jail:

Turn page to check your answers.....

Answer:

Estimated average Off-Duty days: 139

Estimated average On-Duty days: 226

Now see if you can calculate the full coverage factor using this formula:

$$\frac{\text{Base Figure}}{\text{Estimated On-Duty Days}} = \text{Full Coverage Factor}$$

(calculate your answer here):

Turn page to check your answer

Answer:

$$\frac{365}{226} = 1.61 \text{ (full coverage factor)}$$

Now see if you can calculate the projected Manpower requirements to attain the staffing pattern which has been adopted for this jail:

(Assume that the captain's post will be filled only on a 40-hour a week basis)

POSITION TITLE	Shift 7:00-3:00	Shift 3:00-11:00	Shift 11:00-7:00	ENTER TOTALS
Captain				
Lieutenant				
Sergeant				
Deputy				
ENTER SHIFT TOTALS				

Full Coverage Factor -- 1.61

Turn page to check your answer

Answer:

Position Title	Shift 7:00 - 3:00	Shift 3:00-11:00	Shift 11:00 - 7:00	ENTER TOTALS
Captain	1.00	0.00	0.00	1.00
Lieutenant	4.83	1.61	0.00	6.44
Sergeant	8.05	3.22	1.61	12.88
Deputy	24.15	19.32	16.10	59.57
ENTER SHIFT TOTALS	38.03	24.15	17.71	79.89

In order to provide full coverage in this jail for all officer posts for all shifts, how many officers must actually be budgeted? (round off your numbers)

Turn page to check your answer

Answer:

80 officers must be budgeted to provide full coverage in this jail.

A number of situations in the jail are subject to rapid and dramatic change. Court decisions, unanticipated rises in crime rate or civil disturbances, and increased correctional responsibilities can all contribute to an unanticipated workload increase or a demand for new or improved services in the jail. When this happens, there are no systematic formulas like SAMA for you to follow. Often you, as jail administrator, will have to reallocate existing resources, request additional resources, or seek help from outside the jail in implementing these additional requirements. Much of this course is devoted to demonstrating ways in which you can plan creative and workable solutions to many of the unanticipated problems and pressures which will confront you as jail administrator and for which there are not predetermined solutions.

**PERSONNEL
MANAGEMENT**

Low salary scales, low job status, and unattractive working conditions make it extremely difficult for jails to compete in the labor market with other employers. Added to these often unavoidable problems, it has also been found that, unfortunately, jail work is assigned as a "punishment" in many law enforcement departments to employees who have done a poor job in other department capacities. Such policies do much to lower the status of jail work, undermine the morale of jail staff, and lower the standards in the jail itself. Until these problems are effectively dealt with, the hiring, training, and retention of effective jail personnel will continue to be a serious problem which faces the jail administrator.

The jail administrator, in carrying out his responsibilities in personnel management, must seek solutions to a number of problems:

- . How can jail work be made more appealing?
- . How can salaries be increased?
- . How can the performance level of persons now on the job be upgraded?
- . How can new employees be trained to perform their jobs well?
- . How can qualified persons be attracted to a career in jail work?

In attempting to overcome a number of difficult personnel problems, it is essential for the jail administrator to look at the goals of his jail and decide what his present and future personnel needs are. Naturally, the administrator who plans no changes for his jail and who intends to continue running his facility as a purely custodial facility, will have little difficulty defining his personnel needs; he will merely view personnel matters in terms of using traditional methods to fill traditional jobs. However, the administrator who is concerned with change and improvement in the jail will have to begin thinking in terms of:

- . meeting the increased demand for capable people for increasingly difficult and specialized jobs
- and,
- . upgrading the level of the present personnel through training to meet higher standards and new skill requirements

. Recruitment and Selection of Personnel

Not all jail administrators are involved in recruitment. Many local governmental organizations require that jail employees be civil service employees, subject to the regulations, protections and rulings of the civil service agencies. Where this is true, jail administrators must work closely with civil service personnel experts in identifying present and future personnel needs and outlining personnel requirements. The civil service office will then take care of all recruitment, selection, and hiring of jail personnel. However, in some areas, where the election of a new sheriff or jail administrator can result in a complete turnover of jail personnel, the administrator becomes deeply involved in the recruitment and selection process. If he does not consider himself bound by a political system which implies that he must repay favors by hiring certain employees, the jail administrator should study the following brief discussion of recruitment methods with a view towards beginning his own effort to hire effective and qualified staff members:

Unsolicited applicants: "walk-in" applicants frequently appear in the jail. And, even if the county personnel office supplies all job information, the jail administrator should make sure that someone on the jail staff is assigned to the task of meeting briefly with these persons, answering their questions, and supplying them with necessary applications. Naturally, the kind of reception these persons receive when they arrive at the jail could be a strong factor in their later decision to accept a job in the jail. This also applies to the occasional letters of application which every jail receives from persons interested in working in the jail.

Public Employment Agencies: state employment agencies are often the source of personnel for a jail. The administrator should be extremely careful to describe personnel needs and requirements to personnel experts in these agencies so that the job descriptions they write are coordinated with actual jail personnel needs.

High Schools and Vocational Schools: when looking for applicants to fill jobs requiring little work experience, a jail administrator should contact high school counselors, describe the jobs available, supply information and answer questions concerning available jobs in the jail and corresponding career possibilities. The administrator should take care to see that he has adequately prepared the counselor to discuss jail occupational opportunities with any inquiring students. The administrator should also make an effort to participate in any planned lecture-discussion sessions with students interested in finding career possibilities.

Present Employees: friends and relatives of an organization's own employees present a source of potential staff members. The jail administrator can make use of bulletin board notices, posters, newsletters, and pay envelope inserts to inform employees that their suggestions and recruitment efforts will be appreciated.

. Evaluating and Selecting Applicants

Written tests and oral examinations can do much to narrow down the field of applicants to those who are best qualified to function as jail officers. However, when several applicants are tested and found to be greatly qualified for one job, the personal interview becomes particularly important to the selection process. Since there are no scientifically proven methods for conducting an interview and for making an infallible choice of who to hire, the administrator must develop skill in asking questions and evaluating responses which will indicate to him how much interest the applicant has in working with prisoners, what his attitudes are towards the stresses and pressures of jail work, and to what extent he will be willing to follow orders, and to act in emergencies. Often, through the interview process, administrators have found that persons who have otherwise shown good qualifications for jail work, nevertheless show contempt for recent changes in the criminal justice system which provides for fair, unbiased treatment of prisoners.

Naturally, it is often impossible to determine how a person will perform as a jail officer until he has been put to work in the jail. This is a compelling argument for use of the probationary period.

. Probationary Period

Placing a new employee on a temporary probationary period allows an opportunity for evaluating his ability to learn a new job, his performance and enthusiasm in training sessions, his personal characteristics and attitudes as they affect his work with prisoners, and his potential for professional development as a trained jail officer. In this period, it is also likely that the employee will discover whether or not the job is what he had anticipated, or if it is distasteful or frightening to him.

During the probationary period, it is essential that the employee be informed if his performance is somehow below standards and he must be advised of ways in which he can improve. Naturally, he must be given a chance to improve his performance before the period has lapsed. At the end of the probationary period, the employee should be given a final evaluation by the jail administrator and advised of the reasons why he has been permanently appointed or, on the other hand, why he is being released.

. Development of Job Satisfaction

People commonly believe that higher pay promotes job satisfaction and is a deciding factor in staff retention. This is only partly true; it is apparent that when low pay is cited by employees as a source of dissatisfaction, increasing their pay will temporarily reduce that dissatisfaction. However, other factors are more important in maintaining job satisfaction. Among them are: opportunity for advancement, challenge, variety, visible results in exchange for effort, and recognition of good performance by supervisors and fellow workers. Personnel studies have found the following:

When employees are given more authority for their own work, are assigned more interesting work, are given more responsibility, and are given more recognition for their contributions, their job performance and job satisfaction improve.

If you can answer YES to these questions you undoubtedly have done much to encourage job satisfaction among your staff:

YES NO

☐ ☐

- . Do you allow employees a certain amount of freedom and responsibility in fulfilling their duties once you know they can be relied upon?

☐ ☐

- . Do you encourage employees to make suggestions to you concerning ways in which they think jail procedures and practices can be improved upon?

☐ ☐

- . Do you make sure that qualified persons are upgraded in rank or are allowed increased responsibility and authority?

☐ ☐

- . Do you see that good job performance is recognized? Do you personally commend staff members, and do you encourage supervisory personnel to do the same?

. Staff Training

The objective of staff training is to improve the job performance of staff members. Naturally, the overall objective of improving staff performance on the job is to build an effective and improved organization. Since staff training has such important objectives, it is poor administrative policy to rely on orientation sessions or haphazard on-the-job training attempts to produce competent employees.

Recently, a jail inspector was amazed to see a new jail employee rushing about the communication center of the sheriff's department trying to answer all the calls and, at the same time, teletyping reports and trying to direct all 15 of the sheriff's squad cars by radio. When asked why he had been left alone to perform such a vital job, the new deputy said: "Well, one of the experienced guys spent a couple of hours with me when I first started to work here and showed me how to operate all of this equipment. I guess I'm just dumb because I seem to have forgotten most of what I learned".

It isn't the new deputy's fault that he has forgotten what he had been taught to do in a haphazard and long-forgotten lesson. It is the fault of the jail administrator who has not arranged for an organized, systematic and thorough training program in his jail. Every jail should have a training program designed to train new employees to perform necessary skills on the job and to cope with difficult, as well as routine, situations which arise daily when working with prisoners. In addition, a training program should be developed to upgrade the skills of experienced employees. It is well known that personnel in any job often forget little-used procedures and develop careless working habits. In a jail situation such forgetfulness or carelessness can lead to serious trouble. Only an on-going training program can effectively reduce such mistakes.

When considering an on-going training program in addition to a basic training program for new employees, the jail administrator must ask himself:

How do I know when training is necessary, and
how do I know what kind of training will be needed?

There are a number of methods for determining on-going training needs. Some of these are:

Evaluation of employee performance: the jail administrator should regularly review each employee's performance either with his supervisor or with other experienced personnel who work with him. Often this type of performance review reveals a need for retraining in certain procedures or in the more complex areas of supervising and dealing with prisoners.

Review of critical incidents: whenever an escape or other emergency occurs in the jail, the causes, as well as staff performance, should be carefully analyzed and retraining should be undertaken in the areas in which personnel were found to be careless or improperly trained. In addition, frequent reviews of disciplinary reports might uncover a breakdown in staff-prisoner relationships or a compelling need to re-evaluate staff supervisory techniques.

Introduction of new procedures: naturally, any new procedure which is introduced to the jail routine should be explained to staff members, and, if the procedure is complicated or lengthy, they should receive thorough training in its use.

Surveying employees: Often employees are well aware of their training deficiencies; they frequently are able to suggest where their training is incomplete and will request specific training sessions. A good jail administrator will never overlook or ignore such requests and suggestions.

NOTE: Training is not the only means of upgrading employee performance. For instance, it may become apparent that, in spite of good training, an employee is not able to handle a particular task adequately. The solution to this problem might be effected by changes in job assignments, not in further training for the man. Similarly, if some employees seem incapable of managing their jobs well and seem to lack enthusiasm and interest, the problem may be in the screening and hiring practices of the jail, not in the training sessions.

When training needs have been identified, development of a training program can follow. There are a number of training techniques which can be effective, however it is important that these techniques are based on a number of criteria which have been proven to be essential to a good learning experience. When deciding the techniques to be used in jail training, the administrator should ask himself these questions:

- . Does the training technique provide for active participation of the trainee? (when actual on-the-job practice is not possible, is the trainee being asked to participate by answering questions and thinking of solutions to problems?)
- . Does the technique allow for feedback? In other words, does the trainee know while he is participating how well or poorly he is performing? Or must he wait until he makes a serious mistake on the job to find out that he has not learned a procedure correctly?
- . Does the training apply directly to actual situations and experiences which trainees have encountered or will encounter in the future? Or is it difficult for trainees to see the connection between the training material and the realities of their jobs? In order for training to be effective, participants must believe that it will help them improve job performance.
- . Does the training technique provide reinforcement of appropriate behavior? In other words, does the trainee receive encouragement when he achieves the desired progress? If a trainee receives little or no encouragement while participating, his chances of losing interest in the training session are much greater.
- . Has any motivation been provided to encourage the employee to improve his job performance by participating in the training session? Excellent motivating factors might be; incentive pay, a promise of increased responsibility for improved job performance, and promise of participation in new and interesting correctional programs.

- . Does the training have the flexibility to allow for the individual differences in trainees? For instance, is it possible for participants to proceed at their own rate or must they be either slowed by slow learners or rushed by those who read and learn more rapidly?

NOTE: Although many jail-related training programs are carried on within the jail or law enforcement department, jail administrators should not overlook the value of training off the job. In recent years, colleges and universities have increasingly been offering workshops and short courses for law enforcement and correctional personnel. Also, some state correctional systems have academies which offer some excellent training programs that would be useful for jail officers. The jail administrator should make a point of watching for announcements of such programs and encouraging his staff to participate in them. Certainly, he should do whatever possible to see that personnel are given financial assistance and time off to enroll in these programs.

For your information, the following list briefly describes some of the training techniques which are often used by departments to train personnel. You may wish to review this list and then refer to it later when you are considering development or improvement of a jail training program:

Coaching: This is essentially on-the-job training. It involves assigning each trainee to a senior employee who is responsible for training him. Although some positive aspects of this method are feedback, reinforcement and flexibility, the ability to train effectively is not consistent in all senior employees, and the quality of training given is likely to be uneven and, in some cases, deficient.

Job Rotation: This system is also an on-the-job training technique. Trainees are exposed to a variety of work situations so that they can develop a wide range of competence. The merits of this method are those of the coaching technique, however the same deficiencies are also present. In addition, not all situations can be covered by this system of job rotation, and as a result, many employees end up learning things the hard way; by bitter experience.

Vestibule Technique: In this system, a simulated working environment is developed outside the jail, and training is accomplished by means of role-playing and other means. Although this method is often highly effective because situations can be made to happen rather than waiting for them to occur, a negative factor which discourages widespread use by jails is the high cost of producing such a facility.

Lectures: This method is successful as a means of presenting factual material. However, it is extremely limited as a means of involving the student in the training session and providing feedback and reinforcement to him. Primarily a one-sided verbal training technique, it must be supplemented by other, more flexible techniques when used in the training process.

Films, Slides and Visual Aids: These methods are an excellent supplement to lectures and assigned readings because they provide a visual means of upgrading job performance of specific procedures. Naturally, since these supplements do not necessarily provide a means by which the student can become involved in the procedures himself, an ideal method is to add an element of practice to the training sessions after the students have seen the visual material and seen what is expected of them.

Conferences: Discussion groups can be effectively used to stimulate ideas and encourage student involvement. When students exchange ideas and experiences, the learning process is continued even beyond the boundaries of the training program.

Case Studies: This technique involves presenting trainees with a problem situation. They are then expected to use information and techniques which they have learned from the training session to develop a solution of the situation presented in the case study. The solution provided in the training session is then compared to the solutions arrived at by trainees, and immediate feedback is provided which indicates whether or not they have dealt successfully and thoughtfully with the case study.

Programmed Instruction: A study of the Jail Officer's course developed by the Bureau of Prisons should provide an example of this technique. Student involvement, immediate feedback, reinforcement and a flexibility which allows students to proceed at their own pace through the course, are all characteristics of this training technique. In addition, since the course is specially prepared to meet the needs of jail officers, the material is timely and relevant to the many needs and responsibilities of jail personnel.

What kind of training program, if any, do you currently use in your jail? To assist you in evaluating your present training methods, the following checklist has been developed. Answer all the questions that appear below. When you have completely answered all the questions, you will undoubtedly have a clearer idea of where your training program could be expanded or improved.

YES NO

☐ ☐

In your jail, are new employees required to participate in and complete a specific training program which deals with jail procedures, jail regulations, and techniques of dealing with prisoners in emergency — as well as routine — situations? (A brief orientation session cannot be considered a specific training program.)

☐ ☐

In your jail, do you have an on-going training program for employees which is designed to advance their ability to perform certain procedures, to train them in performance of new procedures and skills, and to upgrade their performance of supervisory skills needed in their relationship with prisoners?

If your answer was YES, do you use any of the following methods for determining the need for on-going training sessions?:

YES NO

☐ ☐

. Frequent evaluation of employee performance

☐ ☐

. Evaluation of employee performance during critical incidents

☐ ☐

. Introduction of new procedures

☐ ☐

. Survey of employees to determine their training deficiencies and suggestions for programs

List below all the training techniques which are used in your jail:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

When you have listed all the training techniques used in your jail, ask yourself the following questions:

Which of the techniques listed provide for active participation on the part of the trainee either by actual practice of specific skills, or by answering questions and arriving at solutions to problems?

(If any of the techniques you listed have this characteristic, write the numbers here:

_____)

Which of the techniques listed allow for feedback to the student?

(write the numbers here: _____)

Which of the techniques listed apply to actual jail situations and experiences?

(write the numbers here: _____)

Which of the techniques listed actually provide reinforcement of appropriate behavior on the part of the student?

(write the numbers here: _____)

Do you provide any motivation to encourage employees to improve job performance by participating in training sessions? If your answer is YES, briefly describe the motivation which you use:

Do any of the training methods which you describe have the flexibility to allow for such differences in participants as slow reading rate, fast reading rate, slower comprehension rate, etc. ?

(write the numbers here: _____)

Do you offer financial assistance and time off to jail employees who wish to enroll in relevant training programs which are sponsored by colleges and universities or state correctional systems?

YES

NO

If not, why not?

☐☐

BOOK THREE:

JAIL AND COMMUNITY CORRECTIONS
PROGRAMS

Increasingly, jails are being called upon to provide correctional programs as a method of interrupting criminal behavior in offenders and replacing it with behavior that is acceptable to the community at large. These programs can be designed for such purposes as:

- . Developing job skills in the unskilled
- . Improving educational achievement in the undereducated
- . Treating personal problems such as alcoholism, personality deficiencies, marital and financial difficulties, etc.

As a jail administrator, you bear the primary responsibility for creating change and improvement in your jail. In recent years special interest groups in a growing number of communities have begun to expect more of their jail administrators. No longer are they content with an administrator who manages to keep the jail "out of sight - out of mind". They are beginning to ask searching questions about the jail's ability to provide meaningful alternatives to crime. Although many administrators will argue that it is impossible to successfully implement programs in the jail, there are a number of jails which are actually proving that the contrary is true. There is no longer an easy excuse for avoiding development of correctional programs in your jail; each jail administrator has a responsibility to consider what he can do in this area. This chapter is designed as a guideline for jail administrators who recognize their responsibility to introduce needed programs in their jails or to expand already existing programs. The following important considerations will be discussed:

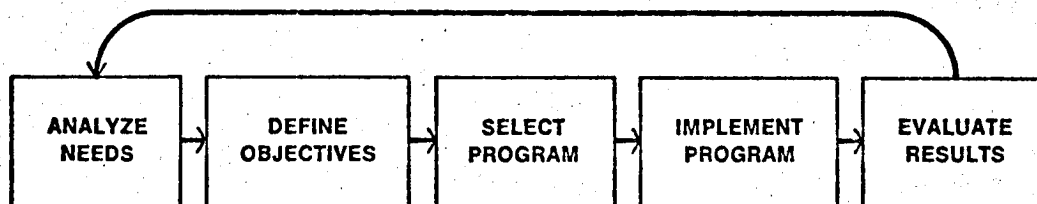
- . Determining program needs in light of jail population characteristics
- . Establishing specific program objectives
- . Developing a jail program using existing community and jail resources
- . Implementing programs

Throughout this chapter it will be emphasized that the role of the jail administrator should not be that of "do-it-yourselfer". It is essential for every jail administrator to realize the importance of consulting qualified people and take advantage of pre-existing services whenever possible. All too often, jail administrators feel that they must do all planning and implementation of programs independently, without the advice or help of those who are uniquely qualified to advise and assist them. The result in such cases is often the development of wasteful and relatively useless programs that serve only to further separate and polarize the jail and community.

The process of program development is not an easy one. There are a lot of things to consider, a lot of things to do while planning, implementing and evaluating a program. The following is a brief outline of the process which will be explained in more detail throughout the chapter:

1. *Analyzing population needs*: this involves studying general and specific population data obtained from your jail
2. *Defining objectives*: this involves deciding what behavior is to be brought about or changed in the prisoner participants
3. *Selecting a program*: this involves designing a new program or adapting one from a model to fit needs of a particular jail
4. *Implementing the program*: this involves using existing community resources and professional or non-professional volunteers and specialists
5. *Evaluating the results*: this involves deciding what is working, what is not working in the program, and deciding how the program can be improved

The process of program planning is a recurring one; no new program is perfect on the first try. A constant process of re-evaluation and improvement is the only way to ensure the continuing effectiveness of a program. The program planning process can be seen as a whole in the following flow chart:



The first step towards development of a correctional program for the jail is:

ANALYZING THE NEEDS OF THE JAIL POPULATION

Every jail has unique population characteristics and, certainly, what is true of one jail's population is unlikely to also be true of another jail's population. For this reason, it is important that statistics concerning the population be gathered and carefully analyzed. Too often, it has been proven that establishing a program which has little or no regard for the specific needs of the population results in costly and wasteful failure.

Every jail keeps records of the bookings that are made as well as other information about each prisoner kept there. If this information is arranged systematically, it can be of help to the administrator in determining where program possibilities lie, and what offender groups are large enough to merit more extensive study with a view toward establishing programs for them. On the next few pages, you will see how it is possible to identify general population characteristics in preparation for making more detailed studies of program needs.

Most jails have booking records from which the following general information concerning the characteristics of the jail population can be gathered:

- . Number of annual commitments - (the data will be distorted and unreliable if a person who is booked once before sentencing and then once again after sentencing is counted as two commitments instead of one.)
- . Offense composition of the population - frequently these figures will indicate that the majority of the population is comprised of persons in one or two specific offense groups.
- . Age composition of the population
- . Composition of population by sex of offenders
- . Educational background of offenders
- . Occupational skills and background of offenders
- . Marital status of offenders

By gathering information of this kind, the administrator will be able to form a general idea of what offender groups and types of program needs might exist. However, such general population studies will not be sufficient to identify specific program needs.

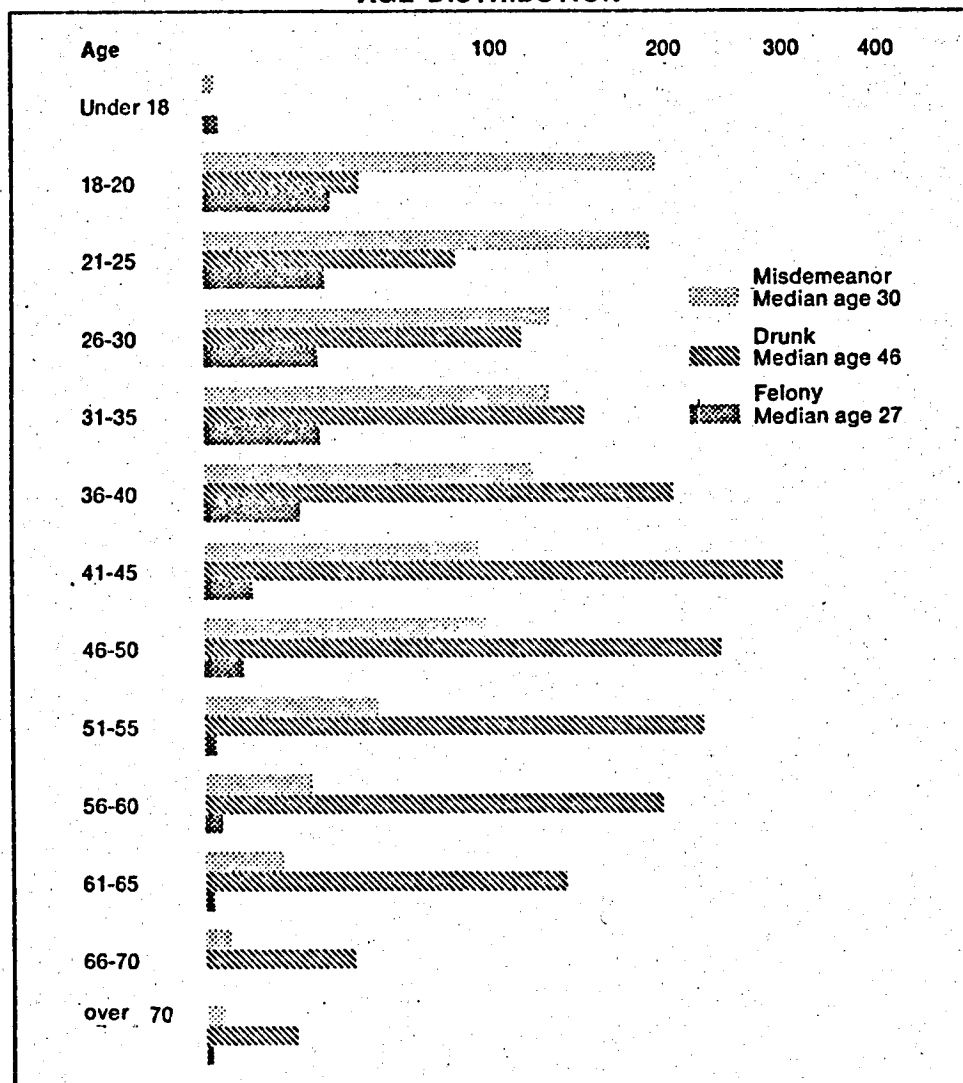
Using the information existing in the booking records for the year, it was possible for one jail administrator to assemble the chart you see here. The chart is helpful because it reveals:

- the comparative size of the three offender groups (misdemeanor, drunk, felony).
- the ages of offenders in each group.

By studying this chart the administrator determined the following:

- Since the drunk offenders constitute the largest group of offenders in this jail, a more detailed study should be conducted to determine their specific needs.
- Since a sizable portion of the jail's population consists of offenders in the age group of 35 and under, a more detailed study should be conducted to determine the particular program needs of these young offenders.

AGE DISTRIBUTION



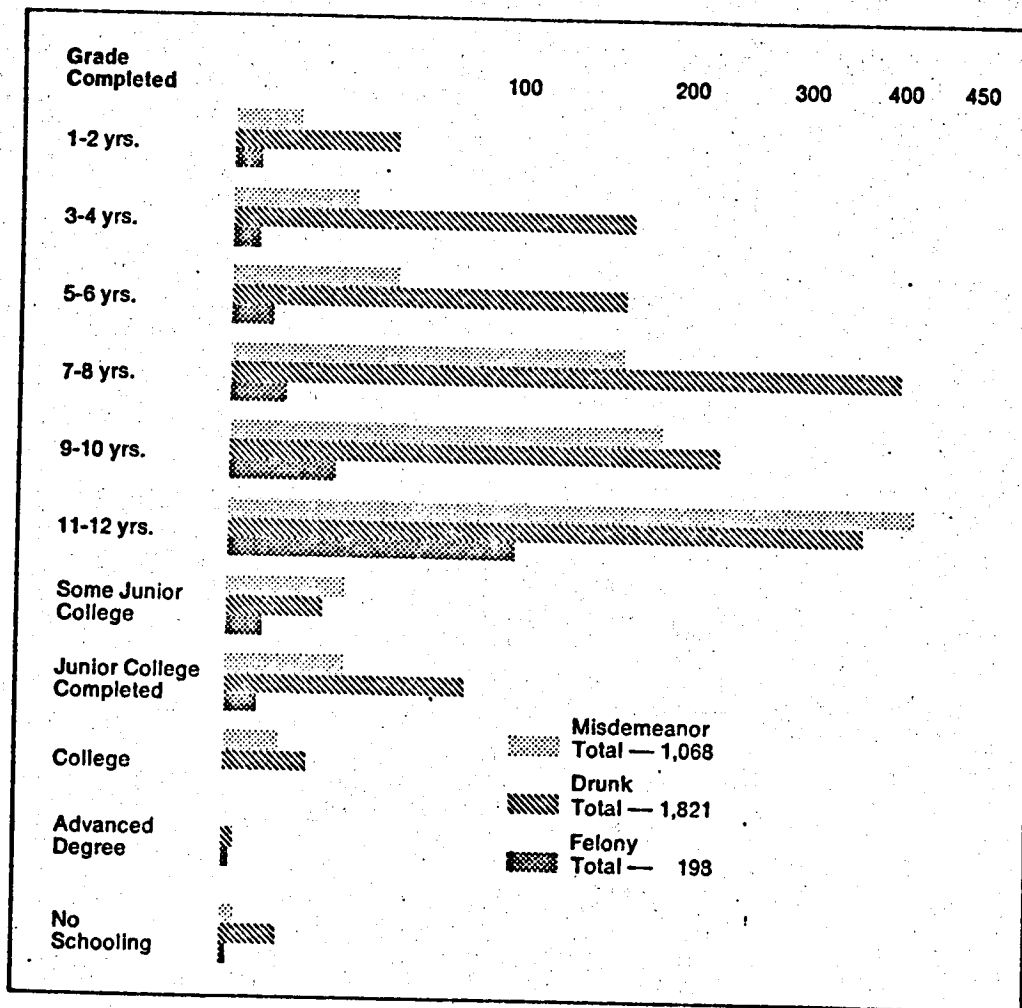
A chart compiled concerning the educational level of the prisoner population revealed to the administrator that:

- the large majority of offenders in the jail had achieved a grade level below the 12th grade.
- a majority of drunk offenders had an educational deficiency (at or below 10th grade level).

On the basis of this information, the administrator decided that:

- it would be worthwhile to arrange for a detailed study to identify the educational needs of the prisoner population with a view towards developing an educational program for them.
- it would be worthwhile to arrange for a detailed study to identify how many of the prisoners are functional illiterates and could benefit from remedial educational programs.

EDUCATION LEVEL



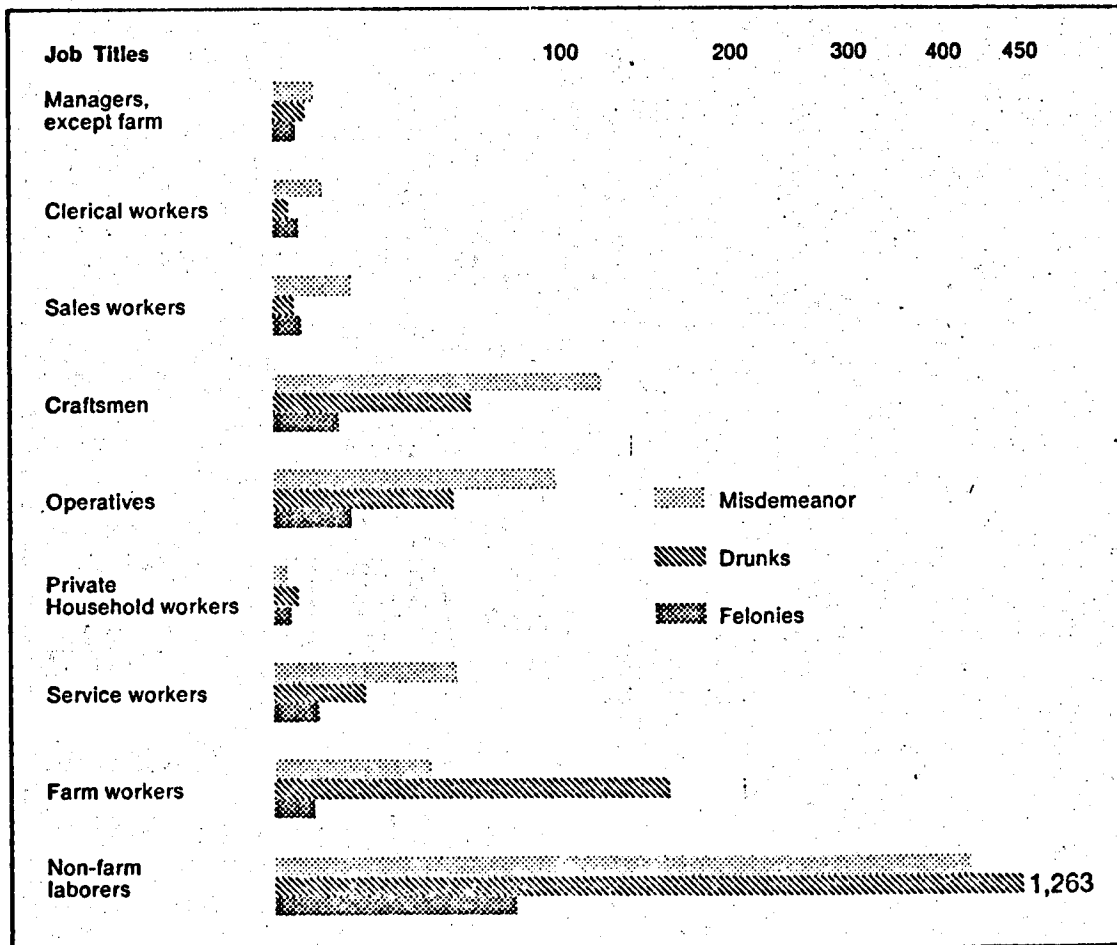
This chart concerning the vocational abilities of the prisoner population revealed that:

- the overwhelming majority of prisoners in this jail were unskilled laborers.

On the basis of this information, the administrator determined that:

- a more detailed study should be conducted to determine the vocational needs of the prisoners with a view towards developing a vocational training program.
- a detailed study should be conducted to determine the availability of vocational training *outside* of the jail and the availability of job opportunities in the community for people who receive this training.

VOCATION



It is important to notice that these studies were not used to determine what programs were needed and how they should be implemented. They were used only as a means of determining the general characteristics of the jail population in preparation for further, more intensive studies of the specific needs of the offender groups. On the basis of this population information alone, the administrator would not be able to determine how many of the drunk offenders are actual alcoholics and could benefit from an AA program, he would not be able to determine what kind of vocational training, if any, might be needed, and he would not be able to determine what kind of educational program, if any, might be helpful to these people. Only more intensive, detailed studies can reveal the distinct program needs of the jail population.

Equipped with his general population studies, a jail administrator is in an excellent position to request the help of:

- . statisticians
- . psychologists
- . correctional researchers
- . representatives from a local Alcoholics Anonymous organization

These people are well qualified to pinpoint specific program needs and to recommend definite program possibilities for the jail. Often they are also well acquainted with the program successes and failures of other jails. They can usually be contacted through the following types of organizations:

- . state correctional systems
- . local social agencies (Probation department, local welfare department, local AA chapter)
- . colleges and universities
- . state planning commissions

As the example below illustrates, general population figures can often be misleading and cause jail administrators to make poor program decisions. For this reason, it is doubly important to consult specialists before making final program decisions.

One jail administrator determined that he should begin a high school equivalency program using the following population statistic as a basis for his decision:

- . 75 percent of the jail population has not completed high school

Several consultants were brought into the jail to study the population in preparation for setting up such a program. After conducting an extensive study of the problems and basic needs of the jail population, these specialists made recommendations that did not include the high school equivalency program as planned by the administrator. Instead, they determined that the following programs would be far better suited to the actual problems and immediate needs of the prisoner population of this jail:

1. A basic literacy program for the approximately 35 percent of the prisoners who they tested and found to be functional illiterates (unable to read and write). This program would be staffed by teacher volunteers from a local college.
2. A vocational placement and counseling program for the large number of prisoners who were found to be unaware of the job opportunities available to them and who, in addition, did not know how to apply for and seek interviews for jobs.
3. An extensive psychological counseling program for the large number of prisoners whose failures were found to be largely due to personal problems.
4. An experimental Educational Release program for the small number of highly motivated, psychologically well-adjusted prisoners. This program would enable these selected prisoners to participate in high school level educational programs and vocational training programs which already exist in the community.

A jail program cannot exist and be successful if it must function without other supportive services and programs in the jail. During the planning process, support services and smaller programs must also be considered and planned as a means of maintaining and increasing the success of particular jail programs. The consulting specialists listed earlier can be invaluable to the jail because they can recommend the "proper mix" of services and programs for the jail after closely analyzing the needs of the population.

In one jail, a Work Release program was begun several years ago. One of its objectives is to enable all eligible prisoners to work outside the jail during their stated sentences with the hope that they can keep and continue their jobs upon release into the community. Unfortunately, no counseling services were developed along with the Work Release program. As a result, the program is experiencing a high percentage of unfortunate incidents and failures.

A typical example of what happens when no screening or counseling service is available is represented by Charles Jackson. A confirmed alcoholic, Jackson has been in and out of jails and hospitals for most of his adult life. Assigned to the Work Release program, Jackson recently managed to get himself hired as a bartender for a local restaurant and nightclub!

Obviously, if counseling services had been planned in conjunction with the Work Release program in this jail, Jackson would never have been permitted to pursue this profession. For instance, an Alcoholics Anonymous counselor could have quickly determined that bartending would have produced an unnecessary and unbearable temptation to Jackson and would severely reduce his chances of successfully participating in the Work Release program. Vocational counseling by a volunteer specialist might have produced a job which Jackson could have effectively performed without having to endure such a severe test of his obviously insufficient will-power.

The first step towards program development in your jail is: (put a check next to the correct answer)

- ☐ deciding what programs you want to establish.
 - ☐ deciding whether or not money is available for correctional programs in your jail.
 - ☐ analyzing the specific needs of the population in your jail.
 - ☐ deciding whether the staff is large enough to support a correctional program in your jail.
-

Information taken from booking records can be systematically arranged in charts to help the jail administrator: (put a check next to the correct answer)

- ☐ determine what programs to start in the jail.
- ☐ identify general population characteristics in preparation for more detailed studies.
- ☐ decide whether enough prisoners would sign up for specific programs.

turn page to check your answer

Answers:

The first step towards program development in your jail is:

- ☐ deciding what programs you want to establish.
 - ☐ deciding whether or not money is available for correctional programs in your jail.
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 - ☐ deciding whether the staff is large enough to support a correctional program in your jail.
-

Information taken from booking records can be systematically arranged in charts to help the jail administrator:

- ☐ determine what programs to start in the jail.
- ☒ identify general population characteristics in preparation for more detailed studies.
- ☐ decide whether enough prisoners would sign up for specific programs.

This statement was made by an administrator of a large county jail in reply to the recommendations of a program planning committee:

"As I see it, you are talking about spending close to \$15,000 to carry out these programs. Give me the dollars and cents cost of it so we can consider whether the programs are needed."

Which of the following statements are true and which are false?

TRUE FALSE

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. The administrator was showing good planning strategy by determining the jail's program needs according to the costs they would involve. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. The administrator made a mistake by not first telling the planners how much money was available for jail programs so they could make appropriate recommendations. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The administrator was showing poor planning strategy by choosing the jail's programs on the basis of the proposed costs rather than on a study of the specific needs of the jail population. |

turn page to check your answers

Answers:

TRUE FALSE

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. The administrator was showing good planning strategy by determining the jail's program needs according to the costs they would involve. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. The administrator made a mistake by not first telling the planners how much money was available for jail programs so they could make appropriate recommendations. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. The administrator was showing poor planning strategy by choosing the jail's programs on the basis of the proposed costs rather than on a study of the specific needs of the jail population. |

NOTE: Naturally, costs will be an influential factor in the implementation of jail programs. But when costs are considered as the primary factor in choosing programs, there is little doubt that programs will be ill-suited to the actual needs of the population.

OFFENSE GROUPS (SENTENCED) (over one year period) TOTAL SENTENCED POPULATION — 120	
OFFENSE	PERCENT OF SENTENCED POP.
Disorderly Conduct, Drunkenness, Vagrancy	44%
Motor Vehicle Violations	35%
Sex Offenses	12%
Thefts	4%
Burglary	2%
Gambling	3%

AGE DISTRIBUTION OF SENTENCED PRISONER POPULATION (one year period)							
OFFENSE	18-25 yr.	26-35 yr.	36-45 yr.	46-55 yr.	56-65 yr.	65 & above	Totals
Disorderly Conduct, Drunkenness, Vagrancy	1	3	9	20	12	8	53
Motor Vehicle Violations	23	11	3	3	2	—	42
Sex Offenses	3	8	1	1	1	—	14
Thefts	—	3	2	—	—	—	5
Burglaries	1	—	—	2	—	—	3
Gambling	—	—	2	—	1	—	3
TOTALS	28	25	17	26	16	8	120

On the basis of the information revealed in the charts shown here, a jail administrator could determine that: (check the answers that are correct)

- ☐ 1. There is no offender group large enough to merit a special correctional program.
- ☐ 2. The majority of offenders in the Disorderly Conduct, Drunkenness and Vagrancy category are alcoholics.
- ☐ 3. A significant number of offenders in the Motor Vehicle Violation and Sex Offense categories are young (35 and under).
- ☐ 4. Further studies should be conducted to determine the specific program needs of the young offenders (35 and under).
- ☐ 5. A drivers' education program should be started for the offenders in the 35 and under category.
- ☐ 6. More detailed studies should be conducted to determine the specific program needs of the older offenders who constitute the majority in the first category (Disorderly Conduct, Drunkenness and Vagrancy).

Turn page to check answers . . .

Answers:

- ☐ 1. There is no offender group large enough to merit a special correctional program.
- ☐ 2. The majority of offenders in the Disorderly Conduct, Drunkenness and Vagrancy category are alcoholics.
- ☒ 3. A significant number of offenders in the Motor Vehicle Violation and Sex Offenders categories are young (35 and under).
- ☒ 4. Further studies should be conducted to determine the specific program needs of the young offenders (35 and under).
- ☐ 5. A driver's education program should be started for the offenders in the 35 and under category.
- ☒ 6. More detailed studies should be conducted to determine the specific program needs of the older offenders who constitute the majority in the first category (Disorderly Conduct, Drunkenness and Vagrancy).

Remember : A frequent mistake made by administrators in program planning is placing dependence on general population statistics to determine specific program needs. It is extremely important to remember that it is unwise to make conclusions that are not based on actual facts. Whenever possible, specialists should be consulted and relied upon to make detailed, in-depth studies of both the jail population and the community's resources before program decisions are made.

It would be ridiculous and wasteful for a gardner to buy a bulldozer in order to perform a job and then discover that the job involves simply planting several small bushes. Similarly, wouldn't it be wasteful to set up an elaborate and perhaps costly correctional program without knowing beforehand specifically what changes or improvements must be brought about by the program?

When choosing and planning a new correctional program for the jail, the next vitally important task is:

DEFINING THE OBJECTIVES OF THE PROGRAM

Choice of a program must be based on consideration of specific behavioral objectives. In other words, every jail program should be goal-oriented. Its objectives should be established before the program is implemented. The defining and re-defining of these objectives is central to the design of the program and the key to its eventual success. The jail administrator must decide what behavior he wishes to change or bring about in the prisoners who will participate in the jail programs and he must develop specific objectives which describe the behavior which will be expected. Without sound objectives, stated clearly and completely, selection of a program and appropriate program components will be very difficult and evaluation of the program will be nearly impossible.

Many jail administrators consider it sufficient to state their program objectives in this manner: "To rehabilitate or correct offenders" or, "To help offenders solve their problems". These are commendable aspirations; but when used as the framework for choosing and developing specific programs to fit the needs of specific prisoner populations, they are inadequate and far too vague.

One jail administrator, concerned about the number of alcoholics who repeatedly were brought to his jail, determined that he needed a program with this overall objective: After involvement with a correctional program in jail, the alcoholic prisoner should be able to abstain from drinking and therefore, from alcohol-related offenses. Based on this overall objective, an AA program was chosen for the jail. The program is held in the jail and run by AA volunteers. The specific objectives of the program are:

Phase 1: After participating in the program for a stated period the alcoholic prisoner must admit that he is an alcoholic.

Phase 2: The alcoholic prisoner must attend each AA meeting held in the jail during his sentence.

Phase 3: The alcoholic prisoner must join a community AA group and attend meetings once a week upon release from jail.

LONG TERM OBJECTIVE: After regular involvement with the AA program, the alcoholic must totally abstain from drinking.

See if you can underline the words in each objective above which indicate what the participant will be expected to do during each phase of the program in order to fulfill the program objectives.

Turn page to check your answers

Answers:

The underlined phrases indicate the specific behavior the participant must exhibit to fulfill the program objectives:

Phase 1: The alcoholic prisoner must admit that he is an alcoholic.

Phase 2: The alcoholic prisoner must attend each AA meeting held in the jail during his sentence.

Phase 3: The alcoholic prisoner must join a community AA group and attend meetings once a week upon release from jail.

LONG TERM OBJECTIVE: The alcoholic must totally abstain from drinking.

Once behavioral objectives have been carefully defined, it becomes possible to:

SELECT THE PROGRAM

While it is helpful to look at the experiences and program successes of other jails in the country, it is essential that each jail administrator determine his own jail's program objectives and then alter, or "tailor-make" existing program models to fit the needs and characteristics of his particular jail. Or, if this is not possible, he may find it necessary and desirable to design a totally new program which has never been used before. Even more important, the administrator must avoid imitating a program in the jail simply because other jails are participating or because he has the money to spend for the program. He must be certain that his program choices are fitted to the needs of his jail's population and adapted to the characteristics of his jail and the community in which it is located. A program has been wisely chosen only if these questions can be answered affirmatively:

- . Is the program appropriate to prisoner needs?
- . Will there be a definite benefit to the prisoners and to the community if this program is successful?
- . Will the costs of maintaining the program be within the scope of the jail budget? If not, will other funds be available to support such a program?
- . Can the necessary materials be obtained for the program?

Underlying all correctional programs designed to change the behavior of particular groups of prisoners, is this ultimate goal: The program participants will reduce or eliminate all of their criminal activities and totally eliminate repeated offenses. Often, the cost of personnel and the amount of money and time required to support a correctional program can be defended only in terms of benefit to the community through achievement of this objective. Therefore, when planning program objectives, it is important to consider the social and economic life of the community to which the prisoners will return. All too often, careless and wasteful program objectives are developed which meet only the immediate needs of the jail. Programs are sometimes aimed at "keeping prisoners busy while in jail" or "keeping prisoners out of trouble while serving time".

Program objectives, if they are to satisfy long-range goals, must reflect the need for coordination of the jail program with community opportunities. For instance, suppose that a county jail wishes to set up a job training program for unskilled inmates. One overall program objective might be the following:

- * Upon completion of the training program, the participating prisoner will be able to perform a job at which he can be employed in the community.

This specific objective should be an important factor in deciding which job skills should be taught and which are not appropriate for a particular jail and community. For instance, suppose the administrator decides to set up a small vegetable canning operation in order to train prisoners in the use of canning equipment and procedures. His decision to do so should be a reflection of these terms of the objective: "...at which he can be employed in the community." In other words, there must be:

1. A canning industry in the community-- or within a reasonable distance.
2. There must be employment opportunities at the canning industry.

* Of course, it is also possible that the administrator will find it more realistic to think in terms of starting a work release program allowing prisoners to receive on-the-job training at the canning industry, rather than building a full-scale training program at the jail.

Several program models are outlined on the next two pages which best illustrate programs designed to strengthen offenders' ties with the community. Only the basic structure of each program is described here; modifications and program details must be made to meet the requirements and characteristics of jails and specific communities.

WORK RELEASE: A means of extending the limits of confinement into the community. Prisoners assigned to work release are able to continue their employment or secure new employment while under the supervision of jail personnel. While participating in this program, prisoners are released from jail during working hours and are expected to return directly to jail for confinement during non-working hours. The majority of states now have legislation which allows for such a program. Assignment to the program is made at the discretion of the sentencing court. This program permits flexibility in sentencing and lends itself to a number of variations according to specific program objectives. Variations include: release for academic or vocational education in local schools, for psychotherapy at local mental health clinics, or for employment counseling at local agencies. Also, when a jail does not have a bail program, pretrial prisoners can be confined during nonworking hours and weekends, permitting them to continue working or preparing their defense outside the jail.

EDUCATION AND LITERACY: Programs of this type when situated in the jail can be implemented using paid employees or specialized volunteers. Specific objectives developed by the jail determine the nature of such programs. Some programs exist as an introduction to an educational process which the offender can continue in the community when released. Other programs are specifically designed to enable attainment of an educational goal while the participant is still confined (i.e., High School Equivalency, Basic literacy or College credit courses). Some general education programs have been tried and found effective in teaching specific skills to inmates (typing, personal grooming, needlecraft, woodworking, etc.)

TREATMENT OF ALCOHOLICS: Successful programs are usually those which offer follow-up treatment in addition to Alcoholics Anonymous membership. Medical care, group or individual therapy, job placement services, transitional living arrangements and supervision upon release are all program components which have been successfully employed to increase the chances of an alcoholic being capable of staying out of jail in the future and becoming a productive and responsible member of society.

COUNSELING: Programs include such things as family and marital counseling, financial counseling, group or individual psychotherapy conducted by professionals, employment counseling, AA counseling for alcoholics, and supportive counseling for Work Release participants. Such programs are most successful when designed to support or complement other programs such as Work Release, Education, etc. Staffing can be done in a number of ways, depending on the resources available and the size and budget of the jail. Possibilities are: non-professional volunteers, professional volunteers, or paid professional staff or ideally a combination of these.

COMMUNITY CORRECTIONAL MODELS:

Probation programs, halfway houses, detoxification units, or community treatment centers may require that the jail become part of a community correctional system. Such a system can provide continuity of service in such things as:

- . evaluation for bail
- . development of presentence reports
- . development of programs for confined prisoners
- . placement of prisoners on partial release programs
- . supervision of prisoners who are released into the community

In one western state five honor camps have been built to which selected prisoners can be sent after classification and screening in the county jail. Camps are structured to provide:

- . individual and group counseling sessions
- . informal education programs
- . work projects involving forestry, fire-fighting, road-building, and park maintenance

WHERE CAN YOU GET MORE INFORMATION ABOUT JAIL AND COMMUNITY CORRECTIONAL PROGRAMS?

Listings of specific experimental and long-range programs are compiled annually by the Law Enforcement Assistance Administration. Requests for these listings should be sent to:

LEAA
633 Indiana Avenue N.W. |
Washington, D. C. 20530

NOTE: (an interesting report on the King County Work Release Project is available from LEAA listed as grant No. 027)

When specific behavioral objectives are used as a guideline for developing the content of a jail correctional program, all aspects of the program can be carefully controlled and structured. Staff and volunteer needs, financing, materials, facilities, scheduling and other program components can all be decided in light of this question:

What will be needed in order to fulfill the terms of the program objectives?

For instance, suppose one objective for the first phase of a training program is: "The participant must be able to correctly replace the sparkplugs in an 8 cylinder auto engine." Naturally, all equipment, materials, instruction, etc. should be chosen to prepare the student to meet this objective. Purchase of tire changing equipment, a lecture on auto body painting, or a movie about safe driving hints would all be judged inappropriate to the objectives of this phase of the program. Wasted effort, equipment expenditures and useless training aids would all be avoided through strict observance of the terms of the objective.

Here is the objective for one phase of a training program held in the women's section of a county jail:

Phase 4: Upon completion of this phase of the program, each participant must be able to make a cotton housedress which she can wear, using a pattern and materials provided by the instructor and using an automatic sewing machine whenever possible.

Which of these components chosen for the program can be considered appropriate according to the terms of the objective and which are inappropriate? (show your answer by putting a check in one of the boxes given)

APPROPRIATE INAPPROPRIATE

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Three lessons entitled: "How to use an automatic sewing machine". |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. A lecture by a local tailor entitled "How to alter and re-style men's suits". |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. A set of knitting needles and several skeins of wool for each participant. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. The following materials: A printed dress pattern for each participant, a pair of scissors and a small amount of used material for practice cutting. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Several yards of cotton and a dress zipper for each participant. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. An hour lecture entitled "Personal cleanliness and care of the body". |

Turn page to check your answers

Answers:

APPROPRIATE

INAPPROPRIATE

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Three lessons entitled: "How to use an automatic sewing machine". |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. A lecture by a local tailor entitled "How to alter and re-style men's suits". |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. A set of knitting needles and several skeins of wool for each participant. |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Several yards of cotton and a dress zipper for each participant. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. An hour lecture entitled "Personal cleanliness and care of the body". |
-

Specific program objectives are equally essential as a guideline for choosing eligible participants. Experience has shown that success of a particular program is often dependent on the careful selection of participants who show the most promise of being able to exhibit the behavior required in the objectives. This concept is strikingly apparent in the case study found on the following page.

Four specific objectives of an existing Work Release* program in a large county jail are:

- . While participating in the program, prisoner participants will regularly work at jobs in the community for which they will receive no less than \$2.00 an hour in wages.
- . While participating in the Work Release program, prisoners will reimburse the county for all room and board expenses which they incur.
- . While participating in the program, the prisoner will pay 60 per cent of their earnings to support their families in the community.
- . Upon release from the jail, the prisoners will continue working in the community on a regular basis.

The sentencing court in this jurisdiction is understandably interested in seeing that the county is reimbursed for expenses whenever possible. As a result, judges consistently require that all able-bodied sentenced persons participate in the Work Release program.

On the other hand, the jail staff considers that the Work Release program is largely a failure because a large number of participants are homeless vagrants with no community ties, no families to support, and no need or desire for regular employment. Because of this, they are often irresponsible and undependable workers and upon release, often spend all their saved earnings on a "spree", commit another punishable offense, and soon quit or are "fired" from their jobs. Jail officers believe that the irresponsibility of such participants has made many employers reluctant to hire any Work Release participants in the future regardless of their qualifications. These officers emphasize that, by requiring all sentenced persons to participate in Work Release, the court is seriously impairing the program's effectiveness.

* Also called Work Furlough, Huber Program, Day Parole in other jurisdictions.

The apparent lack of success of the Work Release program described on the previous page seems to be largely due to: (choose the answer you believe to be appropriate)

- _____ a) lack of specific program objectives to use as a planning guideline for the Work Release program.
- _____ b) lack of a screening process through which program participants are selected who show promise of being able to fulfill all the program objectives.
- _____ c) too many program objectives resulting in confusion and misunderstanding between jail program staff and the sentencing courts.

turn page to check your answer

- Answer: _____ a) lack of specific program objectives to use as a planning guideline for the Work Release program.
- ✓ b) lack of a screening process through which program participants are selected who show promise of being able to fulfill all the program objectives.
- _____ c) too many program objectives resulting in confusion and misunderstanding between jail program staff and the sentencing courts.

It is difficult and often unfair to disqualify prisoners from participation in a jail correctional program because they do not have families to support or because they might not be able to meet all the objectives of the program. However, as in the case of this county jail, lack of discretion in choosing program participants can jeopardize the chances of other potential participants and impair the program's effectiveness. A possible solution for this particular situation might lie in improved communication between the court and the jail. Conceivably, the jail administrator could ask that the court allow him to recruit a screening committee to determine the suitability of each new prisoner for the Work Release program. This committee would have the authority to recommend or not recommend to the judge prisoners who might be granted Work Release privileges.

Suppose you were making plans to institute an Educational Release program in your jail. Two of the program objectives are:

- . Participants will enroll in one of the following programs at the local Vocational School:
 1. High School equivalency program
 2. Computer programmer training program
 3. Typing and shorthand program
- . Participants will complete all of the requirements for their chosen programs to the satisfaction of course instructors or will be dropped from the programs.

Which of the following show the promise of being able to exhibit the behavior required in the two objectives shown here?:

- ___ a) Willard Hunt, 45. Unemployed at time of arrest. Has been tested and found to be reading at a third grade level. Has been previously employed as manual laborer.
- ___ b) Margaret Cook, 25. College dropout after 1 1/2 years. Unemployed at time of arrest. Has no apparent job skills.
- ___ c) Peter Rhodes, 23. Has completed 11th grade. Unemployed at time of arrest. Diagnostic tests show above average mathematical skills and average reading ability.
- ___ d) Charles Belding, (age unknown). Unemployed. Testing has revealed a degree of brain damage resulting from drinking and related head injuries.

Turn page to check your answers

Answers:

- ☐ a) Willard Hunt, 45. Unemployed at time of arrest. Has been tested and found to be reading at a third grade level. Has been previously employed as manual laborer.
- ☒ b) Margaret Cook, 25. College dropout after 1 1/2 years. Unemployed at time of arrest. Has no apparent job skills.
- ☒ c) Peter Rhodes, 23. Has completed 11th grade. Unemployed at time of arrest. Diagnostic tests show above average mathematical skills and average reading ability.
- ☐ d) Charles Belding, (age unknown). Unemployed. Testing has revealed a degree of brain damage resulting from drinking and related head injuries.

If you chose these two people for the Educational Release program, you have realized the importance of choosing program participants who show promise of being able to exhibit the behavior described in the program objectives. Although the two other people might be in need of correctional programs, their chances of successfully participating in this Educational Release program are slim. If they were chosen for the program, it is possible that the local vocational school which is running the courses would begin to consider all jail prisoners unsuitable for the program and wish to curtail future programs of this type.

IMPORTANT: Programs need not be reserved exclusively for sentenced prisoners. Many persons awaiting trial will volunteer for any program assistance which may fit their needs. However, the administrator must see that these persons do not become involved in programs which might somehow infringe on their legal rights or challenge the assumption of innocence before trial (group therapy or psychotherapy, for example, may violate the prisoner's privacy or place him in the position of giving information about himself which could be damaging to his case.)

Selecting and defining objectives for jail correctional programs can be an extremely difficult task. For, in doing so, it is essential that hard thinking be done and only measurable, behavioral objectives be selected to serve as the blueprint for program development. No other planning task is so important; for planning done without specific objectives results in waste and, all too often, failure of the program to bring about any meaningful change or improvement.

Which of the following statements are true and which are false? (indicate your answers below):

TRUE FALSE

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Specific program objectives must be defined before programs can be implemented. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. It is too difficult to define program objectives until the program has been tested for a period of time. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The following is a good behavioral objective: "The program will help offenders solve their vocational and personal problems". |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. The following is a good behavioral objective: "While enrolled in the work release program the prisoner will be required to pay his room and board expenses and pay his wife and other dependents 60 per cent of his income in support payments. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. The following is a good behavioral objective: "Upon completion of the first phase of the program, the alcoholic must understand that he is an alcoholic and he must be willing to seek help in solving his problem". |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. An effective evaluation of a jail program can be made by polling the prisoner participants and finding out:
1. if they learned anything.
2. if they liked the program. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Evaluation of a jail program can be made by determining whether the participants exhibit the behavior stated in the program objectives. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. In order to increase a program's chances of success, participants should be chosen who are most likely to be able to exhibit the behavior stated in the program objectives. |

Turn page for answers

Answers:

TRUE FALSE

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Specific program objectives must be defined before programs can be implemented. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. It is too difficult to determine program objectives until the program has been tested for a period of time. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. The following is a good behavioral objective: "The program will help offenders solve their vocational and personal problems". |
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1. if they learned anything.
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. In order to increase a program's chances of success, participants should be chosen who are most likely to be able to exhibit the behavior stated in the program objectives. |

When a program has been chosen and the objectives of this program clearly defined, the jail administrator must turn his energies to:

IMPLEMENTING THE PROGRAM

You may recall the statement of a jail administrator to a program planning committee in which he asserted: "Give me the dollars and cents of it [the program] and then we'll decide if the programs are needed."

This man's mistake is a common one; he has allowed his concern with the budget to influence his selection of needed and suitable programs for the jail. What he has failed to realize is that the suitability of or need for a jail correctional program has nothing to do with the expected cost of the program. If the need for the program exists, unavailability of funds cannot erase this need. Budgetary concerns become an influencing factor only as a means of implementing the chosen program. This is also true of personnel availability, existence of program facilities and other aspects of program development. Ingenuity and flexibility can be equally strong factors in influencing actual program development and implementation. Even when available funding for programs is severely limited, an imaginative and persistent administrator is able to seek outside help and use already existing community services to achieve his program goals instead of simply cancelling or postponing vital plans for improvement and change in his jail.

The jail should not be expected to exist as an independent unit, separate from the community and wholly self-sufficient. An important objective for every jail administrator should be: to identify and use existing community resources whenever possible to implement jail correctional programs.

Where does an administrator begin looking for existing community agencies and services? Two possible starting points are:

- . The probation department
- . The local welfare department

These two agencies are often able to provide some diagnostic and treatment services for jail programs depending on their workload and the personnel available. They can also assist the administrator in defining his program needs and can refer to other agencies which are equipped to assist in specific programs.

Another possible starting point for the administrator in his search for valuable community aid and resources is:

- . The official Community Health, Welfare and Education Resources Directory of public and private agencies which describes the types of service they are capable of providing (most communities do publish directories of this type and distribute them through such organizations as Community Chest).

Below are excerpts from directory listings of only a few organizations which exist in a large majority of communities and offer potential sources of consultation and direct services to the jail:

- . State Correctional Service (Prisoner's Aid Society): Provides counseling for offenders in state correctional institutions and jails, and to prisoners and their families in the community.
- . State Employment Service: Services include placement of job seekers, special services to veterans, employment counseling, selective placement, labor market information, industrial services and cooperation with local groups.
- . Department of Veterans Affairs: Coordinates activities relating to medical, hospital or other remedial care, placement and training, educational, economic, or vocational rehabilitation of persons who served in the U.S. armed forces and were honorably discharged, and gives health, educational, and economic assistance to war veterans who are residents of the State and to their dependents.
- . Vocational Rehabilitation Division: Provides services for eligible vocationally disabled persons regardless of economic status including: medical diagnosis, psychiatric study and psychological testing, guidance, training, tuition, and placement. Assistance may be given to those unable to make other financial arrangements for medical service, artificial appliances such as artificial limbs or false teeth, training supplies, maintenance, tools and equipment.
- . Legal Services Center (Legal Aid Society): In the criminal area, provides direct representation of all persons accused of relatively minor crimes who are unable to afford private counsel. In more serious offenses, handles about 50 per cent of cases and recommends and assists private counsel appointed at county expense in the other 50 per cent. A release on recognizance program is operated through law student volunteers. This program is operated through law student volunteers to assist in reducing jail time pending trial for people with substantial ties to the community.

- County Mental Health Center: Provides out-patient psychiatric services (diagnosis and treatment, individual and group therapy) to county residents with behavioral and emotional problems. Provides mental health and family life, education programs; community consultive services; programs for detention and prevention of mental illness, and in-service training programs for social workers, psychologists, and psychiatrists.

Many other potentially helpful agencies exist that have not been mentioned here. For instance, the community school system (vocational and academic), the state correctional system, and the county welfare department all offer a potential source of service and assistance for the jail. All too often these resources, and others like them, are left untried and unnoticed by administrators who do not know what services they offer and do not consider their potential contribution to the jail.

When searching for public and private community agencies which might be able to provide assistance to the jail, the administrator should not be rigidly tied to the notion that all programs must be held inside the jail, or that the program must strictly follow the form of a program which exists in another community or state. He should, instead, remain flexible and open to suggestion so that he will not overlook valuable opportunities simply because they require more planning and perhaps more trial-and-error experimentation.

In one community, a study of the jail's population revealed that a significant number of the repeating offenders were alcoholics and had committed alcohol-related offenses. Aware of the limitations of a small and inadequate program budget, the jail administrator made a determined effort to seek out valuable services in the community and enlist these services for a correctional program that could be of benefit to the alcoholic prisoners at a low cost to the jail. He found the following agencies listed in the Community Resources Directory:

ALCOHOLICS ANONYMOUS, ALANON AND ALATEEN

SERVICES: Offers a program of education, moral support, encouragement, physical buildup, and group therapy aimed at the gradual rehabilitation of alcoholics. Direct referral to AA, Alanon or Alateen can be made through the above address or through Alcoholism Information and Referral Center, Hall County Mental Health Center.

SERVES: Alcoholics, their families, and others affected by an alcohol problem.

REBOS HOUSE

SERVICES: A nonprofit corporation, established to provide a sober living arrangement for men and women who have an admitted problem of alcoholism. It is a transitional treatment facility for men and women.

SERVES: All admitted alcoholics who desire a sober living arrangement.

COUNTY MENTAL HEALTH CENTER

24-Hour Alcoholic Emergency Service
Emergency Number: 267-6234

SERVICES: Includes a team of professional Alcoholism Counselors who are on call day and night. They provide emergency telephone counseling, and may also go out to the alcoholic in need of immediate attention; if necessary, they

will transport him to the proper facility and assist him in obtaining prompt medical treatment or other needed services.

SERVES: People in need of emergency alcoholism services.

DCMHC also provides the following alcoholism abuse services through the Alcoholism Information and Referral Center:

- 1) **Alcoholism and Drug Abuse Services:** Provides for the overall planning, coordination of Alcoholism and Drug Abuse Services in Hall County. The Hall County Interagency Coordinating Committee on Alcoholism is advisory to this Service. This Service sponsors the Hall County Alcoholism Information and Referral Center, Hall County Alcoholism Prevention Project, Special Hospital Feasibility Study Project, Hall County Drug Abuse Information and Referral Center, etc. Also, maintains an audio-visual aids resource library.
- 2) **Alcoholism Information and Referral Center:** Advisory and counseling services to individuals or agencies concerned with alcoholism or related problems. Makes referrals to appropriate resources. Provides consultation to businesses and industry on policies or programs dealing with alcoholism of employees. Educational Services include speakers, films, literature, etc.

The jail administrator met and consulted with the directors and staffs of each of the three agencies and discussed with them his program objectives and the numbers of prisoners to be involved in the program. Together they discussed the immediate program needs in detail.

As a result of these discussions, the administrator was able to take the following steps to implement his program:

- . Arranged for AA volunteers to administer and staff an AA program held in the jail (this program included: diagnosis and counseling, weekly group meetings in the jail, and responsibility for acquainting prisoners with local AA chapter upon release).
- . Arranged with AA volunteers to provide special counseling for advice to families of alcoholic prisoners as a preparation for the return of the prisoner to his family.
- . Arranged for transportation to and admission of newly released alcoholics without close family ties to REBOS HOUSE for temporary living arrangements to ease the difficult transition from jail to community and reduce the chances of repeated alcohol-related offenses.
- . Arranged for representative of Alcoholism Information and Referral Center to provide advice and consultation to the local businesses which employ alcoholic prisoners in cooperation with the Work Release program already existing in the jail.

All of the services which the administrator arranged for were well within the capabilities and service objectives of the agencies involved. In fact, the administrator found these agencies enthusiastic and eager to assist him. In two cases, he was even offered valuable services for which he hadn't asked. These were:

- . An offer of close cooperation from the 24-hour Alcoholic Emergency Service; representatives from this service suggested that, whenever the jail physician was unavailable to treat an alcoholic needing emergency care, jail officers should call the Service to come to the jail immediately. The service would be free of charge for the jail.
- . An offer from the Alcoholism Information and Referral Center to provide an educational program for jail officers interested in learning methods of effectively handling and dealing with alcoholic prisoners.

The program activities resulting from the combination of all these services into a coordinated program are comprehensive and highly effective. Through careful planning and coordination by a member of the jail staff, all elements of the alcoholic treatment program are running smoothly and at little cost to the jail. This administrator's success in finding outside help in implementing his program was, for the most part, due to his own initiative and persistence. In many instances, agencies are unaware that their services can be useful to the community jail. And it is often the case that the resources and potential of these agencies are only offered to those who seek out their help. For this reason, in order to bring about change and improvement, jail administrators must take time and effort to investigate community resources and pursue those services which are best suited to meeting the objectives of the correctional programs which are needed in his jail.

Which of the following statements are true
and which are false? (indicate your answers below):

TRUE FALSE

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. It is extremely difficult to enlist community support for jail correctional programs because community agencies are not interested in providing services to the jail. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Community agencies are often unaware that their services can serve a valuable function in implementing jail correctional programs. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. A limited budget is usually an indication that jail programs are not needed. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. A jail administrator's imagination and persistence in seeking and enlisting community services and support can make up for the limitations of a small budget when implementing needed jail programs. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Most communities publish a Directory of available Community Health, Welfare and Education Resources along with their objectives and a description of the people they serve. |

Turn page to check your answers

Answers:

TRUE FALSE

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. It is extremely difficult to enlist community support for jail correctional programs because community agencies are not interested in providing services to the jail. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Community agencies are often unaware that their services can serve a valuable function in implementing jail correctional programs . |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. A limited budget is usually an indication that jail programs are not needed. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. A jail administrator's imagination and persistence in seeking and enlisting community services and support can make up for the limitations of a small budget when implementing needed jail programs. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Most communities publish a Directory of available Community Health, Welfare and Education Resources along with their objectives and a description of the people they serve. |

In the space below are descriptions of four programs which extensive studies have indicated are needed in a particular jail. On the next page are descriptions of community agencies which are available. Assume that you are the administrator of this jail and wish to find suitable existing services to implement your programs. Next to each suggested jail program, write the number of the agency (or agencies) from which you might be able to secure assistance:

- A. _____ A basic literacy program for the 35 per cent of the prisoners tested and found to be functional illiterates.
- B. _____ A vocational placement and counseling program for the large number of prisoners who were found to be unaware of the job opportunities available to them and who did not know how to apply for and seek interviews for jobs.
- C. _____ An extensive psychological counseling program for the large number of prisoners whose failures were found to be largely due to personal problems.
- D. _____ An experimental Educational Release program for the small number of highly motivated, psychologically well-adjusted prisoners.

1. FAMILY SERVICE

SERVICES: Provides counseling services for individuals and families with fees dependent upon ability to pay. Most clients seek marital counseling with a lesser number seeking help with their individual problems. The family agency acts as an information and referral center, provides foster home services, administers nonresident financial assistance, is the local Traveler's Aid Society, and operates a Homemaker Program designed to assist the elderly or children whose mothers are absent or incapacitated.

SERVICES: Services are for all persons with no restrictions due to nationality, religion, age, or economical status.

2. COMMUNITY ACTION COMMISSION

SERVICES: A nonprofit corporation created to mobilize the resources of the community to combat poverty. Develops programs designed to enable low-income persons to deal effectively with their own problems. CAC Programs include:

- a) Parent Education Program: A program for adults who have not finished high school or who wish to continue their education. Provides classes for those taking college correspondence courses and counseling.

3. FRANK LAUBACH LITERACY SOCIETY

SERVICES: Sponsored by Church Women United, the Society teaches reading skills to adult illiterates free of charge except for a very small amount for cost of materials to pupils. Also available at a section of the Public Library entitled "Books for New Readers" are adult reading materials in very simple English for beginning readers.

SERVES: Adult illiterates.

4. OPPORTUNITY CENTER, INC.

SERVICES: 1) A rehabilitation facility providing vocational evalu-

ation, vocational counseling, work conditioning, specific job training, placement, and follow-up for Division of Vocational Rehabilitation clients who are vocationally handicapped. 2) A Day Care Sheltered Workshop program providing personal adjustment and recreational activities for all County residents who are too vocationally handicapped to be immediately placed in competitive employment.

SERVES: The vocationally handicapped.

5. COUNTY MENTAL HEALTH CENTER

SERVICES: Community Mental Health Center providing outpatient psychiatric services (diagnosis and treatment, individual and group) to County residents with behavior and emotional problems, mental health and family life education programs; community consultative services; programs for detection and prevention of mental illness, behavior problems; in-service training programs for social work, psychology, psychiatry; research.

SERVES: Emotionally disturbed from all community and socioeconomic groups; largely poor, alienated to lower-middle-income groups.

6. VOCATIONAL REHABILITATION DIVISION

SERVICES: A Division of the Department of Industry, Labor, and Human Relations. Services include placement of job seekers, special services to veterans, employment counseling, selective placement, labor market information, industrial services and cooperation with local groups. While the Employment Service gears its activities to the needs of workers, employers and the community, emphasis is placed on serving the disadvantaged individuals. Outreach services are provided within the counties served.

SERVES: All individuals 22 years of age and older seeking manpower services.

Turn page to check your answers...

Answers:

A. 3

C. 1,5

B. 4, 6

D. 2

In recent years, volunteers have increasingly been used to implement jail correctional programs. Naturally, this is partly due to the inability of jails to hire specialized program personnel because of limited funds. But a positive aspect of increased volunteer participation is increased community concern with the problems of the jail.

As long ago as 1800, a dimension of Quaker prison reform included religious instruction and counseling of jail inmates by lay leaders from the community. And in 1840, a Boston shoemaker, by volunteering his services, began a correctional service which is now known as probation. More recently volunteers from the community have been used in such varied capacities as:

- . recreation activity leaders
- . educational instructors
- . religious activity leaders
- . Alcoholics Anonymous sponsors
- . visitors to prisoners without families
- . probation and parole sponsors in the community to which prisoners return

Surprisingly enough, although the correction-oriented institutions which use volunteers generally regard them as an extremely valuable asset, the large majority of correction-oriented institutions in this country still do not use volunteers and do not realize their potential contribution! It is time for jail administrators to discover that this valuable program resource exists, and that it is their duty to seek out volunteers and to train and encourage professional jail staff members to use volunteers in an enlightened and useful manner.

A recent survey of the volunteers participating in one successful jail correctional program indicated that they had been recruited from the following sources:

- . Friends and relatives of volunteers..... 27%
- . Newspapers, magazines, or pamphlets..... 23%
- . Clubs, business groups, and organizations..... 22%
- . The organization needing the volunteers..... 28%
(i.e., judiciary)

The findings of the program also indicated that a successful recruiting program develops momentum and generates community interest that usually results in additional applicants.

HOW CAN A JAIL ADMINISTRATOR CONDUCT A SUCCESSFUL RECRUITING CAMPAIGN?

He must announce his need for volunteers. To do so, he should use the following:

- . PUBLIC SPEAKING ENGAGEMENTS
(to: Service organizations,
clubs, local colleges and
schools, business groups
and conventions, local
churches, etc.)
- . ANNOUNCEMENTS TO ALL NEWS MEDIA
- . USE OF VOLUNTEERS FOR RECRUITING
(Public-speaking or one-to-one
contacts with friends and acquaint-
ances in the community.)

Too many jail administrators do not realize that people in the community are unaware of the potentially valuable role they can play in the correctional process as volunteers. An effective recruiting message should attract new volunteers to corrections by emphasizing that they have something special to offer clients that the professional staff cannot offer. For instance, a recruiting message can point out that volunteers offer:

- . Direct contact with the community
- . No barrier of authority--offenders can confide in them and not in professional staff
- . A fresh approach to corrections--they are not hardened by experience or blinded by limitations of the system
- . An opportunity for prisoners to receive individual attention and concern for their problems
- . Varied and useful skills that could be taught to prisoners or used in treating offenders
- . An unbiased, objective point of view towards the jail and its operation

QUESTION: What do you think of a recruiting message which emphasizes that volunteers are needed for jail programs because money is not available for hiring professional staff?

After thinking of your answer,
turn the page and read the commentary

Answer:

Many administrators have used this type of statement as the basis of their recruiting message. However, it is basically a negative approach to recruiting and does not encourage volunteers to think of themselves as having something special to offer. A recruiting message should not imply that volunteers are merely a second choice or substitute for paid professional help. It should stress the positive aspects of their contribution and act as a motivating factor by encouraging them to offer their needed services and their individual talents to the jail.

A national survey concerning volunteers involved in correctional programs has indicated that in terms of education, occupation, and income, volunteers stand out from the total community. These people tend to be in positions of leadership in their communities. In view of this information, which of the following statements would you consider to be true? Indicate your answers below:

- _____ 1. Active volunteers can serve effectively as recruiters since their contacts in the community are apt to be widespread and influential.
- _____ 2. Volunteers are often in a position to enlist the assistance of valuable community resources which might have been unknown to the jail administrator.
- _____ 3. By acting as a kind of liaison between the community and the jail, volunteers can enlist support for additional jail programs among persons and groups which have previously been unaware of the jail's activities.

Turn page to check your
answers.....

Answer:

All three of these statements represent positive contributions that can be made by volunteers.

HOW CAN A JAIL ADMINISTRATOR CHOOSE VOLUNTEERS
AND MATCH THEM TO HIS PROGRAM NEEDS?

It is extremely difficult to measure the motivation and capabilities of new volunteers. In some cases, it is possible to learn something about them through recommendations written by leaders of other programs in which a volunteer has participated. Usually, however, the jail administrator has little to go on when choosing volunteers for jail programs.

As a rule, few jail administrators have had experience in the selection and assignment of volunteers. When this is the case, the jail administrator would be wise to ask a person with experience in this area to assist in volunteer selection. Such people are often found in supervisory capacities in welfare or private social agencies and are well qualified to assist in making initial volunteer selections and assignments for jail programs.

But the selection and evaluation of volunteers should be a continuing process. Persons who are not suited to volunteer work or who are psychologically unfit to work with prisoners in a volunteer capacity will become visible to an alert jail staff as the program develops. Staff members may notice, for instance, that certain volunteers are not willing to work as hard or as regularly as the program requires. Other volunteers may seem motivated purely by curiosity about jail life and are not able to or willing to interact with prisoners on an individual basis. In such cases, personnel may suggest that volunteers such as these be asked to drop out of the program. Often it is this type of informal, on-going screening process which is essential to the future success of a program.

Experience has revealed that volunteer services can be successfully used in jails only when jail personnel actively support them and are directly involved in supervising and training volunteers and in planning and coordinating their program activities. For this reason, the jail administrator must play an important part in preparing his staff for working with volunteers in a mutually productive and cooperative manner.

WHAT SUBJECTS SHOULD BE COVERED IN AN ORIENTATION PROGRAM FOR VOLUNTEERS?

All volunteers should be informed about all important aspects of the jail. The following should be included in a basic orientation program:

- . Discussion of the objectives of the jail: confinement, security, safekeeping, and correction
- . Discussion of all jail programs and their objectives (especially the objectives of the program in which they will participate)
- . Jail schedules and regulations: volunteers will be expected to comply with all rules which are designed for regular jail personnel
- . Program schedules and rules: volunteers must be thoroughly informed concerning:
 - . Their specific program responsibilities
 - . Their attendance requirements
 - . How and by whom their activities will be supervised

WILL VOLUNTEERS NEED SPECIAL TRAINING?

Naturally, professional volunteers who will be involved in specialized activities will not need any training other than the orientation session. However, non-professional volunteers should receive basic training by content specialists. For instance, if the jail is using nonprofessional volunteers for a counseling program, it will be necessary for these persons to receive some training from trained specialists who can assist them in developing basic counseling techniques. Such specialized persons, if not already part of the program, can be found in:

- . the probation or local welfare program
- . private social agencies
- . colleges and universities in the area

HOW SHOULD VOLUNTEERS BE SUPERVISED?

A member of the jail staff should be appointed as coordinator of the volunteer program. He should be responsible for the following:

- . arranging training schedules
- . coordinating program activities
- . answering volunteers' questions concerning policy and procedure
- . checking attendance of volunteers and prisoners
- . solving problems which relate specifically to volunteers

This staff member might not have the training which enables him to supervise the activities of professional volunteers such as teachers or psychologists. If this is the case, a volunteer professional should be placed in charge of these people and should be expected to work closely with the staff member in solving problems arising out of the program.

Finally, it is very important to spend time and effort in:

EVALUATING THE PROGRAM

An administrator must ask himself "has the program been working?" If something has not worked he must ask himself, "how can the program be improved?" Results of the program's effect on the participants can be observed more easily and satisfactorily if specific program objectives were followed. It is far too difficult, for purposes of evaluating a program's success or failure, to determine whether the alcoholic has been "helped" or if a prisoner "understands" or "knows" something the program taught him. However, it is not difficult to determine if the participants actually exhibit the behavior stated in the objectives. Evaluation of a program should be based on the ability of the participant to perform according to the requirements of the objectives. The degree of program success or failure can be measured according to the number of participants who fulfill the objectives as opposed to those unable to do so.

Evaluation of the jail AA program described earlier can be made by reviewing each objective and analyzing the behavior of participants in light of the objectives.

The objectives of the program are:

Phase 1: After participating in the program for a stated period the alcoholic prisoner must admit that he is an alcoholic.

Phase 2: The alcoholic prisoner must attend each AA meeting held in the jail during his sentence.

Phase 3: The alcoholic prisoner must join a community AA group and attend meetings once a week upon release from jail.

LONG TERM OBJECTIVE: After regular involvement with the AA program, the alcoholic must totally abstain from drinking.

Evaluation of the program can best be based on the performance of the objectives such as:

Phase 1: After participating in the program for the stated period of time, did any of the known alcoholic prisoners actually admit that they are alcoholics? If so, how many?

Phase 2: Did any of the admitted alcoholics attend AA meetings in the jail regularly during their sentences? If so, how many?

Evaluation of Phase 3 could be based on the answers to what question? (write your answer here):

Turn page for answer

Answer:

Did any of the program participants join a community AA group and continue regular attendance at meetings with this group? If so, how many?

Both the jail AA program and the corresponding community AA programs which the prisoners joined will, after a stated period of time, be able to analyze the long term success of their continued program efforts by evaluating the response to what question? (write your answer here)

Turn page for answer

Answer:

Have any of the program participants, after regular involvement with the AA program, totally abstained from drinking? If so, how many?

Evaluation of a jail correctional program is an on-going process. The question must be continually asked; how can the program be improved? And, what can be changed or begun to effect such an improvement? There is no such thing as a perfect, trouble-free jail program; the jail administrator who realizes this and who constantly seeks improvement is well aware of this on-going responsibility and his programs will reflect the benefits of his concern.

**KNOX COUNTY JAIL
WORK RELEASE PROGRAM:**

A Case Study

On the following pages is a detailed case study of a Work Release Program. While you are reading the study, think of ways in which the program could be improved. When you have finished reading the study, you will be asked to make a list of your suggestions for improvement.

The Knox County Jail is located in a city with a population of 150,000 and a metropolitan area consisting of 200,000 people. Located in this area are five large industries (meat-packing, three tool and die, one paper mill) as well as the state capitol and a University which has an enrollment of 10,000 students. The jail is run by the Sheriff's Department and handles approximately 1,500 prisoners per year. A Work Release program has been in existence at this jail for 10 years and last year had an enrollment of 430 participants.

Objectives of the Work Release Program are:

- . A prisoner who is employed when admitted to the jail will continue to work at this job on the condition that he returns to the jail after working hours and complies with all the rules of the Work Release program.
- . A prisoner who is unemployed when admitted to the jail will obtain employment at a job in the community and work at this job on a regular basis during his sentence providing that he returns to the jail each day after working hours and complies with all rules of the Work Release program.
- . While employed in the Work Release program, prisoner participants will repay a stated percentage of their court costs and fines and will reimburse the county for their room and board costs at the rate of \$3.00 per day.
- . While employed in the Work Release program, prisoner participants will contribute 40 per cent of their earnings toward the support of their dependents.
- . During his participation in the Work Release program, each prisoner will comply with all the rules and regulations of the program to the satisfaction of supervisory personnel or he will be suspended or expelled from the program.

LONG-RANGE GOAL

- . Upon release into the community, the Work Release participant will continue regular employment and will refrain from committing another punishable offense.

Up until two years ago, when a new sheriff was elected, the Work Release program was operated on a half-time basis by Sergeant Alexander Stearns. However, since the election of the new sheriff, Sergeant Stearns has been assigned to run the Work Release program on a full-time basis. His job description includes the following responsibilities:

- . Maintain financial records of all Work Release expenditures: income, prisoner accounts, etc.
- . Establish contact with employers in the community to inform them of Work Release objectives and enlist their help in hiring and training Work Release participants.
- . Establish up-to-date lists of job opportunities available in the community to Work Release participants.
- . Screen prisoners with Work Release privileges to ascertain job qualifications and assist in setting up interviews with perspective employers.
- . Supervise Work Release participants closely to determine whether they are complying with regulations.
- . Consult with employers to determine whether participant is working satisfactorily and answer any questions concerning participant's status, problems, need for special considerations, etc.
- . Conduct unannounced inspections of places of employment to determine if conditions are satisfactory, etc.
- . Purchase special work clothing and equipment essential to Work Release prisoners.

According to Stearn's estimate, financial record-keeping occupies 80 per cent of his working day. This percentage has dropped slightly in the past six months because he has been able to enlist the services of a secretary on the staff of the Sheriff's office who has some bookkeeping ability. She assists him with the financial records two afternoons a week for a total of six hours each week. Management of the inmates' earnings involves five steps on Stearn's part:

1. Determination of the purpose for which money is to allocated
2. Collection of wages from employers
3. Disbursement of money according to individual allotment decisions
4. Recording of each inmate account
5. Auditing of all Work Release financial records

Earnings of each inmate are deposited in a trust checking account, and a ledger shows the status of the account for each prisoner. During an inmate's participation in the Work Release Program, Stearns must make sure that each ledger entry is consistent with that prisoner's fund. Priorities have been established by the court and Stearns often finds himself in the position of withholding support payments for dependents of participants and postponing payment of creditors until court costs and room and board costs can be paid. Frequently this results in Stearn's telephone involvement with wives and creditors who angrily demand that he immediately send them their allotments. In such cases, Stearns spends a great deal of time explaining to them that he must withhold payment until the prisoner's account has a sufficient amount in it to pay room and board and court expenses first and then take care of their allotments. And in some cases, he must explain to creditors that their bills will not be paid because prisoners have not legally acknowledged them in writing.

Stearns estimates that approximately 65 per cent of the prisoners who are granted Work Release privileges as part of their sentence are able to continue working on the jobs which

they had when they were arrested. The remaining 35 per cent of the Work Release prisoners are in the position of having to seek employment while they are serving sentence. And these prisoners must work at non-paying jail kitchen and clean-up jobs while unemployed and make their own arrangements for job interviews during this time.

Prisoners are largely responsible for finding their own jobs outside the jail and frequently depend on friends and family members to supply them with want ads and job information. Since the jail has no transportation available for prisoners, they must arrange their own. As a result, prisoners tend to seek out jobs which are near the jail or close to bus routes; some are fortunate in being able to find other employees willing to include them in a car-pool arrangement. An exception to this practice occurs when seasonal labor is available in outlying districts for a sizeable number of Work Release prisoners and the employer finds it to his advantage to offer free transportation--either by bus or car--to the site where labor is needed. Sgt. Stearns spends several hours a week contacting local employers and small business owners to familiarize them with the Work Release program and ascertain their willingness to hire prisoners for available jobs. He also periodically contacts personnel directors in each of the five large industries to obtain information about available jobs. Recently, Stearns has noticed that these personnel directors have been increasingly reluctant to risk hiring prisoners because of one unfortunate incident which occurred in the paper mill when a Work Release prisoner was involved in a theft of another worker's wallet.

The list of jobs found by current Work Release participants is varied. The following are typical examples of representative jobs:

- . junk yard laborers
- . cab drivers
- . kitchen workers and dishwashers in local restaurants
- . car wash laborers
- . packers and movers for local moving companies

Until recently, the list of employers included a number of local gas stations. However, Stearns has found it necessary to curtail employment at the majority of these gas stations because of the growing practice of these stations to deduct sums from Work Release employees' checks to cover the amount of "accumulated

shortages" found in the cash register each week. After noticing that prisoners employed in these stations were continually being paid less than they had rightfully earned, Stearns investigated and found that none of the regular employers were being charged for "accumulated shortages" and that only the "most likely suspects"--the Work Release employers--were being penalized.

Stearns can point to a number of other bad employer practices; long-delayed payment of wages, unjustified amounts being withheld, and unexplained and sudden firing of Work Release employees. Sgt. Stearns must spend time calling up these people and requesting that they send overdue salary checks. While he is aware of some of their unfair practices and suspects that Work Release prisoners are often being unfairly treated, he does not have the time to follow up on investigations of all these infractions and often must overlook them just to keep the Work Release prisoner employed and not idly waiting for work in the jail.

Periodically, members of the community contact Stearns and ask if they can hire prisoners to perform odd jobs at their homes or businesses. Typical jobs of this type are: washing and installing screens or storm windows, painting garages, attic or cellar cleaning, and floor waxing. Stearns asserts that, although the temporarily unemployed Work Release prisoners welcome a chance to get out and earn money, that most of the people who call expect prisoners to work for inadequate wages. Sgt. Stearns insists on minimum of \$2.00 per hour in wages and denies prisoner services to anyone unwilling to pay this sum. In explaining his reasons for this policy, Stearns can point to the program objectives and explain that the program would not be financially feasible if prisoners could not make enough money to pay their stated allotments. All of this is true, but Stearns also feels strongly that expected prisoners to work for "slave wages" is just one more symptom of the community's blindness to the underlying purposes of jail correctional programs which encourage self-reliance, self-control, and self-respect on the part of participating prisoners.

An important regulation regarding the Work Release privilege in this jail is: Work Release participants may not go to taverns and may not drink beer or other intoxicating beverages at any time while participating in the program. Sgt. Stearns has found that enforcement of this rule is extremely difficult for a number of reasons. These are:

- . Many Work Release participants are persons with severe drinking problems which they have not learned to control and they hold jobs at which liquor is readily available.

- The majority of employers do not report when Work Release employees fail to show up at work and the Sgt. is unaware of prisoner's activities until the end of the day period when checks appear which cover only a small percentage of the wages which an employee would have received had he been on the job instead of at a local tavern. In some cases, employers are reluctant to report abuses by prisoners out of misguided sympathy or reluctance to seem prejudiced against prisoners.
- Even when the Sgt. is aware of infringements of the drinking rule, he is reluctant to temporarily suspend the prisoner from work for fear the employer will fire him. Also, court pressure is on the Work Release program to "show a balanced ledger" so the Sgt. is hesitant to jeopardize the job status of the participants by penalizing them.
- A number of Work release participants assigned by the court to the program are not motivated to successfully participate in the program because they have no families to support and no interest in holding a steady job.

There is no doubt that many aspects of this Work Release program are worth mentioning in this study in order to demonstrate the many outstanding merits of the program. However, for the purposes of this course, the study has concentrated on those aspects of the program which could be improved upon or implemented in a more resourceful manner. Re-read the study if you wish, jotting down, as you go, some improvements which you would suggest. See if you can formulate, on the empty pages provided, some plans for improvement of the Work Release program. Give serious thought to the case study and make as many suggestions for improvement as you can. When you have done this, turn to the analysis on page 65 and compare your suggestions with those of the book. If you have thought carefully about the case study and are serious about learning to analyze jail needs and implement programs, you will, no doubt, have as many ideas as appear in the case study analysis. In fact, you may have more.

Use this space for formulating your suggestions concerning improvements which could be made in the King County Work Release Program.

SUGGESTED IMPROVEMENT OF THE KNOX COUNTY WORK RELEASE PROGRAM:

(These are only some suggestions, there are no black and white solutions to the problems discussed. Undoubtedly, you will have some good, constructive suggestions to make which have not been mentioned in this discussion).

To begin with, although Stearns may be well-qualified for the job of supervising the Work Release program, there is far too much expected of him. This becomes obvious when one studies his job description. He has pointed out that maintaining financial records takes up to 80 per cent of his time. In view of the broad scope of his responsibilities, this job is only a small part of his overall job description. A suggested method of reducing this burdensome responsibility is to lodge the responsibility for financial records and accounting elsewhere. Specialized accounting personnel are usually available in county departments and assignment of all the Work Release records to them would streamline this bookkeeping operation and free the Sergeant for other important tasks. Chances are that a person with budgetary and accounting skill is available right in the Sheriff's department and can be assigned to these time-consuming tasks. Also, since phone calls from wives and creditors of Work Release prisoners are frequent and time-consuming, it might be in order for the Sergeant to have a short pamphlet printed which explains the Work Release financial system to dependents and outlines the laws concerning payment of creditors. If such a pamphlet were available, Stearns could arrange to have it sent to all dependents of new Work Release participants and could also have it sent to all bill collectors and creditors who call him and insist on payments.

Stearns' job description states that he is responsible for contacting potential employers, listing current job opportunities, ascertaining job qualifications of Work Release participants and assisting them in setting up job interviews with prospective employers. But in reality, prisoners are now dependent on haphazard methods of finding jobs. And the list of jobs actually held reveals that the majority of jobs held are marginal and involve no skill and no real permanence. Because of other responsibilities Stearns cannot function in a consistent and effective manner as job advisor and employment bureau. This community is uniquely qualified to render volunteer and professional services to the jail. Presence of a university, state capitol and related state offices, and five large industries indicates that

there is much outside help that can be offered in such capacities as job counseling, placement, etc. The fact that such services have not been sought by the jail is only one indication of the self-imposed isolation that is practiced by the jail and its staff. A concentrated effort to overcome this isolation stands as the solution to many of the problems of the Work Release program. For instance, someone—either the jail administrator or Sgt. Stearns—should use public-speaking engagements and news media to advertise to the concerned and influential members of the community that the Work Release program needs cooperation and assistance in finding meaningful employment for participants. Such groups as the Chamber of Commerce, the Jaycees, and local business groups should all be educated concerning the employment needs of the Work Release program. Since Sgt. Stearns has found limited results from appeals to personnel directors of the five large industries in town, he should appeal to those at the top—the decision makers—who decide policy for the company and are in a unique position to get things done and policies changed to accommodate new ideas and programs. Chances are that contacts with these persons can result not only in more job offerings, but special on-the-job training programs as well.

Another part of Stearn's job assignment involves contact with employers to evaluate each Work Release participant's performance. Stearns is also expected to function as a kind of inspector, making on-the-job calls to employment sites to determine the working conditions and discuss any employer-employee problems. Naturally these are valuable functions and are often essential if prisoners are to be fairly treated by employers. Time should be allotted in which Stearns can make unofficial calls to employers—wearing a business suit, not his official uniform—and discuss the Work Release program and participants on an informal basis. Certainly, if time cannot be arranged for Stearns to do this, arrangements should be made for someone else who is very familiar with the program and with individual prisoners to do so. Another specially trained jail officer or perhaps a specially trained volunteer from a service agency or from the community could function in this capacity. A person trained as a probation officer would be especially capable of effectively performing this valuable function.

Stearn's annoyance at citizens of the community seeking "slave labor" from Work Release prisoners should alert either Stearns or the jail administrator to the necessity for educating the community about the purposes and goals of the Work Release program. Again, pamphlets, releases to news media and public speaking engagements are all ways in which the jail's story can be told. Isolation from the community encourages misunderstandings and contributes to program failure.

Stearn's inability or reluctance to enforce the drinking regulation is symptomatic of several larger program flaws. For instance:

- . There is apparently no guidance or counseling service available to insure that prisoners with drinking problems are not employed at jobs which present a strong temptation to reinforce their drinking habit. Development of guidance and counseling services is essential not only for Work Release prisoners with drinking problems, but for all participants. Obviously, the mere fact of employment is not enough to insure that prisoners will no longer commit punishable offenses; many of these people need psychological counseling as a means of dealing with some of their personal problems.
- . Work Release staff is so short-handed and employers so ill-informed concerning the purposes of the Work Release program that there is no combined effort to supervise and direct prisoners with jobs as a means of encouraging steady and responsible work habits. It is essential that Stearns and his staff seek a solution to this problem. Certainly there should be some qualified person in the jail who is responsible for working with employers and informing them of the supervisory needs of the Work Release participants who they have employed. By closely working with employers and maintaining regular communication with them, much can be done to evaluate each individual participant's work performance and to correct undesirable behavior before it is too late.
- . The court's objective for Work Release and the jail's objective are somewhat in conflict. Stearns firmly believes that only careful selection of participants with community ties will make the Work Release effort worthwhile. However, he is forced to accept the court's ruling that as many prisoners as possible be assigned to Work Release. And we have seen that, among others, this type of ruling is injurious to his ability to enforce Work Release rules for fear of forcing participants out of work and depriving the county of its allotted revenues. Some education of

the court may be in order. If the jail administrator or Stearns were to make a concentrated effort to inform the court of the jail's problems concerning implementation of Work Release programs, and if this person were to make suggestions for substantial improvements of the system, there is little doubt that greater court-jail cooperation will follow. As mentioned earlier in the chapter, an excellent idea would be appointment of a Work Release screening committee to evaluate prisoners before they are sentenced and recommend whether or not assignment to the Work Release program would be mutually advisable. If such a screening committee were appointed and used, it is highly likely that the morale and energy of jail Work Release staff would be revitalized and more encouraging results would emerge from the Work Release program.

Information used in illustration of pages 5, 6, and 7,
taken from:

Model Community Correctional Program, Report III. Crime
and Its Correction in San Joaquin County (Sacramento, California:
Inst. for the Study of Crime and Delinquency, N.D.) p. 43,47, 49.

Study quoted on page 47 from:

The Use of Volunteer Probation Counselors for Misdemeanants—
A Special Demonstration Project sponsored by: Law Enforcement
Assistance Administration, U.S. Dept. of Justice, Grant No. 037,
1968.

National survey quoted on page 49 from:

Volunteers Look At Corrections. Report on a survey by Louis
Harris and Associates for the Joint Commission on Correctional
Manpower and Training, Washington, D.C. 1969.

BOOK FOUR:
COMMUNITY RELATIONS

The jail is everyone's concern. You, as a jail administrator, may feel that it is too idealistic to expect the community to become interested in and concerned about the jail and its problems and to recognize and support your attempts to bring change and improvement to the jail. It is true that, historically, the general public has tended to disregard or remain totally unaware of the problems and activities of the jail. You may argue that the public shows concern and interest in the jail only sporadically, when a riot or escape occurs or when a prominent personality is detained there. But ask yourself why this is so. Perhaps you have contributed to the virtual isolation of the jail by failing to promote and maintain a productive relationship between the jail and the community. After all, it is the community which pays for the construction, operation and maintenance of its jail. And it is the community to which jail prisoners--corrected or not--will return upon release. Isn't it time for jail administrators to take the initiative; to educate and inform the community concerning its jail and to do whatever possible to develop and encourage community involvement and interest in the problems of the jail and in the search for solutions?

This chapter is designed as a guideline for jail administrators who realize and are willing to accept their responsibility for devoting time, effort and intelligence to interpreting the jail's role to the public and, in turn informing the public concerning its responsibilities towards the jail. Building sound community relations can be the key to your success as a jail administrator. Read and study this chapter carefully.

It is unfortunate that in most communities, citizens are unaware of the activities of the jail and are largely influenced by the bad things that they see. For instance, the following things are likely to contribute to a negative community attitude toward the jail:

- . An unsanitary or neglected physical plant
- . A poorly behaved and irresponsible jail officer
- . A correctional program with a high percentage of walkaways or drinking incidents
- . Newspaper reports charging that an escape or other jail disturbance was poorly handled
- . A family member or attorney who complains publicly about jail policies concerning visiting and correspondence

Although sometimes justified, it is usually the case that such an attitude is based on superficial and misleading evidence. It is only when people in the community become more fully informed about and interested in the purposes and activities of the jail that a productive and positive relationship between the community and the jail can be reached.

How can such a relationship be developed?

As jail administrator, you must take the important first step; OPEN THE JAIL TO THE COMMUNITY. You must honestly and directly seek community support and understanding by showing people what is wrong with your jail, what is right with it, and how members of the community can and must work to improve the jail. A defensive or apologetic attitude on your part is inappropriate and damaging to the jail's cause. If there is something wrong and if there is something which can be done about it, you must take the offensive by admitting to the presence of problems and placing a portion of responsibility for change and improvement with the community.

Every community consists of groups which hold widely diverging opinions, attitudes and interests. Because this is the case, it is often worthwhile to identify these groups and to seek their support and assistance for the jail by appealing to their particular concerns and interests in speeches, special tours of the jail, printed brochures and news releases.

Suppose you are the administrator of a large county jail and wish to cultivate strong community support for a misdemeanor probation program. The previous administrator was unsuccessful in obtaining support for this program because a prominent politician in the community had made statements to the press criticising the proposed program for being:

- . "Soft on criminals"
- . "A threat to the safety of the community"
- . "An unproven program with no evidence of benefit for the community"

Naturally, in order to make any progress at all in finding support for this program, you must erase this negative impression which is currently held in the community regarding probation. The ideal way of doing this is to single out several of the special interest groups which exist in the community and appeal to their interests while pleading the cause of the program which you support. For instance, you might wish to receive the support of an influential group of local businessmen. What is most likely to be their common interest? Most likely, these people are interested in efficient, economical use of public money. On the following pages is one possible way in which you can seek their support for the probation program.

ARRANGE TO MAKE A SPEECH TO THIS GROUP. And then make sure that your speech appeals directly to the common interest which you identified. For instance, you might discuss specific figures which help to demonstrate to these people that keeping a person in jail can cost as much as 10 to 15 times as much as it would cost to put this person on probation. An example might be:

John Sowers, a prisoner in the county jail, is costing the county \$4.41 per day while he is confined. He will be in the jail for one year, making the cost to the county: \$1,605.24. During this year, since Sowers is unable to work, his family will receive Welfare payments from the county. These payments will be approximately \$250.00 per month for that year, and most likely will continue for longer than a year because it will take Sowers time to find a new job when he is released. The minimum cost to the county will be: \$3,000.00. In all, keeping Sowers in jail will cost the county a minimum of \$4,605.24.

If a probation program were put into effect and Sowers were chosen for participation, the figures would be quite different. Supervision by a probation officer hired by this jail is likely to cost the county approximately \$300.00 per prisoner. While on probation, Sowers would be able to continue working at his present job and his family would not be in need of Welfare support. The saving to the county would be at least \$3,000.00

SUMMARY: If a probation program were in effect, Sowers would cost the county as little as \$300.00. Without the probation program, he will cost the county at least \$4,605.24, making a difference of \$4,305.24! From an economic point of view, it would be extremely difficult to argue, as the politician did, that "the program is unproven, with no evidence of benefit to the community". Couldn't it be argued that tax money can be used in more constructive ways than simply locking up a man for a year and paying for his upkeep and the upkeep of his family as well? It would seem that in this case, the taxpayers of the county will suffer as much as Sowers, if not more.

Find out what the costs are in your jail and in your community. Then use the figures you arrive at to convince the community of your problems and needs.

Economic considerations will not be the only concern of this group. Someone will undoubtedly ask; "But, isn't probation a risk that endangers the community? Won't our families be threatened when dangerous criminals are released into the community?" Questions like these will challenge your ability to argue your case reasonably and honestly. You should be able to cite figures and examples which lend credibility to this statement: when prisoners are carefully screened before being allowed to go on probation and are then supervised closely by a probation officer while in the community, the program can be twice as successful in reducing recidivism as the traditional jail term.*

Demonstrate to these people that you are aware of the community's anxiety and that the program will be carefully controlled to minimize any risks. Explain how the program would be staffed and run by the probation department. For example, you could speak in detail about the success of probation departments in using presentencing reports to give judges accurate, verified information about the background of misdemeanants and to predict the success of probation for each person. You could then follow with a detailed explanation of postsentencing services which provide supervision and surveillance of the offender while he is in the community. You might also point out that use of volunteers from the community to guide and assist persons on probation can do much to influence a probationer's satisfactory adjustment to the community and can also bring a more positive and relaxed attitude toward probationers among members of the community.

* NOTE: Figures and commentary to support this statement can be found in:

Saginaw Probation Project Report, 1963
Michigan Crime and Delinquency Council
Probation Department
Saginaw, Michigan 48605

The Use of Volunteer Probation Counselors For Misdemeanants
Sponsored by: The Law Enforcement Assistance Administration,
Grant No. 037
633 Indiana Avenue N.W.
Washington, D.C. 20530

No matter how effective your talks with groups may be and no matter how interested people appear when taken on a tour of the jail, they will forget much of what you say unless they go away equipped with printed facts and figures. Have information sheets and brochures printed which outline the main points of your argument. Make sure that they receive these printed hand-outs and, most important of all, encourage them to speak to their councilmen or other elected representatives about your proposal. Make sure they know why no probation program exists and why their support can influence decision makers and bring this program and others to the jail for the mutual benefit of jail and community.

Undoubtedly, your community has a number of active church and service organizations. What is most likely to be their common interest? Generally, these groups are concerned with social conditions in the community and seek ways to actively improve these conditions. By concentrating on these concerns, you can gain much support for your probation program. See if you can think of a good way in which you can appeal to the interests of this type of group. Stop now and give it some thought before continuing.

One approach to take when seeking support for the program is described on the next two pages.

ARRANGE TO TAKE PEOPLE FROM THESE GROUPS
ON A SPECIAL TOUR OF THE JAIL.

Point out problems that are relevant to their interests and show them the need for your proposed program in light of these problems. For instance, you might point out that a significant number of prisoners who are now sitting idle in the jail could be eligible for probation. You might explain that, rather than remaining helpless in the jail, these persons could be gainfully employed and living a relatively normal life in the community. Through the opportunity presented by probation, such persons would be given a chance to maintain their self-respect as wage-earners and responsible family members.

You might also be able to cite specific examples which illustrate the negative effects of confinement on persons locked in jails. A favorable point could be made that probation permits the prisoner to adjust to the community while under the supervision and guidance of the probation officer. Whereas, confinement often causes alienation of the offender from the community to which he will eventually return.

When discussing some details of the probation program it might be effective to point out that presentence reports for probation can also be effectively used to implement a "Release on Recognizance" or bail program which you might also wish to start in your jail. If you are holding a significant number of untried persons in jail because they cannot raise bail, you may draw attention to the injustice of such a system which penalizes persons who are poor and favors the affluent. You can effectively explain how, by using law students and other volunteers, you could develop a presentence report approach through which untried persons, considered a safe risk, can be released into the community to await trial regardless of their ability to pay bail fees.

Again, it is important that you supply these people with printed materials which contain the important facts and arguments which you have discussed with them. It is equally important to indicate that their support is vital to your plans for improvement and that by contacting their elected officials and indicating their support, they can strongly influence any future decisions that are made regarding the jail.

Although this discussion has dealt primarily with ways in which to seek support for a jail probation program, the same technique can be used in obtaining support for a number of other jail programs. For instance, you could find support in this manner for Work Release, Educational Release and counseling programs which were discussed in an earlier section: JAIL AND COMMUNITY CORRECTIONS PROGRAMS.

No doubt, many ideas will come to your mind concerning ways in which you can seek community support for the jail by appealing to the concerns of particular citizen groups which you recognize in your own community. For instance, you may wish immediate, tangible results such as donations by service clubs of additional TV sets for the jail or up-to-date and appealing reading matter. Or, as we have discussed, you may wish to develop solid community awareness of and support for jail activities. When issues are raised and criticism is leveled at your suggestions for change, you should be confident that substantial numbers of citizens are educated in the real problems of the jail and are prepared to request, through their elected officials, that the jail be given the attention it needs. It must be assumed that an administrator who does not actively seek this type of support is either lazy or afraid that he has something to hide and cannot open his jail to the scrutiny of the public.

In one community, a series of nationally syndicated newspaper articles concerning state prison conditions in the country caused a group of citizens to become interested in conducting an inspection of the local county jail. The jail administrator agreed to allow such an inspection, and a group of four clergymen was chosen to tour the jail. In their report to the community, the clergymen noted that they were impressed by the cleanliness of the jail but were highly critical of the jail's policy of housing young offenders in the same section as older, more experienced and hardened offenders. They were also critical of the idleness and boredom which was evident among the jail prisoners.

After seeing their report, the administrator designated these clergymen as an advisory committee and authorized them to make frequent, spontaneous trips to the jail to study inmate problems, to observe jail inadequacies and to make recommendations for improvement.

It can be said that this administrator acted in a very positive way and encouraged community involvement in his jail's problems. However, can you think of some ways in which he could have shown more initiative and resourcefulness in taking advantage of this newly-found community concern for the activities of the jail? See if you can formulate an answer before turning the page and reading the commentary.

In the first place, this administrator was too passive. He patiently stood by while the four clergyment found out for themselves what was wrong in the jail. He should have directed their attention to the pressing problems rather than hoping they could discover these things for themselves. He could have immediately pointed to the crowded conditions which have forced him to house young people with older, hardened prisoners and he could have effectively explained to the group what sort of new facilities are needed to eliminate this problem. Or, he might wish to explain to the group that, with community support, he would be able to implement new programs such as Work Release and probation which would dramatically reduce the crowding and idleness which are now evident in the jail. By explaining why such programs are not in use — insufficient budget for new staff, lack of community support, insufficient legislation, etc. — he could give these men some concrete ideas about the community's responsibility to help bring new programs and policies to the jail.

This administrator probably made a mistake by appointing an advisory committee comprised only of clergymen. He would have been wiser to seek broader community representation and include persons from the business and labor sector, the professional sector and from socially concerned agencies or private groups. In this way, he could find wider support in the community for treatment of jail problems and, chances are, wider representation would produce new ideas and new solutions which he had not considered.

Your information and education program may be only one step in establishing a good relationship with the community. If you are planning a program that will in some way affect the community, you must involve members of the community in the planning stages. For instance, if you wish to begin a Work Release program you should seek the cooperation of employee unions and potential employers during the planning stages of the program. If you do not involve these people in this early stage, you are likely to meet with reluctance and even hostility when your program is begun.

In one community, the sheriff in charge of the jail arranged with the city council to rent a city-owned house where Work Release participants would live. These prisoners had been living in the jail under crowded conditions and the sheriff had determined that conditions would be considerably improved if Work Releasees lived elsewhere in the city under supervision.

Plans went smoothly until the day that the move was taking place. A number of neighborhood residents became aware of the large number of beds being carried into the house and word quickly spread that a group of "criminals" was moving in. Neighbors hastily agreed that:

- . their property values would plunge disasterously
- . they and their children would be molested and harrassed by "criminals"
- . the appearance and condition of the house and property would deteriorate rapidly and detract from the overall appearance of the neighborhood

RESULT: A neighborhood group, headed by an attorney threatened legal action against the city and managed to force the sheriff to abandon his plans for using the house.

It is possible that this neighborhood opposition and the eventual cancellation of the project could have been avoided. How do you think the sheriff should have handled plans for the Work Release dormitory? See if you can formulate an answer before reading the commentary on the next page.

The sheriff should have included residents of the neighborhood in every step of the planning process. By suddenly confronting them with the accomplished fact, the sheriff was certain to meet with angry and strong opposition to the project. But if he had consulted residents from the beginning, answered their questions concerning the project, and cooperated with them by incorporating their suggestions in his plans, chances are that the project would now be in existence. In his early contacts with residents the sheriff could have:

- . Explained the proposed Work Release program and the reasons for housing participants away from the jail.
- . Explained that persons chosen to participate in Work Release are not "dangerous criminals" and are usually in jail for misdemeanors which have not endangered other people.
- . Explained that jail supervisory personnel would be assigned to the Work Release house and participants would be obliged to comply with a number of regulations or would be excluded from the program on the recommendation of staff members.
- . Explained that the house would be carefully maintained and that no signs, bars or unsightly fences would be installed that would mar the appearance of the house or neighborhood.

There is no guarantee that the plan for the house would be accepted and approved even if neighbors are included in the initial planning stages. However, the chances for acceptance are far greater than those of a plan which is suddenly thrust upon the community and has not been developed through the cooperation of the community and the program planners.

The news media have an important responsibility to keep the community fully informed about how its government is functioning. Interpretation of events and policies by news publications, television, and radio greatly influences public opinion. For this reason, it is essential that the activities, programs and problems of the jail are openly and intelligently presented to the news media. The ability of a jail administrator to use the press constructively can be a major factor in educating the community.

It is not enough for a jail administrator to periodically distribute printed pamphlets to the news media and it is wrong for him to deny newsmen--and ultimately, the public--information about the jail; its activities and its problems. It is important for the administrator to develop a working relationship with the news media in which he demonstrates his willingness to inform the community about the jail and speak truthfully about its problems. At the same time - especially during emergencies or events of particular public interest - the jail administrator must be capable of keeping the movements and actions of newsmen under control so that the rights of prisoners are scrupulously maintained and preserved.

On the following pages are a number of discussions designed to aid the administrator in developing and maintaining a good relationship with news media that will serve the jail and community well, not only in routine encounters, but also in crisis situations.

When working with the news media it is important for the jail administrator to follow these general guidelines:

GIVE ACCURATE INFORMATION: provide newsmen with printed facts and figures to support your remarks--this will reduce the possibility of error or misunderstanding.

AVOID TECHNICAL LANGUAGE: explain all words and phrases which are relatively unknown outside of correctional circles. The news media or the public might misinterpret these terms and misunderstand an important point.

DO NOT FAVOR ONE MEDIUM OVER ANOTHER OR ONE REPORTER OVER ANOTHER: release information or statements to all interested news media at the same time.

AVOID HOSTILITY AND FEUDS WITH NEWS MEDIA: if significant errors appear in the news reports call them to the attention of those who made them and request that they be corrected. Feuding with news media or reporters can be extremely damaging to the jail's cause.

MAKE SURE THAT IN ALL CONTACTS WITH NEWS MEDIA, PRISONERS RIGHTS TO SAFEKEEPING AND A FAIR TRIAL ARE NOT JEOPARDIZED BY ACTIVITIES OF NEWS MEDIA REPRESENTATIVES: permitting free reign to newsmen for fear of being criticised by them is dangerous and irresponsible especially in times of emergency or unusual stress.

An interesting case study of how news media can be effectively used by jail administrators in seeking improvements for the jail is shown below:

After being newly elected, sheriff Frederick Jeppert, quickly found that medical treatment facilities in the Stone County jail were shockingly inadequate. Limited by the county budget which allows only \$1,200.00 per year for professional medical care for prisoners, Jeppert's predecessor had only been able to gather together a meager medical staff consisting of one part-time physician, one part-time nurse and a part-time dentist. The limited time given by these professional people was woefully inadequate considering that the daily jail population averages 500 or more! The former sheriff had been afraid to make a public issue of this situation, fearing that the press would blame him and not the inadequate funding, for the situation.

Jeppert moved quickly. Soliciting the support of his chief deputy, who had also served under the former sheriff, he presented his case by telling newsmen of an incident which had recently occurred in the jail. Six tuberculosis patients had been confined in the jail at one time. Because the jail had no isolation ward, these prisoners were placed in the infirmary where they were in contact with other prisoners. When asked why these patients had not been moved to the county hospital or TB institution, Jeppert replied: "Neither of these institutions would accept the prisoners since they do not have adequate security quarters and are understandably reluctant to take on the responsibility of keeping prisoners. We are obliged, by law, to keep these prisoners under custody; we don't have the ability to pick and choose." The chief deputy added: "There have been times in which we have had both hepatitis patients and TB patients at the same time. When this has happened, we have been in the position of having to choose the lesser of two evils; we have confined the hepatitis patients to the infirmary and placed the TB patients in the cell blocks with the other prisoners." Jeppert supplied the press with the pertinent facts and figures, underscoring the meager medical allowance allowed for the jail, the inadequate medical facilities and the large size of the jail population. At the same time, he suggested several positive approaches to the problem.

The local press promptly responded to Jeppert's statements. Editorially, the press pointed out that the existing system placed other prisoners and jail officers in danger of infection and pointed to the responsibility of the community to see that conditions such as these are eliminated. Echoing Jeppert's suggestions, the press called for community action to provide:

1. A more adequate medical staff for the large jail population.
2. A more realistic budget to provide for the medical needs of the large jail population.
3. A medical isolation facility with security either at the jail or at the county hospital.

RESULT: Members of the community responded sympathetically to Jeppert's predicament. Groups of citizens requested action on the part of county officials and soon thereafter, a group of representatives was formed to work with the sheriff and determine what course the county should take to correct the situation.

In the previous example , you saw how a resourceful jail administrator was able to effectively initiate change and improvement for the jail through the news media. This sheriff did not wait until a grand jury or a special investigating team became interested in his jail and voiced criticism publicly. He took the initiative for seeking change. Too many administrators overlook the positive contributions which they can make through the press simply because they fear public criticism or because they fail to realize that they themselves can wait for an escape or a notorious prisoner to bring the attention of the press to your jail. Consider the actions of the following administrator:

Sheriff Carl Oakes, administrator of a large county jail, called in representatives of the news media and suggested a new arrangement which could be initiated between the city and the county for the use of the county jail. He pointed out that the state paid the county jail \$2.50 a day for each person confined there on a felony charge plus a jailer fee of \$1.75 for each prisoner admitted. He emphasized that the state did not pay for the confinement of such prisoners in municipal jails and suggested that he would be willing to cooperate with the city by holding all prisoners charged with felonies in his jail. According to his calculations, this would result in a saving of \$15,000 to \$18,000 per year for the city and would cut the current operating loss at the county jail considerably. At the same time Oaks took the opportunity to criticize the fee system used by the jurisdiction — and by many jurisdictions in the country — and found support for his ideas in the press. One editorial summed up his remarks in the following manner:

The arrangement appears to be the best that could be devised under the circumstances, and Sheriff Oakes is to be congratulated. However, the circumstances are far from ideal. There is something wrong with a system that puts a premium on maintaining a large county jail population. Certainly this is not the fault of Sheriff Oakes, but of the fee system with which he must cope.

Which of the following statements do you consider correct?:

- ☐ 1. Both Sheriff Jeppert and Sheriff Oakes used clever public relations gimmicks to seek the support of the press and the community.
- ☐ 2. Both Jeppert and Oakes took the initiative and obtained the support of the news media by speaking honestly about problems and suggesting improvements to be considered by the community.
- ☐ 3. Both Jeppert and Oakes narrowly avoided scandal by wisely calling in the press before the press discovered the problems of their jails and exposed them to public criticism.

turn page to check your answer

Answer: 2 is the correct answer.

Both Jeppert and Oakes took the initiative and obtained the support of the news media by speaking honestly about problems and suggesting improvements to be considered by the community.

Up to this point, the discussion has focused on ways in which the jail administrator can actively develop good relations with the news media and initiate public support for change and improvement. Another inevitable function of the jail administrator is:

COMMUNICATING WITH AND CONTROLLING
THE NEWS MEDIA IN TIMES OF EMERGENCY
OR UNFORESEEN CIRCUMSTANCE.

It is after an escape or riot, or during the early stages of incarceration of a notorious person that the jail administrator's ability to handle the press is most severely tested. At times like these the administrator must closely follow the guidelines that were discussed on page 14. See if you can list the five guidelines to be followed when dealing with news media:

1. _____

2. _____

3. _____

4. _____

5. _____

In one community, a number of grand juries had emphasized the need for a new jail. The findings had been supported by a number of public officials and the press. However, no significant action had been taken to correct the situation and the jail's physical defects continued to remain dangerously evident.

In one year, three breakouts had occurred and each time the same escape route was followed by the escapees. In each case, prisoners had used a second-floor window as an exit and had crawled across the adjoining carpentry shop roof to freedom. After each escape, the bars of the second-story window had been welded back together and the protective screen had been repaired, but no other protective precautions had been taken.

When a fourth escape occurred, it became front-page news because the escapees were dangerous. They had managed to escape from maximum security cells that were located on the first floor of the jail. One reporter made a tour of the escape route and concluded in a published article that the two latest escapees either unlocked -- or had unlocked for them -- the padlocks on their cell door, a door to the enclosed walkway outside their cells, a door at the end of the stairs leading to the second floor, and, finally, the window that shielded the barred enclosure through which they crawled after sawing the bars.

Newsmen first interviewed the sheriff who stated: "A guard must have let them out. Those locks were unpickable." The Captain, who was the jail administrator, was then interviewed and said: "No lock is unpickable." He went on to add that there was a possibility that the escapees had received "inside encouragement". He also mentioned that he had considered that the bars had been welded adequately and were secure. At the same time he noted that after the third escape, three months earlier, he had planned to have a maze of barbed wire installed on the carpentry shop roof to prevent any escapes by that route.

Newspaper reports which followed these interviews were highly critical of the sheriff and captain. They focused largely on the "incompetence of the jail administrator and staff" and avoided references to the poor physical condition of the jail which the grand juries had specifically attacked.

Can you think of several things that the captain and the sheriff said which might have contributed to this criticism in the press?

Write down the various ways in which you think the two could have more constructively used and conducted their interviews with the press. (use the space below to write down your ideas)

At the outset, these two men encouraged the criticism of the press by making contradictory statements. By publicly disagreeing on the question of whether or not the locks were "pickable", the two gave the impression that dis-sension and lack of coordination existed and hindered proper administration of the jail. Likewise, the jail administrator's comment that he "thought" the bars were secure after the welding and that he had "planned" to install barbed wire on the carpentry shop roof left the impression of slipshod administration. It is also notable that, although both men left the impression that they believed a jail officer had assisted in the escape, neither one announced that they would conduct a full-scale investigation of the guard force.

Both of these men, if they had taken the time to agree on their remarks to the press, could have made a strong case which would have placed an equal portion of blame for the escape of the community. They could have cited the findings of the grand jury investigations which had declared the jail unsafe and outmoded and had found the budget inadequate for staffing an efficient guard force. Naturally, it would be irresponsible for these men to deny all blame for the escapes and place full blame on others for what had happened. But there is ample proof that they were forced to run the jail under adverse conditions which had repeatedly been brought to the attention of the public. The escapes might well have been inevitable in light of this; and the public should be held partially accountable for neglect of their responsibility.

It is inevitable that, at some point in every jail administrator's career, a sensational event will occur and a notorious person being held in the jail will be avidly sought for interviews and questioning by the press. Since this possibility exists, every jail administrator in the country has an important responsibility to analyze his duties with regard to the press and balance them against his primary responsibility to ensure the safekeeping of his prisoners and to protect each prisoner's right to privacy and a fair trial. Many unfortunate and even tragic incidents have resulted when jail administrators have failed to see clearly their responsibilities to their prisoners and have allowed the demands of news media to overshadow all other considerations. Whenever the press seeks information inside a jail concerning one of its prisoners, it is the jail administrator who bears the responsibility for controlling the activities and interrogations of the press. This responsibility becomes evident in a decision handed down by the Appellate Division of the New York Supreme Court:

People are not arrested to provide news stories or telecasts. They are arrested to be brought to justice. Any police conduct that prevents a fair trial could allow the guilty to escape conviction. Good public relations have their importance but being on good terms with the press at the expense of a scrupulous performance of the department's functions is hardly commendable.

The desire on the part of the jail administrator to cooperate with the news media because he fears public criticism or because he has a misguided notion of the extent to which the press may invade his jail, can lead to unfortunate and even tragic results. Lee Harvey Oswald's murder while in police custody provides an excellent case study of what can happen when a jail administrator is not able or willing to control the news media. This case will be discussed on the next few pages.

When you have finished reading the case study, you will be asked to make suggestions for ways in which the situation in the Dallas City Jail could have been kept under control by the jail administrator. While you are reading, it might be a good idea to jot down notes which will help you write an answer.

Officials of the Dallas Police Department, which houses the city jail where Lee Harvey Oswald was held following his arrest for the murder of President Kennedy, placed a high priority on cooperation with representatives of the news media. A General Order concerning relations with the press had been in effect for a number of years. It stated:

[It is the policy] that members of this Department render every assistance, except such as obviously may seriously hinder or delay the proper functioning of the Department, to the accredited members of the official news-gathering agencies and this includes newspaper [reporters], television cameramen, and newsreel photographers.

In order to erase any doubt as to the meaning of this statement, Police Chief Curry clarified the General Order in this manner:

The General Order covering this subject is not merely permissive. It does not state that the officer may, if he so chooses, assist the press. It rather places on him a responsibility to lend active assistance.

... Implied in the General Order is a prohibition for the Officer to improperly attempt to interfere with the news media representative, who is functioning in his capacity as such. Such activity on the part of any Police Officer is regarded by the press as an infringement of rights, and the Department shares this view.

Chief Curry had made the policy clear. He wanted his men to cooperate fully with the press. In fact, he opened the way to over-concern with the rights of the press and submergence of the rights of the prisoner to safety and a fair trial.

The Warren Commission Report re-creates the chaotic and dangerous situation which reigned in the Dallas Police Department when newspaper, radio and television reporters were allowed free access to the 3rd floor where Oswald was being held and were allowed to freely question both the prisoner and anyone else who was present on the third floor. The following are small portions from the report which describe the scene: (footnotes have been omitted from these excerpts).

Felix McKnight, editor of the Dallas Times-Herald, who handled press arrangements for the President's visit, estimated that within 24 hours of the assassination more than 300 representatives of news media were in Dallas, including correspondents from foreign newspapers and press associations. District Attorney Henry M. Wade thought that the crowd in the third floor hallway itself may have numbered as many as 300. Most estimates, including those based on examination of video tapes, place upwards of 100 newsmen and cameramen in the third floor corridor of the police department by the evening of November 22.

In the words of an FBI agent who was present, the conditions at the police station were "not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the World Series games.... In the lobby of the third floor, television cameramen set up two large cameras and floodlights in strategic positions that gave them a sweep of the corridor in either direction. Technicians stretched their television cables into and out of offices, running some of them out of the windows of a deputy chief's office and down the side of the building. Men with newsreel cameras, still cameras, and microphones, more mobile than the television cameramen, moved back and forth seeking information and opportunities for interviews. Newsmen wandered into the offices of other bureaus located on the third floor, sat on desks, and used police telephones; indeed, one reporter admits hiding a telephone behind a desk so that he would have exclusive access to it if something developed.

By the time Chief Curry returned to the building in the middle of the afternoon from Love Field where he had escorted President Johnson from Parkland Hospital, he found that "there was just pandemonium on the third floor." The news representatives, he testified:

...were jammed into the north hall of the third floor, which are the offices of the criminal investigation division. The television trucks, there were several of them around the city hall. I went into my administrative offices, I saw cables coming through the administrative assistant office and through the deputy chief of traffic through his office, and running through the hall they had a live TV set up on the third floor, and it was bedlam of confusion.

According to Special Agent Winston G. Lawson of the Secret Service:

At least by 6 or 7 o'clock...[the reporters and cameramen] were quite in evidence up and down the corridors, cameras on the tripods, the sound equipment, people with still cameras, motion picture-type hand cameras, all kinds of people with tape recorders, and they were trying to interview people, anybody that belonged in police headquarters that might know anything about Oswald....

(pp. 201-202)

A witness who was escorted into the homicide offices on Saturday afternoon related that he

tried to get by the reporters, stepping over television cables and you couldn't hardly get by, they would grab you and wanted to know what you were doing down here, even with the detectives one in front and one behind you.

The television cameras continued to record the scene on the third floor as soon as the newsmen kept vigil through the night.

Such police efforts as there were to control the newsmen were unavailing. Capt. Glen D. King, administrative assistant to Chief Curry, witnessed efforts to clear an aisle through the hallway, but related that "this was a constant battle because of the number of newsmen who were there. They would move back into the aisleway that had been cleared. They interfered with the movement of people who had to be there." According to one detective, "they would be asked to stand back and stay back but it wouldn't do much good, and they would rush forward and you had to hold them off physically." The detective recalled that on one occasion when he was escorting a witness through the corridor he "stopped ...

and looked down and there was a joker had a camera struck between ... [his] legs taking pictures...." Forrest V. Sorrels of the Secret Service had the impression that the "press and the television people just ... took over."

Police officers on the third floor testified that they carefully checked all persons for credentials, and most newsmen indicated that after Batchelor imposed security they were required to identify themselves by their press cards. Special Agent Sorrels of the Secret Service stated that he was requested to present credentials on some of his visits to the third floor. However, other newsmen apparently went unchallenged during the entire period before Oswald was killed, although some of them were wearing press badges on their lapels and some may have been known to the police officers.

According to some reporters and policemen, people who appeared to be unauthorized were present on the third floor after security procedures were instituted, and video tapes seem to confirm this observation. Jack Ruby was present on the third floor on Friday night. Assistant Chief of Police N. T. Fisher testified that even on Saturday "anybody could come up with a plausible reason for going to one of the third floor bureaus and was able to get in."

(p. 204)

As the confusion increased, reporters harrassed Oswald as well as police officers and some important security procedures were by-passed in order to accommodate the demands of reporters:

On most occasions, Oswald's escort of three to six detectives and policemen had to push their way through the newsmen who sought to surround them. Although the Dallas press normally did not take pictures of a prisoner without first obtaining permission of the police, who generally asked the prisoner, this practice was not followed by any of the newsmen with Oswald. Generally when Oswald appeared the newsmen turned their cameras on him, thrust microphones at his face, and shouted questions at him. Sometimes he answered. Reporters in the forefront of the throng would repeat his answers for the benefit of those behind them who could not hear. On Saturday, however in response to police admonitions, the reporters exercised more restraint and shouted fewer questions at Oswald when he passed through the corridor.

Oswald's most prolonged exposure occurred at the mid-night press conference on Friday night. In response to demands of newsmen, District Attorney Wade, after consulting with Chief Curry and Captain Fritz, had announced shortly before midnight that Oswald would appear at a press conference in the basement assembly room. An estimated 70 to 100 people, including Jack Ruby, and other unauthorized persons, crowded into the small downstairs room. No identification was required. The room was so packed that Deputy Chief M.W. Stevenson and Captain Fritz who came down to the basement after the crowd had assembled could not get in and were forced to remain in the doorway.

Oswald was brought into the room shortly after midnight. Curry had instructed policemen not to permit newsmen to touch Oswald or get close to him, but no steps were taken to shield Oswald from the crowd. Captain Fritz had asked that Oswald be placed on the platform used for lineups so that he could be more easily removed "if anything happened." Chief Curry, however, insisted that Oswald stand on the floor in front of the stage, where he was also in front of the one-way nylon-cloth screen customarily used to prevent a suspect from seeing those present in the room. This was done because cameramen had told Curry that their cameras would not photograph well through the screen.

Curry had instructed the reporters that they were not to "ask any questions and try to interview ...[Oswald] in any way," but when he was brought into the room, "immediately they began to shoot questions at him and shove microphones into his face." It was difficult to hear Oswald's answers above the uproar. Cameramen stood on the tables to take pictures and others pushed forward to get closeups. The noise and confusion mounted as reporters shouted at each other to get out of the way and cameramen made frantic efforts to get into position for pictures. After Oswald had been in the room only a few minutes, Chief Curry intervened and directed that Oswald be taken back to the jail because, he testified, the newsmen "tried to overrun him."

(pp. 206-207)

...by constantly pursuing public officials, the news representatives placed an insistent pressure upon them to disclose information. And this pressure was not without effect, since the police attitude toward the press was affected by the desire to maintain satisfactory relations with the news representatives and to create a favorable image of themselves. Chief Curry frankly told the Commission that

I didn't order them out of the building, which if I had it to do over I would. In the past like I say, we had always maintained very good relations with our press, and they had always respected us....

Curry refused Fritz' request to put Oswald behind the screen in the assembly room at the Friday night press conference because this might have hindered the taking of pictures. Curry's subordinates had the impression that an unannounced transfer of Oswald to the county jail was unacceptable because Curry did not want to disappoint the newsmen; he had promised that they could witness the transfer. It seemed clear enough that any attempt to exclude the press from the building or to place limits on the information disclosed to them would have been resented and disputed by the newsmen, who were constantly and aggressively demanding all possible information about anything related to the assassination.

Although the Commission has found no corroboration in the video and audio tapes, police officials recall that one or two representatives of the press reinforced their demands to see Oswald by suggesting that the police had been guilty of brutalizing him. They intimated that unless they were given the opportunity to see him, these suggestions would be passed on to the public. Captain King testified that he had been told that

A short time after Oswald's arrest one newsmen held up a photograph and said, "This is what the man charged with the assassination of the President looks like. Or at least this is what he did look like. We don't know what he looks like after an hour in the custody of the Dallas Police Department."

City Manager Elgin Crull stated that when he visited Chief Curry in his office on the morning of November 23, Curry told him that he "felt it was necessary to cooperate with the news media representatives, in order to avoid being accused of using Gestapo tactics in connection with the handling of Oswald." Crull agreed with Curry.

(p. 241)

The Commission points out that some special security precautions were taken to protect Oswald, especially during his planned transfer to the county jail. These precautions were the direct result of a telephone call in which Oswald's life had been threatened. It is unfortunate, however, that the security precautions did not include proper control of the crowd of newsmen. It was this oversight which enabled Jack Ruby to enter the area where Oswald was being moved and shoot him at close range.

The assembly of more than 70 police officers, some of them armed with tear gas, and the contemplated use of an armored truck, appear to have been designed primarily to repel an attempt of a mob to seize the prisoner.

(p. 227)

A more balanced appraisal would have given thought to protection against any attack. For example, the acceptance of inadequate press credentials posed a clear avenue for a one-man assault. The likelihood of an unauthorized person obtaining entry by such means is confirmed not alone by the fact that Jack Ruby managed to get by a guard at one entrance. Several newsmen related that their credentials were not checked as they entered the basement Sunday morning. Seconds before Oswald was shot, the double doors from the hallway next to the jail office afforded a means of entry to the basement without presentation of credentials earlier demanded of newsmen.

The swarm of newspeople in the basement also substantially limited the ability of the police to detect an unauthorized person once he had entered the basement. While Jack Ruby might have been easily spotted if only police officers had been in the basement, he remained apparently unnoticed in the crowd of newsmen until he lunged forward toward Oswald. The near-blinding television and motion picture lights which were allowed to shine upon the escort party further increased the difficulty of observing unusual movements in the basement.

(p. 227)

Also, continuous television and radio coverage of the activities in the basement might have resulted in compromise of the transfer operation.
(pp. 227-28)

In commenting on these events, the Report explained:

These risks to Oswald's safety, growing in part out of adherence to the general policy of the police department, were also created for other reasons. Many members of the police department believed that the extraordinary public attention aroused by the tragic death of President Kennedy obliged them to make special efforts to accommodate the press. Captain King carefully articulated one reason why the newsmen were permitted

...to remain in the hallways, ...to view the investigation and to keep in constant touch with progress of the investigation.

We realized that if we arrested a suspect, that if we brought him into the police station and then conducted all of our investigations behind closed doors, that if we gave no reports on the progress of our investigation and did not permit the newsmen to see the suspect--if we excluded them from it--we would leave ourselves open not only to criticisms that we were fabricating a suspect and were attempting to pin something on someone, but even more importantly, we would cause people to lose faith in our fairness and, through losing faith in our fairness, to lose faith to a certain extent in the processes of law.

We felt it was mandatory that as many people knew about it as possible. We knew, too, that if we did exclude the newsmen, we would be leaving ourselves open to a charge that we were using improper action, duress, physical abuse, all of these things.

(228)

Not only did the police department make all possible efforts to accommodate the press by allowing them into the building, the department also did everything possible to keep the press informed about the investigation they were conducting. According to the Warren Report:

Most of the information was disclosed through informal oral statements or answers to questions at impromptu and clamorous press conferences in the third floor corridor. Written press releases were not employed. The ambulatory press conference became a familiar sight during these days. Whenever Curry or other officials appeared in the hallway, newsmen surrounded them, asked questions and requested statements. Usually, the officials complied (231-233).

Police Chief Curry made a number of informal statements concerning the investigation and gave reporters informal progress reports in which much of his information was incorrect or hearsay evidence against Oswald. Reporters followed members of the police department around and continually asked for, and received, details of the case. Naturally, many of these details later proved to be incorrect. While the press pursued this policy, a number of public officials were quoted as being "certain" of Oswald's guilt. In fact, District Attorney Wade, although he was aware that there was a growing "concern among lawyers about the effects of the unlimited disclosures" (235) nevertheless held a press conference which the Warren Report describes in the following manner:

Wade nonetheless proceeded to hold a lengthy formal press conference that evening in which he attempted to list all of the evidence that had been accumulated at that point tending to establish Oswald as the assassin of President Kennedy. Unfortunately, at that time, as he subsequently testified, he lacked a thorough grasp of the evidence and made a number of errors. He stated that Oswald had told a woman on a bus that the President had been killed, an error apparently caused by the busdriver having confused Oswald with another passenger who was on the bus after Oswald had left. Wade also repeated the error about Oswald's having a map marked with the route of the motorcade. He told reporters that Oswald's description and name "went out by the police to look for him." The police never mentioned Oswald's name in their broadcast descriptions before his arrest. (236)

The Warren Commission was highly critical of these disclosures by responsible public officials and stated the following:

A fundamental objection to the news policy pursued by the Dallas police, however, is the extent to which it endangered Oswald's constitutional right to a trial by an impartial jury. Because of the nature of the crime, the widespread attention which is necessarily received, and the intense public feelings which it aroused, it would have been a most difficult task to select an unprejudiced jury, either in Dallas or elsewhere. But the difficulty was markedly increased by the divulgence of the specific items of evidence with which the police linked Oswald to the two killings. The disclosure of evidence encouraged the public, from which a jury would ultimately be impaneled, to prejudge the very question that would be raised at trial. (238)

Moreover, rules of law might have prevented the prosecution from presenting portions of this evidence to the jury. For example, though expressly recognizing that Oswald's wife could not be compelled to testify against him, District Attorney Wade revealed to the Nation that Marina Oswald had affirmed her husband's ownership of a rifle like that found on the sixth floor of the Texas School Book Depository. Curry stated that Oswald had refused to take a lie detector test, although such a statement would have been inadmissible in a trial. The exclusion of such evidence, however, already familiar with the same facts from previous television or newspaper reports. Wade might have influenced prospective jurors by his mistaken statement that the paraffin test showed that Oswald had fired a gun. The tests merely showed that he had fired either a rifle or a pistol. (238-39)

In its findings, the Warren Commission placed some of the responsibility for the tragic circumstances which arose following President Kennedy's death on the representatives of the news media who had caused confusion and by their actions, had sufficiently clouded Oswald's ability to receive a fair trial. However, the Commission is much stronger in its statement concerning the activities of the Dallas Police Department:

While appreciating the heavy and unique pressures with which the Dallas Police Department was confronted by reason of the assassination of President Kennedy, primary responsibility for having failed to control the press and to check the flow of undigested evidence to the public must be borne by the police department. It was the only agency that could have established orderly and sound operating procedures to control the multitude of newsmen gathered in the police building after the assassination (240).

The Commission, therefore, put forth the following recommendation:

The Commission recommends that the representatives of the bar, law enforcement associations, and the news media work together to establish ethical standards concerning the collection and presentation of information to the public so that there will be no interference with pending criminal investigations, court proceedings, or the right of individuals to a fair trial. (27)

It would be worthwhile for every jail administrator in the country to think about the Oswald case and to consider how the unfortunate events surrounding the case could have been avoided. See if you can outline several suggestions for ways in which Police Chief Curry might have controlled the situation in his jail. You may wish to re-read the case study, using your notes to outline your answer.

Commentary:

No jail is large enough to accommodate the onslaughts of large numbers of reporters. As suggested in the guidelines on page 14, it would be improper for a jail administrator to favor one news medium over another or one reporter over another in an attempt to limit the number of news personnel in the jail. Doing so would naturally bring charges of favoritism and "news management" from the press. It is obvious that Chief Curry was anxious to avoid any criticism from the press, so he let all the representatives into the jail and the result was chaos. What he could have done was this: he could have allowed the reporters to choose one or two representatives from among themselves to observe the prisoner, conduct a special interview, and then report all the details of what they saw and heard to the rest of the reporters. If the reporters were unable to choose such a representative, Curry would be justified in singling out the representatives from the wire services (Associated Press, United Press International) to get the story. This system is one which reporters are often required to follow, and they are willing to comply with it when they realize that they will not be able to pressure a jail administrator into allowing them all into the jail.

Certainly Chief Curry paved the way for trouble when he issued the statement in which he interpreted the General Order for his men. In his clarification of the order, he left little doubt that he wanted his men to cooperate at all costs with newsmen. He stated that each police officer has "... a responsibility to lend active assistance" to the press. It is apparent, however, that Curry had not emphasized that, although the press has a right to know about the activities of the Department, it should not be allowed to pursue its rights to the detriment of the rights of the prisoner. Certainly, in this case, the rights of Lee Harvey Oswald were seriously infringed and, as the Warren Commission stated, Curry's accommodation of the press "endangered Oswald's constitutional right to a trial by an impartial jury."

In his testimony, Chief Curry stated, "I didn't order them (the reporters) out of the building, which if I had it to do over I would. In the past like I say, we had always maintained very good relations with our press, and they had always respected us." It is apparent that Chief Curry held certain misconceptions concerning the ways in which he could obtain the respect of the press. It is apparent that Curry was seriously bothered by scattered remarks of the press in which reporters sought interviews with Oswald by intimating that he was being hidden from them to avoid discovery of police brutality. Stunned by such accusations and fearful of being accused of "Gestapo tactics in connection with the handling of Oswald", Curry took pains to expose the prisoner to repeated meetings with the press. Certainly it would have been possible, as the Commission suggests, to select representatives from the prisoner's family, or respected members from the community to visit the prisoner and then report to the press on the condition of the prisoner. Or, it could have been possible to allow the two selected representatives of the press to view the prisoner and then report on his condition to the waiting press. Certainly it was not necessary for Curry to allay all irresponsible accusations of the press by allowing several hundred reporters and cameramen to observe the prisoner and conclude that he had not been abused by the police.

Perhaps it would be possible to excuse Curry's mistakes and inability to handle the press on the grounds that he was faced with a national emergency -- the assassination of a President. However, is it possible to rationalize, or make excuses for, his informal and careless statements to the press regarding the details of the case against Oswald? He and a number of other public officials clearly lost sight of their responsibility to Oswald; to ensure his right to a fair and impartial trial. If Curry and other officials had taken the time and effort to prepare written press releases, it is likely that the inaccuracies and confusion of the informal press conferences would not have occurred. Although the press -- and, through them, the public -- had a right to know of the apprehension of Oswald and the presence of evidence against him which was sufficient to make him a suspect in the murder of President Kennedy, it did not have the right to know of the details of the evidence against Oswald. Clearly, Curry and other officials involved at the time lost sight of the importance of preserving Oswald's rights above all other considerations.

Chief Curry has met with much criticism regarding his decision to transfer Oswald to the county jail in full public view. Naturally, most jail administrators would agree that he showed poor judgement in this matter. But, even more important than this was the poor judgement shown by the Chief in allowing the press, with all the accompanying disturbances of lights, cameras and sound equipment, to witness the transfer. The Commission points to inability of the escort party to detect sudden movements in the crowd while being blinded by television lights. It also points out that, while Curry had increased security procedures to effect the transfer, he had not limited the activities of the press and had, therefore, opened the possibility of unauthorized persons entering the area and attacking the prisoner. Jack Ruby seized just such an opportunity.

In summary, it must be said that catering to the news media and allowing full coverage of the handling of a prisoner is dangerous and unfair to the prisoner and can act as a serious obstacle to the working of the judicial system. While the public's right to know what is going on in the jail is not open to dispute, it becomes a matter of dispute when these rights are given precedence over the individual's rights to a fair trial and the efficient and impartial administration of justice.

Use the Dallas experience as a basis for improving your own policies concerning handling of news media representatives. First decide whether your present policy is inadequate in any way and then write down improved procedures which can be used to overcome present or potential problems.

All quotations used in case study were found in:

Report of The President's Commission on The
Assassination of President Kennedy.

United States Printing Office, Washington, D. C., 1964.

(page references are found after each quotation given)

BOOK FIVE:
LEGAL PROBLEMS

Lawful incarceration must, of necessity, withdraw or limit many of the individual rights to which the average person is entitled. Most basic of these is the right to personal liberty. However, increasing concern for the rights of offenders has changed the concept of what restrictions and conditions may be appropriately placed on persons who are in pretrial detention or serving terms of imprisonment. No longer can institutional authorities do whatever they wish without fear of criticism, censure, or judicial intervention, because the courts no longer ignore prisoners' complaints. Similarly, jailers are no longer given unbridled discretion in dealing with prisoners assigned to their care and are, in fact, professionally committed to giving prisoners their rights under the law.

Preservation of those rights to which a prisoner is entitled is not only a professional duty for the jail officer and administrator, it is also a matter of self interest. For, in fact, in a growing number of states the doctrine of immunity to civil suits by prisoners is being changed by statute or by court decision. Jail officers and municipalities are no longer immune to charges against them by prisoners who claim that they have been deprived of essential rights. This chapter was developed to inform jail administrators of their legal responsibilities to their prisoners and to serve as a guideline for jail administrators who must make important policy decisions which affect their prisoners.

Essential to any confinement program is the concept that, once a person is in the custody of a sheriff or jailer and is helpless to protect himself, the local government has the responsibility of exercising due care for his safety and general welfare. Traditionally, public officials were protected from lawsuits by the courts which refused to interfere in prison administration. However, it is now true that when courts see that a specific legal obligation has been allegedly violated, they often agree to consider the prisoner's complaint.

According to the courts, the jailer's legal obligation to look after the general welfare of all prisoners includes the following important functions:

- . protection of the prisoners from injury by fellow prisoners
- . protection of prisoners from negligent or intentional harm by sheriffs, jailers, and deputies
- . protection of the prisoners from possible injury to himself
- . provision of adequate treatment, food, clothing, and shelter

To what extent must the sheriff or jailer protect his prisoners from others? He must take great care to see that:

- each prisoner is carefully searched and dangerous weapons or items are taken away before the prisoner is locked up
- known dangerous prisoners are segregated from the rest of the prisoner population
- known prisoner pressure groups and mistreatment practices are eliminated from the jail

In one legal case, a prisoner held in a county jail was attacked, cut and stabbed with a knife by another prisoner who was believed to be insane. The knife wielder had not been searched when taken into custody by the deputy sheriff and had been placed in a cell with the other prisoner in spite of his known dangerously insane condition. The court held the sheriff liable for the negligent acts of his deputy.

This deputy failed to exercise great care in looking after the welfare of his prisoners. In doing so, he was responsible for negligence. The negligent acts he committed were: (choose the correct answers)

- ___ 1) Failing to segregate the man who was known to be insane
- ___ 2) Failing to warn the other prisoner that his cellmate was insane
- ___ 3) Failing to warn the prisoner that his cellmate was armed with a knife
- ___ 4) Failing to search the new prisoner thoroughly before locking him up

Turn page to check your
answers

Answer:

- ☒ 1) Failing to segregate the man who was known to be insane
 - ☐ 2) Failing to warn the other prisoner that his cellmate was insane
 - ☐ 3) Failing to warn the prisoner that his cellmate was armed with a knife
 - ☒ 4) Failing to search the new prisoner thoroughly before locking him up
-

In commenting on its decision, the court which considered the case explained in the following manner why the sheriff was held liable to the wounded prisoner for the negligence of his deputy:

Hence it is plain that the sheriff's duties in regard to prisoners or others in his lawful custody are twofold, one to the state to keep and produce the prisoner when required, and the other, to the prisoner to keep him in health and safety.¹

.

In the case of the sheriff, both by statute and at common law... he owes the direct duty to a prisoner in his custody to keep him in health and free from harm and for any breach of such duty resulting in injury he is liable to the prisoner.²

In another legal case, a prisoner's widow brought suit against a sheriff alleging that he was liable for the death of her husband in jail. The women claimed that her husband was in a weak, sick, and helpless condition when he was incarcerated in the county jail. Further, she charged that he was locked in a cell with a man known to be violently insane and was then abandoned. During the night the prisoner was assaulted by the insane man and beaten with a table leg torn from a table that had been left in the cell by jailers. After being beaten, the prisoner was left unattended in the cell and died the next morning without having regained consciousness.³

The court found this sheriff liable to the prisoner's widow for negligence. What was the sheriff's legal duty to the prisoner which he clearly overlooked in this case?

Turn page to check
your answer

Answer:

The sheriff had a legal responsibility to his prisoner to SEGREGATE THE MAN WHO HE KNEW TO BE VIOLENTLY INSANE.

It is clearly the sheriff's duty to see that such precautions are taken to protect his other prisoners; if his deputy or jailer fails to fulfill this duty for the sheriff, the sheriff can be held liable for negligence.

Still another legal case dealt with the legal responsibility of the sheriff in protecting prisoners from others. A man was arrested for drunkenness and was subsequently locked up in a cell with a group of prisoners by the sheriff's deputy. Soon afterwards, the man was assaulted by the others and beaten cruelly with a blackjack which one of the prisoners carried. The prisoner died as a result of his wounds.

The court found the sheriff liable for the negligence of his deputy. In what way do you consider the deputy had clearly been negligent?

Turn the page to check your
answer

Answer:

The deputy had failed to search the prisoners and had therefore allowed them to keep a blackjack in the cell. In holding the sheriff liable for the negligence of his deputy, the court pointed out the following:

If a jailer whose duty it was to care for and protect the prisoners from harm, would have in the exercise of ordinary care, discovered the presence of weapons and removed them... he would be responsible in damages for having failed [to have performed a search]⁴

As mentioned earlier, the sheriff or jailer's duty to protect his prisoners from others extends to eliminating and prohibiting known prisoner pressure groups and mistreatment practices from the jail.

An Oklahoma court considered the following case: A prisoner named Cupp was arrested and, unable to pay bail, was confined in the county jail. While he was there, he was tried in a mock trial by the prisoners confined there, in a "kangaroo" court, and a fine was assessed against him of 50¢ by the other prisoners. Upon his refusal to pay the fine he was assaulted and beaten. During the trial it was found that the prisoners in the jail did this customarily to all new prisoners and that the sheriff knew of, and took no steps to put a stop to the custom. The court awarded money damages to Cupp as a result of the trial and stated that the prisoner was forced to depend on the jailer for safety and that the jailer had violated his duty to protect the prisoner in his care.⁵

Thirty one years later, the same principle was upheld in another legal case:

A prisoner, William Ratliff, was brought to a county jail and placed among a number of other prisoners who subsequently beat and bruised him and took all his money. It became clear during the trial, that for many months prior to Ratliff's incarceration the prisoners in this jail had maintained a "kangaroo court" for the purpose of initiating new prisoners, demanding fees from them and assaulting and robbing them. It also became clear that the sheriff knew of this custom and had permitted it to continue for a number of months and had taken no steps to protect prisoners from such a practice. In fact, he had encouraged and permitted the members of the organization to beat and rob Ratliff.

In concluding this case, the court held that "the law imposes a duty on the sheriff to exercise reasonable care and diligence to prevent unlawful injury to a prisoner placed in custody, but he cannot be charged with negligence in failing to prevent what he could not reasonably anticipate."⁶

In view of this statement by the court, do you think that this sheriff could have been held liable if it had been proved that he had not known of, or encouraged, the "kangaroo" court previously?

Turn page to check your answer

Answer:

No. In both the Ratliff case and in the case mentioned before it, the key element was the knowledge of the sheriff or jailer that the kangaroo court existed and his apparent acquiescence in it.

The general rule that has grown out of these and similar cases is that in order for an officer in charge of a jail or prisoner to be held liable for an injury inflicted upon one prisoner by another prisoner, there must be good reason to anticipate danger and there must be negligence in failing to prevent the injury.

Before continuing your reading, see if you can complete the following statement:

In carrying out his duty to protect his prisoners from other prisoners, a sheriff or jailer must take great care to see that:

1. _____

2. _____

3. _____

Turn the page to check your
answers

Answer:

In carrying out his duty to protect his prisoners from other prisoners, a sheriff or jailer must take great care to see that:

- 1) each prisoner is carefully searched and dangerous weapons or items taken away before the prisoner is locked up
 - 2) known dangerous prisoners are segregated from the rest of the prisoner population
 - 3) known prisoner pressure groups and mistreatment practices are eliminated from the jail
-

To what extent is the sheriff or head jailer responsible for protecting his prisoners from dangerous conditions?

In one legal case, the court held that the sheriff has a duty to protect each prisoner from harm and can be held personally liable for negligence or wrongful acts causing injury or death. In this case, a prisoner was found suffocated in his cell by smoke from a burning mattress. Because of the way in which the cell was constructed, there was no way that the prisoner could give the alarm or otherwise communicate with anyone. The jailer was negligent because, although he knew of the limitations of this cell, he had no regular schedule for checking on prisoners in their cells and had no facilities for handling a fire.⁷

It is apparent that a special relationship exists between an officer and the prisoner in his custody. The prisoner is wholly dependent on the officer for his health and safety while in custody, and for this reason, it is essential that a high standard of care be maintained in each jail. This standard of care has been stated by a court in the following manner:

A sheriff owes to a prisoner placed in his custody a duty to keep the prisoner safely and free from harm, to render him medical aid when necessary, and to treat him humanely and refrain from oppressing him; and where a sheriff is negligent in his care and custody of a prisoner and as a result the prisoner receives injury or meets his death, or where a sheriff fails in the performance of his duty to the prisoner and the latter suffers injury or meets his death as a result of such failure, the sheriff would, in a proper case, be liable on his official bond, to the injured prisoner or to his dependents as the case may be.⁸

Consider the following legal case:

An intoxicated prisoner was incarcerated in a city jail after being charged with public drunkenness and disorderly conduct. The officer who received the prisoner locked him in a cage-like cell which provided no means for escaping and was located in a small 12 x 14 foot room which had only two windows by which fresh air could enter. The officer knew of the prisoner's intoxicated condition but, nevertheless, locked him in the cell with matches and a lighted cigarette in his possession. The officer then left the man alone in a helpless and partially unconscious condition and made no attempt to check on him later or provide medical attention or an examination for him. While the prisoner was unattended, the mattress in his cell caught fire and filled the cell and the surrounding room with smoke. The windows of the room were closed and there was no way for fresh air to enter and smoke from the fire to escape. Consequently, the prisoner began to suffocate. Approximately three hours after he had locked up the prisoner, the officer returned to the jail and discovered the smoke and fire. He then opened the doors and windows of the jail, got a fire pump started and began to pump water on the burning mattress. At no time did he attempt to remove the prisoner from the cell. The water increased the amount of smoke, thus endangering the prisoner further. When other persons arrived about five minutes later, and one man attempted to rescue the prisoner, the officer interfered with the rescue attempt and prevented removal of the prisoner for about 10 minutes until someone rescued the prisoner in spite of the officer's interference. By the time the prisoner was removed, the exposure to the fire and smoke had killed him.⁹

In holding that the officer was, in fact, liable for negligence, the court emphasized that the officer had a duty to "use reasonable care to prevent harm" since he had the knowledge that the prisoner could harm himself or others unless preventative measures were taken.

In this case, what do you think would have been considered "reasonable care" on the officer's part?

Turn page to check answer

Answer:

"Reasonable care" would have consisted of removal of the dangerous articles (lighted cigarette and matches) by the officer, frequent cell checks by the officer or another officer, and possibly, a medical examination requested by the officer who had been well aware of the man's partially unconscious state. In fact, in some jails with strict rules for admission, this prisoner would not even have been admitted without first having been checked by a doctor. If such reasonable care had been taken, the officer would not have found himself liable for the death of the prisoner in his charge.

To what extent must a jailer be responsible for providing adequate food, clothing, shelter and medical care to his prisoners?

In accordance with the concept that a prisoner is, in effect, forced to depend on the jailer for his health, safety and welfare, the courts have found sheriffs liable for injuries resulting from failure to supply prisoners with adequate food, clothing, heat and shelter. Decisions have also been made holding jailers liable for unsanitary conditions in their jails. The following is a typical case dealing with just such an issue:

A female prisoner charged that after being unlawfully arrested, she was locked in a flooded cell. She further alleged that the cell was cold and totally "unfit for occupancy". In addition, her bedding was filthy and insufficient, thereby causing her extreme discomfort and eventual illness. The plaintiff further charged that, although there were other cells on other floors which were in good condition and contained clean and sufficient bedding, she was denied access to them by the sheriff.

In finding the sheriff liable for his failure to provide adequate conditions for the prisoner during her incarceration, the court stated:

The whole affair from beginning to end seems to have been an outrageous performance by those claiming to represent the majesty of the law, too flagrant for any justification on any theory of guilt.¹⁰

While courts are careful to state that the "luxuries of life" need not be provided to prisoners, they are equally careful to state that ordinary and decent care must be provided. Courts have further held that it is a sheriff or jailer's duty to exercise reasonable and ordinary care to protect the prisoner's life and health.¹¹ Court decisions have held that once a jailer has accepted a prisoner into his charge, he is responsible for protection of the prisoner's health. In some jurisdictions, jailers are enabled to refuse admittance to an injured or ill prisoner until the accompanying officer has sought medical help for the prisoner. Naturally, in such cases, the jailer is able to avoid personal liability by ensuring that adequate medical attention has been given before the prisoner is allowed to enter the jail. However, other jurisdictions make it a legal obligation to accept all prisoners, no matter what their physical condition. In such cases, it becomes the immediate duty of the jailer to see that any injured or ill prisoners receive adequate medical attention. A typical example of the courts' insistence on adequate medical care is the following case:

A Tennessee sheriff brought a wounded prisoner to his jail and locked him in a cell. While the prisoner was there, the sheriff made no attempt to summon medical help or provide any other assistance to the injured man. The prisoner died of his wounds and the sheriff was held legally liable for negligence leading to the man's death. ¹²

A Mississippi court was presented with a case in which the widow of a prisoner who had been kept in a country jail alleged that her husband's death was attributable to the negligence of the sheriff in not supplying medical care to her husband. The court was presented with evidence that showed that, when the man became a prisoner, he was suffering from stomach ulcers. His condition, upon entering the jail, required medical aid and proper food. The sheriff repeatedly refused all such requests and, as a result, the prisoner's condition became aggravated and led to greater complications and eventual death.

This court upheld the liability of the sheriff and cited the following principle:

When a sheriff by virtue of his office had arrested and imprisoned a human being he is bound to exercise ordinary and reasonable care under the circumstances of each particular case, for the preservation of his life and health. This duty of care is one owing by him to the person in his custody by virtue of his office, and for a breach of such duty he and his sureties are responsible in damages on his official bond.¹³

In the case just outlined, the court aligned itself with those jurisdictions which hold jailers liable for failure to exercise ordinary and reasonable care to preserve the life and health of their prisoners.¹⁴ Other jurisdictions have said they would hold the sheriff liable in situations only when there was a showing of malice, on the notion that public officials should be given the benefit of the doubt.

In any event, it is reasonable for any jail administrator to expect that, while standards of medical care are continually rising in the community, the prisoner's right to medical care will expand along with these higher standards of care. Clearly, it is the duty of all officials who are in charge of prisoners to identify their responsibilities in the area of medical care and to see that all jailers are strongly committed to fulfillment of these responsibilities.

Consider the following two cases and then respond to the questions which are asked:

- A. In one county jail, an administrator was informed by the jail physician that two dangerous prisoners were suffering from tuberculosis. The local hospital and the county TB hospital then refused to accept the two prisoners as patients because the hospital did not have any security facilities for dangerous persons and did not wish to endanger the other hospital patients. The administrator was forced to place these two prisoners in a cell that was as far away from the other prisoners as possible, although still not isolated, for the protection of the other prisoners.
- B. In a city jail, it became apparent that a prisoner was suffering from smallpox. The jail contained a hospital room but it was not considered secure enough to hold the prisoner who had been guilty of a violent crime. The jail administrator decided to leave the ailing prisoner in the cell which he shared with two other prisoners and, although he did not inform the hospital or a doctor of the smallpox, continued to watch and care for the ill prisoner himself.

Do you think that either of these jail administrators could be cited by a court for negligence? Indicate below if you believe that a legal suit against either (or both) of these men is likely to be successful. Give your reasons why.

Turn page for answer

Answer:

It is not likely that the administrator in example A could be considered liable in a court of law. Several of his actions suggest that he did, in fact, make sincere attempts to provide proper medical care for the prisoner and also did the best within his power to isolate the prisoner from others in his care. Whereas there seems to have been an actual showing of malice or indifference on the part of the administrator in example B, the unfortunate circumstances of A could not be considered directly attributable to neglect or indifference on the administrator's part.

It is likely that, in many jurisdictions, the jail administrator in example B could have been found liable to his prisoners for his negligence. It is apparent that the man was well aware of the nature of the illness and did nothing to keep the other prisoners from being exposed to it. In fact, it is also apparent that he made no effort to inform a medically qualified person of the prisoner's condition.

In your jail, how would you handle a prisoner with an infectious disease? _____

_____.

Suppose the ill prisoner were considered a serious security risk as well; how would you handle him? _____

_____.

In many of the cases which have been mentioned in this chapter, a sheriff or head jailer has been held liable by a court for negligent actions which were committed by his deputies or jailers. Naturally, this brings up the question: Will the superior public officer (police staff officer, sheriff, head jailer, etc.) be held liable for all the wrongful acts of his subordinates?

Courts have generally agreed that the superior officer will be held liable for wrongful acts of his subordinates only if he directs, cooperates in, or ratifies them. And, further it is interesting to note that where a sheriff or head jailer allows a kangaroo court to exist among prisoners, he often becomes responsible, in the eyes of the courts, for the acts of the prisoners in charge just as though they were his employees.

It is possible that a court can find a superior officer liable for the acts of his subordinates if they have known the subordinates to be unfit for their duties and have, nevertheless, failed to discharge such employees.

In one case, a group of police officers beat a prisoner so severely that he eventually died. The court then examined the issue of whether or not the superior officer was liable for the death of the prisoner because he had known these subordinates to be unfit but had not discharged them. The court stated that the power to discharge employees carries with it a duty to exercise that power vigilantly and that any negligent failure to exercise it will bring on liability.¹⁵

It is also reasonable to expect that if a sheriff or other public official has failed to exercise due care in the selection of subordinates and if he knows of their incompetence, he will be held liable by the courts for their negligent acts.

Which of the following statements are true and which are false?

TRUE FALSE

☐☐

The sheriff, or superior officer of the jail can be held legally responsible for the acts of his subordinates only if he has actually participated with them in these acts.

☐☐

The sheriff, or superior officer of the jail will be held legally responsible for all the wrongful acts of his subordinates.

☐☐

The sheriff, or superior officer of the jail will generally be held liable for the wrongful acts of his subordinates if the court finds that he has, in some way, cooperated in them, knowingly allowed them to occur, or neglected to discharge subordinates who he knows are unfit.

Turn page to check your answer...

Answers:

TRUE FALSE

☐ ☒

The sheriff, or superior officer of the jail can be held legally responsible for the acts of his subordinates only if he has actually participated with them in these acts.

☐ ☒

The sheriff, or superior officer of the jail will be held legally responsible for all the wrongful acts of his subordinates.

☒ ☐

The sheriff, or superior officer of the jail will generally be held liable for the wrongful acts of his subordinates if the court finds that he has, in some way, cooperated in them, knowingly allowed them to occur, or neglected to discharge subordinates who he knows are unfit.

Now see if you can correctly complete the following statement:

According to the courts, the jailer's legal obligation to look after the general welfare of all prisoners includes the following important functions:

1. _____

2. _____

3. _____

4. _____

Turn page to check you answers

Answer:

Although your wording will be different, your answer should include the following important points:

According to the courts, the jailer's legal obligation to look after the general welfare of all prisoners includes the following important functions:

1. protection of the prisoner from injury by fellow prisoners
2. protection of prisoners from negligent or intentional harm by sheriffs, jailers, and deputies
3. protection of the prisoner from possible injury to himself
4. provision of adequate treatment, food, clothing and shelter

While the jail administrator is responsible to the community for maintaining the security of his institution, he also bears the responsibility to see that security considerations do not deprive prisoners of their rights. Court decisions have indicated that the concept of prisoners' rights is constantly expanding. In cases where administrators are shown to be inflexible in their approach to security matters, the courts are apt to force new rules and behavior on administrators. Naturally, rules laid down by the courts in reaction to a particularly bad situation may be more difficult to live with than reasonable and practical rules which the administrator could, or should have developed in the first place.

It is nearly impossible for anyone to predict just what administrative decisions will become the subject of judicial disapproval. However, it is possible to observe legal decisions in which certain areas are generally regarded as within the realm of "administrative discretion". It is in these areas of "administrative discretion" that it becomes increasingly important for jail administrators to develop carefully documented rules and procedures that are based on clearly formulated objectives and are designed to treat the inmate fairly and, at the same time, allow the administrator to do his job without undue hindrance.

NOTE: Although many of the court decisions in matters of "administrative discretion" have arisen from cases concerning federal prisoners, they are also relevant to the jail. It is important to note that these decisions involve constitutional questions and are therefore applicable to state jurisdictions.

. Mail to Public Officials

The courts have held that prisoners may not be denied the right to communicate with outside officials. In two legal cases, courts have stated:

Restrictions will not be allowed to operate to deny a prisoner access to the ... courts for the presentation of alleged legal wrongs.¹⁶

and,

The prisoner may write to a court about anything; he may write to executive officers about unlawful treatment, and to his attorney about legal matters and treatment.¹⁷

Another important decision is that a prisoner cannot be punished for making a complaint against his keeper. Just such a situation arose in a recent case in which a prisoner was punished after he had made a series of complaints to the Commissioner of the District of Columbia. The court held, in this instance, that the prisoner could not be punished by the institution for his complaints to the court.¹⁸

In order to ensure that a case will not arise in which a jail administrator is held responsible for blocking prisoner complaints to outside officials, the following procedure is suggested:

- . Provide prisoners with a special mailbox set aside for sealed letters to various public officials; this enables each prisoner to have access to officials not immediately responsible for his custody and discipline and prevents possibility of interference by jail personnel in mailing of such letters.

. Attorney-Client Relationship

One area which has become increasingly sensitive is that of the attorney-client relationship. Implicit in this relationship is the right to confidential visits and communication. In determining a particular jail's policy, it might be wise to consider the following:

- . In federal institutions, attorney-client visits are not subject to auditory supervision
- . In federal institutions, although it is permissible to open correspondence between the attorney and his client, it can be examined only as a means of detecting contraband: inspecting officials are sworn to uphold the strict confidence of any legal advice or written discussions of pending or prospective litigation which they see in this correspondence

Both the federal government and the State of Kansas have a similar rule which allows for the inspection of attorney-client mail for the purpose of detecting contraband. They have defended this policy with the following reasoning:

- . Anyone can get an envelope printed with an attorney's name, and if that envelope cannot be inspected, there is no effective way to prevent contraband or other illegal materials from entering the institution

. Legal Resource Material

In some jurisdictions, prisoners can be confined in jails and county penitentiaries for sentences up to three years and, in some instances, for even longer periods. Where this practice exists, the problem of providing acceptable avenues to prisoners who wish to appeal convictions and to attack other legal problems becomes a matter for serious consideration; an administrator must consider the question of the need to provide legal resource materials to the prisoner.

It is well established that a defendant is entitled to appointed counsel for both his trial and his appeal. However, there are no similar provisions for the prisoner who is attacking his conviction of sentence or who is seeking some relief related to his confinement. Consequently, an administrator should seriously consider the possibility of making legal materials available to prisoners in the jail. In doing so, the administrator might find the following Bureau of Prisons policy useful as a model in establishing his own operating procedure:

- . A small amount of resource material is provided at each federal institution as a means of giving the average inmate access to some materials. Volumes include:
 - United States Criminal Code and Criminal Procedure (annotated)
 - Volumes relating to habeas corpus and motions to vacate sentences
- . If an inmate has the financial means to purchase a law book from the publisher, he is allowed to do so unless there are strong reasons not to allow this (ie., indications that books will be used for barter with other inmates). In such cases, the Bureau of Prisons administrators are cautioned that it is inappropriate to determine that specific material sought by an inmate is not relevant to his case. Refusal to allow an inmate to obtain such materials could result in judicial censure or an adverse decision.

While an inmate is to have reasonable access to legal materials and a reasonable opportunity to prepare his documents, his legal activities must not interfere with his program activities except where he is faced with imminent deadlines established by the court. Further, in cases where the prisoner is in segregation, the following policy should be followed:

- . those in administrative segregation (prisoner segregated for his own safety or closer supervision) should, as far as possible, be given the opportunity to work on legal matters and have access to legal reference materials; their access should be equal to that available to the general jail population.
- . those in segregation for punishment should not normally be permitted to use legal materials because of the brief time they are in such status; however, if they are faced with an imminent deadline and refusal of material would interfere with their access to courts, the material must be made available.

. Inmate Drafting of Legal Documents

Providing legal reference materials to those who are functional illiterates is, naturally, of no use. However, since correctional systems traditionally oppose any kind of activity which could place one inmate in the debt of another, prisons generally prohibit one prisoner from drafting legal documents for another. A number of suits have attacked this rule, and some have been successful. The controlling case in this issue arose from the following incident in the Tennessee State Penitentiary:

An inmate was held in segregation for a long period of time because it was discovered that he had been writing legal documents for another inmate. It was quite obvious to the court that the inmate receiving the assistance was in need of it. As a result of this, a District Court held that the rule prohibiting one prisoner from writing legal documents for another must fall because in effect, it deprived the indigent illiterate from having access to the courts. The court stated that this rule could only be enforced if some reasonable alternative was provided for the inmate.¹⁹

What is a reasonable alternative to allowing inmates to draft legal documents for other inmates? Three alternatives are:

- . a staff member who has become skilled in aiding uneducated prisoners with writs
- . a lawyer who is available to give advice to such inmates
- . a program whereby law students assist inmates in preparing writs.

. Law School Programs

It has been found, through long experience, that a confined person who is troubled with legal problems and cannot receive knowledgeable advice from someone outside of the jail or institution is likely to become frustrated and bitter; often he becomes a disciplinary problem. To avoid just such a condition among prisoners at Leavenworth Penitentiary, the Bureau of Prisons instituted a legal assistance program in cooperation with the University of Kansas Law School. This program not only involves preparation of writs of habeas corpus but extends to the whole range of needed legal services. Where the law schools believed that prisoners had good cause of action, relief has been granted in a great percentage of cases. Much of the activity of the program has been devoted to disposing of long outstanding detainers lodged against the inmates and, in addition, many civil matters such as compensation claims and domestic relations problems have been handled.

Such a program is also relevant to jails and short-term institutions, especially in the areas of compensation claims and domestic relations problems. In fact, some jails which are located near law schools are already involved in such programs and are experiencing success. In many cases, even where there has been no tangible success, the fact that the inmate had someone on the outside listening to him and analyzing his problems has been an important success factor. A first step in establishing such a program in a jail or misdemeanor institution, is discussing the plan with the local bar association. Subsequent arrangements and plans can then be made with the law school and the students involved. Efficient use of such a program will undoubtedly prove beneficial to the inmates, to the students who will develop greater insights into the problems of the jail, to the staff of the jail, and to the courts.

. Disciplinary Matters

Another area in which administrative discretion becomes an important factor is the administration of discipline. There has been much litigation in this area probably because administrators have often failed to carefully consider the reasons for using disciplinary measures and have not developed systematic disciplinary procedures. In any case, the courts have not hesitated to intervene in disciplinary matters on the grounds that punishment was cruel and unusual, or that punishment was imposed arbitrarily or capriciously.

In one case, an inmate was punished because, when he asked to have the opportunity to worship according to the Black Muslim faith and was, in turn, asked to reveal the names of those who would also be participating, he refused to do so. Upon his refusal he was placed in segregation and remained there for a long period of time. He was given no hearing before confinement was ordered, although it was customary to do so. There was no indication that this prisoner created any disorder or difficulty before the request and, in justification, the Superintendent indicated that he segregated the prisoner to prevent any trouble in the form of a riot or escape. 20

In this case, the court held that this was an arbitrary imposition of serious disciplinary action and could not stand. In considering this case, what do you think the actions were that the court considered arbitrary?

Turn page to check your answer....

Answer:

The arbitrary nature of this decision to discipline the prisoner is shown in several ways:

- . the prisoner had shown no signs of misbehavior or intent to create disorder before making his request, yet on his refusal to answer the question, was summarily placed in segregation -- a serious disciplinary measure usually reserved for misconduct and intent to create a disturbance
- . the prisoner was given no hearing before confinement in a segregation cell was ordered; this was done in spite of the fact that the standard operating procedure of the prison always before had included a disciplinary hearing to decide whether segregation was called for in the particular case

Intervention by the court is justified through the Eighth Amendment which prohibits cruel and unusual punishment and is applicable to the states through the Fourteenth Amendment. What constitutes cruel and unusual punishment? The following case is instructive as a means of defining cruel and unusual punishment:

Robert Jordan, a prisoner at the California Correctional Training Facility at Soledad, brought an action against the prison authorities for the following: he was forced to remain in a solitary "strip" cell for 12 days without any means of cleaning his hands, body, or teeth. He had to sleep on a stiff mat which was placed on a cold concrete floor. There was little if any illumination in this cell and medical attention was inadequate. Further, it was shown that prisoners could be placed in such a cell by lower rank personnel without the authorization of the superintendent.²¹

In deciding this case, the court sought to define the meaning of cruel and unusual punishment: It pointed out that punishment might be considered cruel and unusual if it "is of such character ... as to shock general conscience or to be intolerable to fundamental fairness." In the court's opinion, "... a judgement must be made in the light in developing concepts of elemental decency..." Further, the court stated that a punishment may be cruel and unusual if it is "... greatly disproportionate to the offense for which it is imposed ..." And finally, the court stated "a punishment may be cruel and unusual when, although applied in pursuit of a legitimate penal aim, it goes beyond what is necessary to achieve that aim; that is when a punishment is unnecessarily cruel in view of the purpose for which it is used ..." 22

Certainly, segregating prisoners under living conditions that represent a lower standard than those for other prisoners has not been looked upon with approval by the courts. Two purposes of segregation are:

- . placement of a prisoner in an environment where his activities can be controlled to a greater degree than if he were in the jail population
- . removal of the prisoner from the jail population where he may be a disruptive influence

Nowhere in the objectives of segregation is there a stated or implied need to subject the prisoner to unclean conditions or to physical hardships. In order to avoid litigation the jail administrator would do well to see that he has clarified the objectives of segregation for his staff and has set standards of cleanliness and humane treatment for them to follow.

. Restriction of Religious Practice

An extremely difficult problem facing the correctional administrator today is that of how to deal with the demands of small groups of inmates who seek special treatment. Again, this is an important area in which administrative discretion must be exercised with a view towards the rights of prisoners and the limitations of the institution.

In recent years, the Black Muslims have demanded that they be treated as a religious group in correctional institutions. The Black Muslim situation is an example of the type of problem which administrators face in dealing with requests by special groups. Typical of their requests are:

- . the right to hold religious services
- . provision of a special diet
- . visits by religious leaders
- . receipt of Black Muslim newspapers and other religious publications

Since it is extremely difficult to determine whether what a man professes to believe in is or is not a religion, it must be anticipated that a court must accept at face value the assertion that an organization is a religion if it has the trappings of a religion. Consequently, the most practical approach for the correctional administrator is to treat any such group the same as any other religious group to the extent that this is possible. Although the right to religious belief is an absolute freedom, the right of religious practice is not. The right to practice of religion may be restricted whenever its expression is contrary to the public good or whenever it presents a clear and present danger to the safety, morals, or general welfare of the community.

A group of Muslims sued for the right to listen to a radio broadcast of Elijah Muhammad, their leader, and to receive his newspaper, Muhammed Speaks. The administrator took the position that this broadcast and this newspaper posed a threat to the safety of the prison because of their inflammatory nature. A hearing was held in which copies of the newspaper were introduced into evidence to demonstrate its nature. Reliance was placed in a Fourth Circuit court opinion which upheld the restriction on subscriptions to this newspaper. The administration showed that putting the radio broadcasts on the limited number of radio channels would interfere with other inmates' radio program listening. The Muslims had also requested special meals during their month of fasting, Ramadan. The administration pointed out that provision of a special diet for one month would be extremely burdensome upon the institution, because it would require obtaining special foods and, more important, would require a division of staff for food preparation and special custodial supervision. The administration's testimony was that, in view of the strict budgetary planning required of the institution, this activity would be burdensome in the extreme.

The court upheld the restrictions on special diet and feeding and it also upheld the restrictions on the radio broadcasts, but the court found that the newspaper was not inflammatory and should be allowed into the prison.

It might be said that the court upheld restrictions on the practice of the Muslim religion because preparation of a special diet and broadcasting the radio program would: (check the correct answer)

- ☐ 1) present a clear and present danger to the prison community
- ☐ 2) present a danger to the morals of the prison community
- ☐ 3) be contrary to the public good

Turn page to check your answer ...

Answer:

The preparation of a special diet and broadcasting the radio programs would 3) be contrary to the public good. There are two reasons why this was believed to be true:

- . The number of radio channels was limited and broadcast of the program would interfere with other inmates' radio listening.
 - . Preparation of special food would place a burden on the staff and would place a financial burden on the prison whose budget was already stretched tight.
-

. Rights of Prisoners Suspected of Crime in Jail

When a crime is committed in a prison or in a jail the prisoner suddenly may assume a dual status; that of prisoner and suspect in a new crime. Therefore, the prisoner becomes entitled to the rights of any suspect who is walking the streets. In other words, the suspect is allowed the privilege against self-incrimination and right to counsel. The Supreme Court has held that any statement made by a suspect is not admissible in a prosecution unless he is given the "Miranda" warning which states:

- . he has a right to remain silent
- . anything that he says after the warning has been given will be held against him
- . he has a right to counsel before he makes a statement
- . if he cannot afford counsel, he has a right to have counsel provided for him

When investigating a crime that was committed in a prison or jail setting, there are two major steps:

- . the offender must be identified and isolated as a matter of internal security, discipline and morale.
- . the prosecution of the offender must be carried on with careful compliance with the protections outlined on the previous page.

Therefore, the following is suggested:

- . as soon as an investigation narrows to several suspects, there should be no further questioning of the suspects by the jail staff
- . the suspects should be isolated until the arrival of the investigative agency that takes over the responsibility of the investigation for prosecution purposes.

Sometimes there are considerations which override the prospect of a successful prosecution. For instance, in some instances, the administrator must break up plans for mass disturbances or revengeful actions by friends of assault victims. He can isolate suspects on the basis of hearsay evidence and he can promptly interrogate them for purposes of preventing violence or possible injury to prisoners or personnel. Naturally, the results of this type of interrogation cannot be used against the suspect in a court of law; other evidence for a legal trial, if necessary, will have to be obtained by the investigative agency.

Below you will find a number of statements which are incorrect. Read each one carefully, and then, using the space provided, give reasons why the statements are incorrect:

- | | |
|--|--|
| 1. A jail administrator would be justified in ruling that all attorney-client mail must be opened by the staff for the purpose of ascertaining the progress of the prisoner's legal case. | |
| 2. A jail administrator would be justified in placing a prisoner in solitary as a result of a mail campaign which the prisoner waged in which he contacted a number of important elected officials and made untrue statements about the "inhumane" treatment he was getting at the jail. | |
| 3. Although federal prisons must supply certain legal resource material for its prisoners, there is no reason why jail administrators should have to do so too. | |
| 4. When a prisoner is placed in segregation -- either administrative or punitive -- he should not be granted access to legal materials under any circumstances. | |
| 5. It is never acceptable for a prisoner to prepare legal documents for another prisoner who is virtually illiterate and in need of legal aid. | |

6. The jail administrator is given full discretion in imposing discipline. The courts have never been able to find grounds upon which they can uphold prisoner charges which arise from disciplinary actions brought against them.

7. An administrator must comply with all special requests by those prisoners who wish to practice their religion while incarcerated. The right to practice a religion is an absolute right.

8. When a crime is committed in a prison or in a jail, the prisoner who becomes a suspect loses all of his rights.

1. The only acceptable purpose for which attorney-client mail may be opened and inspected is for the detection of contraband. If a jail administrator deems this process necessary to the security of his jail, he must make sure that the confidential nature of the correspondence is respected by himself and his staff.
2. The courts have held that prisoners may not be denied the right to communicate with outside officials under any circumstances. They have clearly stated that disciplinary action cannot be taken against a prisoner who is making a complaint against his keeper.
3. In jails where prisoners can be confined for exceptionally long periods of time (two or more years), the jail administrator must seriously consider instituting a policy whereby he provides certain legal resource materials for the use of prisoners.
4. Prisoners in administrative segregation should be given opportunities to work on legal matters and have access to legal reference materials; in fact, their access should be equal to that available to the general jail population. Prisoners in punitive segregation should not normally be permitted to use legal materials because they will be there only briefly. However, if they are faced with an imminent deadline and refusal of material would interfere with their access to the courts, the material must be made available to them.
5. When there are no reasonable alternatives provided to inmates for the drafting of legal documents, the rule stating that prisoners cannot draft such documents for other prisoners cannot be enforced.
6. The courts have not hesitated to intervene in disciplinary matters on the grounds that punishment was cruel and unusual, or that discipline was imposed arbitrarily or capriciously.
7. The right to practice religion is not an absolute right. An administrator can turn down certain requests for special treatment if he can show that the practices would be contrary to the public good or would present a clear and present danger to the safety or general welfare of the community.
8. The prisoner who becomes a suspect for a crime that was committed in the jail, is entitled to all the rights a free citizen is entitled to. These rights protect him against self-incrimination and provide him with counsel.

The way in which "administrative discretion" is used by an administrator may cause the courts to shed their reluctance to interfere in administrative matters and intervene in order to protect prisoners from unfair, arbitrary or unduly harsh decisions. Throughout this section, it has been apparent that whenever a jail administrator is unwilling or unable to establish a standard of reasonableness in the exercise of administrative discretion, he will increase the extent of court participation in the administration of his jail. Although most of the cases used in this section have been those in which courts have consistently held the administrator liable, or, in some degree, to blame, not all courts have been consistent in holding administrators liable. It is interesting to note, however, that there are a growing number of states that have discarded the doctrine of sovereign immunity (immunity from civil suits). And in some jurisdictions, the courts have simply ignored this doctrine and have thus removed the jail administrator's traditional protection. It is therefore reasonable to state that even if a jurisdiction is now protected from suit because of sovereign immunity, there is no reason to assume that a court will not discard the doctrine and permit a suit to be filed.

IT MAKES GOOD SENSE FOR THE JAIL ADMINISTRATOR
TO ESTABLISH JAIL STANDARDS THAT WILL PROVIDE MAXIMUM SAFETY
AND PROTECTION OF INDIVIDUAL RIGHTS OF ALL PRISONERS.

FOOTNOTES

- 1 Kusah v. McCorkle, 170 p. 1023, 1024, 100 Wash. 318 (1918).
- 2 Kusah, supra 170 p. 1023, 1025.
- 3 Dunn v. Swanson 7 S. E. 2nd, 217 N.C. 279 (1940).
- 4 Browning v. Graves, 152 S. W. 2d 515, 519.
- 5 Hixon v. Cupp, 49 p. 927, 5 Okla. 545 (1897).
- 6 Ratliff v. Stanley, 7 S. W. 2nd 230, 232, 224 Ky. 819 (1928).
- 7 Smith v. Miller 40 N.W. 2d 597, 241 Ia. 625 (1950).
- 8 Kendrick v. Adamson, 51 Ga. App. 402, 180 S.E. 647.
- 9 Thomas v. Williams, 124 S.E. 2d 409, 412, 413, 105 Ga. App. 321 (1962).
- 10 Clark v. Kelly, 133 S.E. 365, 368, 101 W. Va. 650 (1926).
- 11 Ex Parte Jenkins, 58 N.E. 560, 561 25 Ind. App. 532 (1906).
- 12 State ex. rel Morris v. National Surety Company, 39 S.W. 2d 581, 162 Tenn 547 (1931).
- 13 Farmer v. State, 79 So. 2d 528, 531, 244 Miss. 96 (1955).
- 14 Seidman, Barney, "Prisoners & Medical Treatment: Their Rights & Remedies,"
- 15 Criminal Law Bulletin, Vol. 4, No. 8 (1968), pp. 450-455.
- Fernilius v. Pierce 138 P 2d 12,22, Cal. 2d 266 (1943).
- 16 Lee v. Tahash 352 F. 2d 970 (8th Cir. 1965).
- 17 Brabson v. Wilkins, 19 N.Y. 2d 533 (1967).
- 18 Fulword v. Clemmer, 206 F. Supp. 310 (D.C. 1962).
- 19 Johnson v. Avery, 393 U.S. 483 (1969).
- 20 Howard v. Smythe, 365 F. 2d, 428 (4th Cir. 1966).
- 21 Jordan v. FitzHarris, 257 Fed. Supp. 674 (1966).
- 22 Jordan v. FitzHarris 257 Fed. Supp. 674 (1966).

BOOK SIX:

JAIL PLANNING

The Philadelphia Detention Center is one of the few jails in the country which was planned to hold unsentenced persons only. The institution, opened in 1963, was the result of a planning effort which was begun in 1951 when a Study Advisory Committee was appointed to make a study upon which the institution could be designed. The planning and eventual use of the Center make an interesting case study. For it is clear that, in spite of the time and effort which went into the planning of this institution, some serious deficiencies appeared within a short time after the facility went into operation; in some cases because the planners' recommendations were not followed, in other cases because planning efforts overlooked some important considerations. The case study and the chapter which follows can be particularly instructive for the jail administrator who is faced with the need for a new jail or for major renovations in his present jail.

The case study which appears on the following was excerpted from The Philadelphia Detention Center - An Evaluation After Four Years of Use by Frank Loveland, Director. The American Foundation Institute of Corrections, June 1968.

. Case Study — Philadelphia Detention Center

In July 1959, a comprehensive report was published by a 23-man committee which had been appointed by the Mayor of Philadelphia to make recommendations and plans for the proposed Philadelphia Detention Center. The committee was assisted by the Fels Institute of Local and State Government, University of Pennsylvania. Some of the most important recommendations of this committee were:

1. The institution be constructed specifically for adults pending trial and hearing, except for a few small categories such as probation violators, persons awaiting extradition, etc.
2. The capacity of the facilities be planned initially for 900 prisoners, but should be expansible to accommodate about 20 percent more by 1980. Of this capacity, 50 should be for females, 20 for juveniles not confined elsewhere and 40 for sentenced male prisoners used for maintenance services.
3. The major objectives and features of the institution's program were to include limited educational services, a full program of recreational activities, both indoor and outdoor, housekeeping and maintenance activities to be handled primarily by detainees, counseling programs, a medical program to be limited to caring for the health of detainees while in detention, and religious counseling and worship services.
4. Approximately 70 percent of the detainees were to be accommodated in dormitories and 30 percent in single cells or rooms.
5. The institution plan was to be of horizontal rather than vertical construction (i.e., buildings of no more than three or four stories rather than multi-story buildings requiring movement of population by elevators.)
6. The institution was to be so located as to afford maximum accessibility to the agencies and persons directly involved, particularly the courts and attorneys. (Five sites were mentioned and it was urged that the present site, near the House of Correction, should be considered only as a last resort, since it is far removed from the police, judicial and legal agencies.) It was estimated that a site of approximately eight acres would be required.

LOCATION: An important recommendation of the committee which was not followed was the selection of a site for the institution. The committee had set a major objective in stating that the location should afford maximum accessibility to agencies and persons directly involved. Finding that the recommended site was too expensive and far exceeded the financial allotment for the project, decision-makers selected a site that was on city-owned land, about an hour and fifteen minutes driving time away from the courts. The following hardships have resulted:

- . wasted time on the part of officials, attorneys and others who must interview prisoners
- . excessive movement of detainees to and from courts
- . delay in making important decisions
- . increased time persons must be confined in detention status
- . high cost in transportation of defendants
- . high cost in Detention Center operation

As the report states:

...When it is recognized that some 20,000 commitments are made to the Detention Center a year and that there are approximately 60,000 individual movements of detentioners, the processing of persons into and out of the institutions is extremely high. Many persons are released on bail or on their own recognizance within hours or a day after being committed. Others are returned to the courts to confer with lawyers. The Bail Bond Project must send representatives to the Detention Center to confer with the accused, thereby delaying the decision process. Probation officers who must interview convicted but unsentenced persons for presentence report purposes must make time-consuming trips to the Center. Court hearings and trials have been delayed because of transportation breakdowns. The unavailability of the accused at or near the courts has resulted in delays at all stages of the judicial process and consequently in longer than necessary confinement of the accused.

CAPACITY: The Advisory Committee had recommended a capacity of 900 for the institution. This figure was based on a complicated statistical analysis of the 1956 population of detentioners in Philadelphia. In reaching this estimate, the committee had made several assumptions about the possible changes and reforms in judicial processes which would undoubtedly affect future population size. When the bids for the projects were received, the capacity was lowered to 792 by decision makers. By doing this, they eliminated the planned women's detention wing. But, as the report states, "even a capacity of 900 would have been too low to accommodate the population on hand when the institution opened in 1963 and far too low for the March 1, 1968 detainee population of 1968." According to the report, much of this oversized population is the result of longer periods in confinement which have been brought about by poor location and by recently adopted safeguards in the processing of defendants. Certainly, the slow and cumbersome administration of justice by overloaded courts has also been a factor in lengthening periods of confinement before disposition. In its recommendations, the committee had not sufficiently focused on the center as part of the larger system of criminal justice. As the report states, this tendency to limit the scope of planning is widespread:

One of the major deficiencies in the field of criminal justice and corrections has been that in administration, planning and research, almost entire consideration has been limited to segments or subprograms, overlooking the interrelationships to which attention must be given if the entire system, of which an agency is a part, is to operate effectively and efficiently. A failure in one part of the system may have disastrous influences on other parts, and upon the entire system.

HOUSING QUARTERS: The committee had recommended that a ratio of 70 percent dormitory space and 30 percent individual cells or rooms be constructed. The constructed building now has a total capacity of 792 with dormitory for 576 (72.7%) compared to cell capacity of 216 (27.3%). According to the report:

The high ratio of dormitory to cell space is the aspect of the physical plant most criticized by the City Prison Administration. It is stated that this situation creates administrative, supervisory, security and maintenance problems. The Administration would much prefer a reversed ratio of dormitory-cell capacity, i.e., 30 percent dormitory and 70 percent cells.

...Since jails and detention centers confine populations, the security risks and supervisory requirements of which are virtually unknown at the time inmates are received, it is generally considered that they require a high proportion of single cells or rooms. In some large cities a rather high proportion of commitments are made for such minor offenses as drunkenness, idle and disorderly conduct, vagrancy, etc., while these groups are relatively small in the Philadelphia Detention Center population, and commitments on charges of robbery, burglary and assaults are relatively high. This fact also argues for a higher percentage of cells.

...[The presence of a great deal of dormitory space] does mean that the institution staff needs to learn as much about the offender as possible, immediately after admission, that care be exercised in making quarters assignments, and that supervision be especially alert.

Other deficiencies are now apparent in the institution which might have been avoided in the planning stages. Some of these are listed briefly below:

- . Location of Visiting Room: Inmates must walk through hospital section to reach it. No general traffic should pass through the hospital area.
- . Location of Day Rooms: Day rooms adjacent to the dormitory section are on an upper floor and cannot be supervised by the officer who is stationed to supervise the dormitory. Officer supervision time is therefore wasted.
- . Dormitory Supervision: Although the officer's station for dorm and cell block supervision is located at a split level to permit visual supervision of both floors, solid panels were installed on the upper area on the first floor dorms which block the officer's view of the far side of the dorm. Also, solid glass paneling was installed in the officer's cage in the dormitory and cell blocks. This prevents the officer from communicating with inmates. It also prevents cross ventilation.

- . Personnel Dining Room: High noise levels and humidity make it the most unpleasant room in the institution.
- . Commissary: Location at the extreme end of a corridor makes visual supervision from the control room difficult.
- . Light and Loud Speaker Fixtures: Both types of fixtures can be easily dismantled and used as a place to conceal contraband.

Naturally, careful planning also resulted in some well-designed and successful facilities. Some of these are:

- . Dining room and Kitchen: This facility is quite attractive. The dining room uses cafeteria-style service and four-man tables. The kitchen is large, well-equipped and equipment is well-spaced.
- . Auditorium - Gymnasium: This facility is highly unusual for a jail or detention facility. It is used for basketball and other sports, motion pictures, Protestant religious services and occasional special shows.

The study concluded with a number of recommendations which dealt specifically with the deficiencies which appeared in spite of the planning effort. Some of these recommendations are shown below:

1. DETENTION FACILITIES BE PROVIDED IN THE PROPOSED NEW COURT BUILDING FOR PHILADELPHIA FOR PERSONS WHO ARE TO BE DETAINED FOR ONLY SHORT PERIODS AND FOR PERSONS ON WHOM IMMEDIATE ACTION IS TO BE TAKEN.

Such a facility would reduce the high rate of turnover at the Detention Center, reduce the transportation load between the courts and the Detention Center, as well as expedite interviews, speed the process of justice and therefore save both time of persons concerned as well as money. Defendants on whom action is minimal and who must remain in detention for longer periods would be confined at the Detention Center.

2. FACILITIES BE REMODELED OR ENGINEERING STUDIES MADE AS SUGGESTED BELOW:

- Replacement of all top interior panels of first floor dormitories with detention screen to permit visual supervision and ventilation
- Consider removal of glass in officer's cages and substitute with detention screen to permit hearing and ventilation
- Have engineering study made of personnel dining room to reduce noise and humidity
- Have engineering study consider improved lighting and loudspeaker facilities to eliminate possible hiding of contraband in them.

3. IN CASES IN WHICH THE PREVIOUS CRIMINAL RECORD OF DETENTIONERS IS NOT REGULARLY RECEIVED WHEN DETENTIONERS ARE COMMITTED, ARRANGEMENTS BE MADE TO OBTAIN THIS AND OTHER AVAILABLE PERTINENT INFORMATION

- This should be done to make this data available in order that medical, psychiatric, custodial or other problems can be identified and properly handled.

4. SERIOUS CONSIDERATION BE GIVEN BY THE PENNSYLVANIA BUREAU OF CORRECTION TO HOLDING PERSONS TRANSFERRED FROM ITS STATE INSTITUTIONS TO PHILADELPHIA FOR COURT ACTION, IN THE STATE CORRECTIONAL INSTITUTE ... RATHER THAN AT THE DETENTION CENTER
5. A STATISTICAL SYSTEM BE DEvised WHEREBY THE ADMINISTRATIVE JUDGE, THE COURT ADMINISTRATOR, AND THE DISTRICT ATTORNEY'S OFFICE MAY BE ADVISED WEEKLY OF THE STATUS OF EACH PERSON IN DETENTION
 - . This is an attempt to shorten unnecessary detention time and insure that persons do not become lost in the criminal justice process
6. IN THE EVENT THE CAPACITY OF THE DETENTION CENTER IS INCREASED IN THE FUTURE, THE ADDITIONAL CAPACITY BE COMPRISED OF INDIVIDUAL CELLS.

COMMENTS:

The largest error which appeared when the Philadelphia Detention Center was built was the choice of the location. It is apparent, however, that the planning committee had foreseen that the site which was chosen would be a poor one. Other considerations had entered into the decision, the largest of which was the pressure to save money, appease taxpayers and use a site already owned by the city. Naturally, as the report shows, this has proved to be a classic example of a "false economy". Adjusting to this poor location has, and will continue to be, an expensive and wasteful proposition.

An error which can be directly attributed to the planning committee is the choice of a 70% - 30% dormitory to cell ratio. The report points out that the committee had been aware that many of the people who would be committed to this institution would be security risks, charged with serious offenses which often involve assaults. This fact, along with the well-known fact that personnel in detention centers and jails generally do not know the security risks and supervisory requirements of a large number of the people brought there, should have been a clear indication to the planning committee that, in spite of increased costs, the cell-dormitory ratio should have favored a larger number of cells than dormitories.

Another mistake attributed to planners and decision-makers was the miscalculation of what size the future jail population would be. Planners had made some attempts to calculate how jail programs would affect the size of the population and had made a number of rather optimistic projections of a greatly reduced population. Compounding this error, decision-makers further reduced the capacity because of financial concerns. Although generally considered an error of the planning committee, this is the type of mistake which will continue to occur as long as correctional planners fail to see each new facility as a part of a larger system of criminal justice in which failures of one part of the system can directly and adversely affect the other parts.

The numerous planning deficiencies which became apparent once the center was constructed — poor floor plan, poorly designed light and loudspeaker fixtures, etc. — are quite typical of the kinds of errors which occur time and again when new jail facilities are constructed. The causes for such deficiencies are many: overconcern with cutting costs, absence of professional consultant or specialist advice, inadequate review of architect and contractor plans, and lack of foresight are just a few. While no one person can be held responsible for such wasteful oversights, it is clear that more careful planning and closer supervision of building specifications could have avoided a significant number of these errors.

Even the most intensive and systematic planning process cannot guarantee the design of a perfect jail. However, when construction is preceded by a well-organized, well supervised, and thorough planning phase, the possibility and extent of errors will be significantly reduced.

Jail planning is not a matter of simply drawing up plans and constructing a building. The real challenge of jail planning is in defining the role and function of the jail, assessing the jail's potential for meeting the needs of its prisoners and the community, and foreseeing how the jail should be prepared to meet the program needs and correctional trends of the future.

The jail administrator has an important role to play in the planning process. He must initiate the planning study, assist the planning group with many phases of its study, and then collaborate with the chosen architect in deciding on specifications. To do this effectively, and to implement the plan successfully, he must understand the complexities, the problems, and the strategies of the planning process. This chapter was not designed to teach the administrator how to plan a jail. It was designed to illustrate some of the problems which often occur in jail planning and to serve as a guideline and reference for a jail administrator who is, or will become, involved in the jail planning process.

. Evaluating the Existing Facility --
Generating Community Support

The jail administrator is in the best position to point out the problems inherent in the existing jail, to compare these deficiencies to the future demands which will be placed on his jail, and to initiate a study to determine whether renovation or construction of a new jail should be planned. Such a study might well begin with a careful evaluation of how well the existing facility is serving its stated purpose. The following questions must be carefully explored and answered before a new jail can rationally be considered a necessity:

- . The jail as humane shelter: does the jail meet the physical needs of prisoners with safe, adequate and sanitary housing?

Can the facility be kept reasonably clean?

Is the jail overcrowded and increasingly becoming more so?

Are ventilation, plumbing and lighting adequate or are they only minimal?

- . The jail as a physical plant: are floors, walls, plumbing, wiring, locks and heating equipment in good structural and functional condition?
(this type of evaluation can be done by architects and plant maintenance engineers)
- . The jail as a security system: Are security devices present and in good working order so that they provide safekeeping of prisoners in cells, visiting rooms, and elsewhere in the jail?
(this type of evaluation can be done by correctional administrators with institution experience).

The jail administrator who, upon examining these questions, sees a clear need for construction of a new jail or major renovation of the present one, can often do much to influence decision makers by generating community support for his proposal of a new or renovated jail. By enlisting the support of program volunteers who are well acquainted with the limitations of the present jail, speaking to groups of influential business and service groups, and distributing reports which underline the operating difficulties of the present facility, the administrator can be a force in initiating plans for building a new jail or remodeling the old one.

. The Planning Committee

Although the jail administrator may not be a member of the jail planning group, he will have an interest in knowing what people are generally chosen to serve on such committees and why these persons are chosen. In fact, he may be asked to suggest possible planning group members, and, perhaps, he may wish to use one or more of these persons as consultants. Below is a list of persons who are most likely to be chosen for planning groups:

City and County Planners: know future local building plans and are well acquainted with the area master plan. Their experiences as planners are valuable as a means of avoiding some of the basic pitfalls which can occur in planning.

Lower Court Judges: are able to answer questions about sentencing practices and correctional programs which may eventually affect the size of the jail and should be considered as major planning factors.

Probation Officers: can be an important source of information about correctional program trends and their eventual effect on the size of the jail being planned.

Educational Administrators: are valuable as possible contributors of programs and services to the jail. They are often consulted during the planning stages concerning space and personnel requirements for any educational programs which may be started in the facility in the future.

Hospital Administrators: can provide valuable planning information and assistance concerning establishment of health services in the jail or effective use of community medical resources.

Architects: can place realistic limits on building plans and advice on comparative costs of building size and materials.

Representatives of Charitable Services: are often consulted about their future program plans as they will affect the size and construction of the jail.

Community Leaders: community council chairmen, university sociologists, minority group leaders, etc. all have knowledge of the community and its problems and are usually valuable members of the planning group.

Former Prisoners: are sometimes used as consultants in planning groups because they have many valuable insights into the problems of jail construction and program planning.

. Defining the Role of the Jail

When a decision to plan a new jail has been made and a planning group chosen, careful attention should be given to defining the role of the jail. If the jail administrator does not do this, the planning group will do so and might overlook some important considerations. Certainly the most immediate issue to be decided is whether the jail is to be used for detention, for short-term confinement or for both, since the space and personnel requirements of each type are quite different. However, a more far-reaching issue to be decided by the administrator is the jail's new role for the future. Clearly he must think beyond the established notion of the jail as a warehouse used for storage and guarding of people. He must begin to look towards new programs and new correctional goals and he must outline these goals for the planning group. These new considerations, far from making the planning task easier, introduce a number of planning variables which make the process complex and difficult.

One of the assumptions made in determining the size of the Philadelphia Detention Center was that many more arrested persons would be released on their own recognizance in the future than had been in the past. It was therefore determined that this program would substantially reduce the number of persons who, in the future, would be detained in jail. The capacity of the Center was based on a number of such assumptions. Now approximately 552 persons per year are, in fact, being released on their own recognizance. Unfortunately this number, although substantial, is still not large enough to balance other unforeseeable factors which are causing an increase in the total number of detainees.

The Philadelphia planners had realized that the jail is progressively shedding its "warehouse" role and gradually assuming a new role that is defined and influenced by new correctional programs. They were correct in assuming that implementation of new programs would have a considerable bearing on the type of facility that is planned. However they failed to foresee that the slowness of the courts and the inefficiencies of the administrative process would cause delays in granting release on recognizance privileges and would result in a large number of persons being detained for longer periods. Overcrowding has been the result; decreasing the population has been a pressing administrative problem.

. Defining Future Program Plans

The kinds of programs that are developed to implement the jail's newly emerging correctional role must be considered important planning factors. The jail administrator has a duty to inform the planning group of his future program plans and suggest ways in which these programs might affect the physical characteristics of the jail. On this page are several new programs which will undoubtedly arise out of the redefinition of the jail's role and may well affect the construction, procedures, and personnel requirements of the jail which is being planned.

SCREENING AND REFERRAL: prisoners who are physically ill, mentally ill, emotionally disturbed, or suffering from communicable disease can be referred to other agencies as a result of a routine screening process held in the jail. Jail population can be reduced if some of these persons - particularly the mentally ill - are diverted from the criminal justice system altogether.

USE OF PRETRIAL LIBERTY: this could consist of any or all of the following:

- . release on own recognizance
- . selective use of summons in place of arrest in certain offenses
- . part-time detention (work release privileges)

SERVICES TO PRETRIAL DEFENDANTS: offering of optional diagnostic and social services provided through the auspices of the jail.

EXTENSION OF THE LIMITS OF CONFINEMENT: this could consist of any or all of the following:

- . work release programs
- . educational release
- . job training release
- . half-way houses

DIAGNOSIS AND CLASSIFICATION OF OFFENDERS: for use by the courts in sentencing - also for use in planning correctional programs for the jail.

COMMUNITY CORRECTIONAL CENTERS: the jail can be used to support other correctional programs. For instance, prisoners nearing the end of long prison terms may be brought to the jail where they can participate in work release programs, or be released during the day to seek employment.

DATA COLLECTION: the jail routinely gathers information which can be used to interpret crime trends, study ages and backgrounds of offenders, and identify areas in the community where social disorganization is beginning to appear.

The new jail must be planned with the capability of housing programs which are not feasible at the present time. The development of programs linked with community facilities such as schools, hospitals, and mental health clinics will give the jail a new function and a central place in the local correctional system. Two important factors to be considered during the planning process are:

- . programs require space and personnel if they are to be held in the jail
- . some necessary resources may be available in the community and need not be developed in the jail

Any of the programs which were outlined on the previous page or in the previous chapter would undoubtedly add a new dimension to the planning for the jail and, in some instances, additional space requirements. However, others seem to suggest that use of the jail will be limited in the future and will produce a corresponding reduction in population size. The planning process thus becomes a complicated task in which future program possibilities are carefully weighed and considered and are incorporated into the overall plan for the jail. This type of planning can be seen in the following excerpt from a jail study which was recently completed:

Rather than increase jail costs to provide proper services for the present and forecasted population, the population should be reduced by over two-thirds and the jail budget reduced by one-half.

This would be accomplished by virtually complete diversion of the alcoholic ("common drunk") into a medical or public health program including a "detoxification center" and a comprehensive after-care program. The alcoholic now constitutes 50 percent of the jail population.

The detention jail population, less drunks, could further be reduced by over 50 percent by two programs: (1) increased police use of citation or summons in-lieu-of misdemeanor arrests and (2) increased court use of release-on-own-recognizance.

The sentenced offender population would be reduced nearly two-thirds -- after drunk diversion -- by a combination of two programs: (1) misdemeanor probation and (2) increased use of jail parole or sentence modification with after-care (probation type) services.

In one community, a planning group became fascinated by the prospect of building a series of work farms in the area for the purpose of keeping jail prisoners -- sentenced and unsentenced -- busy while in the custody of the jail. According to their plan, prisoners would not be paid for their work but would be "taught the value of hard work". The jail administrator recommended strongly against such a program, citing the following reasons:

- . a newly adopted bail program was in effect
- . plans for beginning a Work Release program at the jail for prisoners were well underway
- . a high percentage of the prisoner population was alcoholic and the county was building a detoxification center which would allow for diversion of arrested alcoholics to the county health program

In view of the future plans for correctional programs outlined by the jail administrator, do you think construction of the farm system would have been a good decision? What are the reasons for your answer?

turn page to check your answer

Answer:

No. It is probable that when these correctional programs are instituted and working efficiently, there would be no further purpose for these farms. A large proportion of the prisoners would be diverted from the jail for treatment for alcoholism and many others would be enrolled in the bail program or in the Work Release program. In all probability, the county would be faced with a problem of what to do with these outmoded facilities and how to encourage funding of other, more progressive correctional programs.

. Providing Jail Population Information

At no time is the complexity of planning more evident than when making jail population projections. Many jails contribute to this already complex problem by poor data collection and inadequate record keeping. It is essential that the jail administrator, in order to make a meaningful contribution to the planning process, be able to provide accurate population information concerning his jail.

Basic population information should include the following:

POPULATION TRAFFIC:

- . the daily average count
- . high and low admission rates
- . seasonal population highs and lows

POPULATION CHARACTERISTICS:

- . age and sex of each offender
- . kinds of offenses

When such information, accurately reported, is given to a planning group, a number of needs and considerations can be defined. For instance, if women and juveniles are among the offender population, the construction plans must include separation of these two groups from the adult male offender groups in spite of the resulting high supervisory costs. Also, if a high percentage of offenders always consists of older men arrested for drunkenness, it is probable that the construction of the building should reflect this. Likewise, if a large number of offenders are youthful and have been arrested for assaultive offenses, it is reasonable to believe that construction in the form of single cells and stricter security will be an important consideration.

Although population projections depend largely on the kinds of information discussed on the previous page, other figures are also necessary. For instance, community population projections, present and projected arrest rates, and present and projected crime rates are all important factors in the planning process. This type of data can be obtained from:

- . the Bureau of the Census (present and projected community population figures)
- . the Department of Justice (information on present and future arrest rates and types of offenses)
- . population specialists at state universities

Other factors such as police arrest policy, court sentencing practices and legislative actions may also have an enormous impact on the size of the jail population. The cause-and-effect relationship between the jail and other agencies makes population forecasting a highly complex matter in which it is frustratingly easy to make a miscalculation.

The case of the Philadelphia Detention Center is a particularly graphic example of how difficult it is to predict the size of the jail population because of the vast influence of other agencies within the criminal justice system. The Philadelphia report mentioned that pre-sentence reports are being requested by the courts. The result of this has been longer periods of pre-sentence confinement. Likewise, the report cites another change which has occurred that has directly affected the size of the jail population:

... Rule 116 provides that when a defendant has been arrested and produced at preliminary arraignment, he shall not be questioned respecting the offense charged, but shall have the complaint read and explained to him, informed of his right to secure counsel and his right to have a preliminary hearing or to waive it. When a preliminary hearing is not waived, the issuing authority shall fix a day and hour for preliminary hearing ...

... Figures for a recent month show that a further hearing requires on average an additional 6.6 days and the sample showed that there were an average of 2.2 further hearings per case. This Rule, therefore, in a move to protect the defendant by not permitting a summary disposition of a case when arraigned, has resulted in longer stays in jail pending disposition than previously. Before the Rule was adopted, magistrates frequently disposed of a case at the time of preliminary arraignment.

. Making Recommendations to Planners

Aside from the program plans which can strongly influence jail planning, a number of other factors also deserve careful consideration by the planning group. The jail administrator, who is often best equipped to make recommendations in these areas, should give each factor serious thought so that he will be able to make important and convincing recommendations to the planning group.

The unfortunate site selection of the Philadelphia Detention Center is a compelling example of the importance of location to the eventual effectiveness of the institution that is planned. You may recall some of the unfortunate side effects which resulted when a site was chosen which was an hour and fifteen minutes' driving time from the courts:

- . waste of time by officials, attorneys and others
- . excessive movement of detainees
- . delay in making of important decisions
- . increased detention time for accused persons
- . high transportation costs for the county
- . high costs in Detention Center operation

After four years of use, it became apparent that only construction of holding cells in the courthouse could eliminate some of the problems involved with processing persons who are detained for only short periods or on whom immediate action is to be taken. Surely the additional expense of providing another facility in the courthouse, coupled with the expense and wasted time described above should stand as an example to planning groups who are unwilling to spend money initially for a site which, although expensive, has been chosen in strict accordance with the correctional goals of the institution, its administrator, and all the related agencies with which the institution must cooperate.

The planning group will also be in a position to make decisions concerning the administrative requirements of the jail such as:

- . type of housing units
- . dining arrangements
- . recreation facilities
- . visiting arrangements
- . cell utilities
- . administrative space

In such matters, the jail administrator has a responsibility to work closely with the planning group and to make recommendations concerning the details of these facilities which will ensure the best possible arrangement for his jail. The administrator might do well to consider his recommendations in the following light:

HOUSING UNITS: a combination of cells and dormitories provides the flexibility necessary in the jail. There is no formula which can be used to provide an accurate ratio of cells to dorms, however the experience of the Philadelphia Center seems to show that the ratio of 30 percent cells to 70 percent dormitories is far from ideal. In fact, a review of the four-year report reveals that the more desirable ratio in terms of administration, supervision, security and maintenance for this short-term institution would be 30 percent dormitories and 70 percent cells.

DINING ARRANGEMENTS: if a dining room is desirable, the decision to have one, should be made when the plans are being drawn, not after the facility has been built. Addition of such a facility is nearly impossible at a later date. When considering whether to recommend a dining room arrangement or use of the food cart-cell arrangement, the following variables must be considered:

- . security needs of the population
- . supervisory requirements
- . comparative costs

RECREATION FACILITIES: consideration should be given to recommending construction of a recreation yard, dayrooms and an auditorium. The minimum requirement for a new jail is the installation of dayrooms. In the Philadelphia Center, although an outdoor recreation yard was provided, not enough planning had preceded its construction and the area is muddy, semi-flooded and unuseable for a good portion of the year. An easy remedy would be installation of a black-top surface to eliminate this unforeseen problem.

VISITING: consideration should be given to installation of more than one type of visiting facility. For instance, if sentenced and unsentenced prisoners are to be held there, both maximum and minimum security visiting arrangements should be recommended to the planning group.

CELL UTILITIES: hot water and light that is adequate for reading must be recommended and planned for each cell.

ADMINISTRATIVE SPACE: the jail administrator should provide recommendations concerning the total area needed for office space, locker facilities for employees, parking space, training space, etc.

. Working with Consultants and Architects

This section has described a number of ways in which advice and recommendations of the jail administrator are invaluable to the planning group. Since his recommendations are so important, it is quite possible that he will need expert advice in assembling such things as population studies and future correctional program plans to submit to the planning group.

If this is the case, the jail administrator must be sure that he uses the services of a consultant effectively. Highly technical and intensive consultant reports are of no consequence unless they deal directly with the needs of the particular jail in a particular community. When using a consultant, the jail administrator should:

- . Clearly identify the consultant's task; when the consultant is not aware of the problems or issues to be studied, his information is likely to be irrelevant
- . Supply all relevant information about the jail to the consultant; if the consultant is unaware of specific facts about the jail, he may make recommendations which cannot be implemented because of limited resources
- . Ask the consultant to document his recommendations: this can eliminate the possibility of receiving a consultant report which is based on personal biases of the consultant rather than on the realities of the situation

Once the planning group has completed its recommendations, an important task for the jail administrator will be working with the chosen architect to prepare building specifications. Writing specifications involves making a number of decisions which include:

- . deciding the type of steel to be used
- . deciding on types of locking and other security devices to be used and where
- . planning arrangements of interior layout

No jail administrator can be considered an expert in these matters. Although he may have a number of excellent ideas, he should not hesitate to contact the American Correctional Association, the Bureau of Prisons, or the Law Enforcement Assistance Administration (LEAA) and ask for the name of a consultant who can advise him concerning these important matters. In any case, he should not accept the advice of consultants who are employed by steel companies and other companies with a vested interest in the decisions that will be made concerning building specifications.

The jail administrator, with his knowledge of administrative problems and program needs, the correctional specialist with his knowledge of technical requirements for the jail, and the professional architect can work together effectively to plan a jail interior that is as free of planning errors as possible. You may recall some of the interior planning errors which appeared in the Philadelphia Center in spite of the extensive planning effort. See if you can list some of these errors below:

turn page to check your answers

Answer:

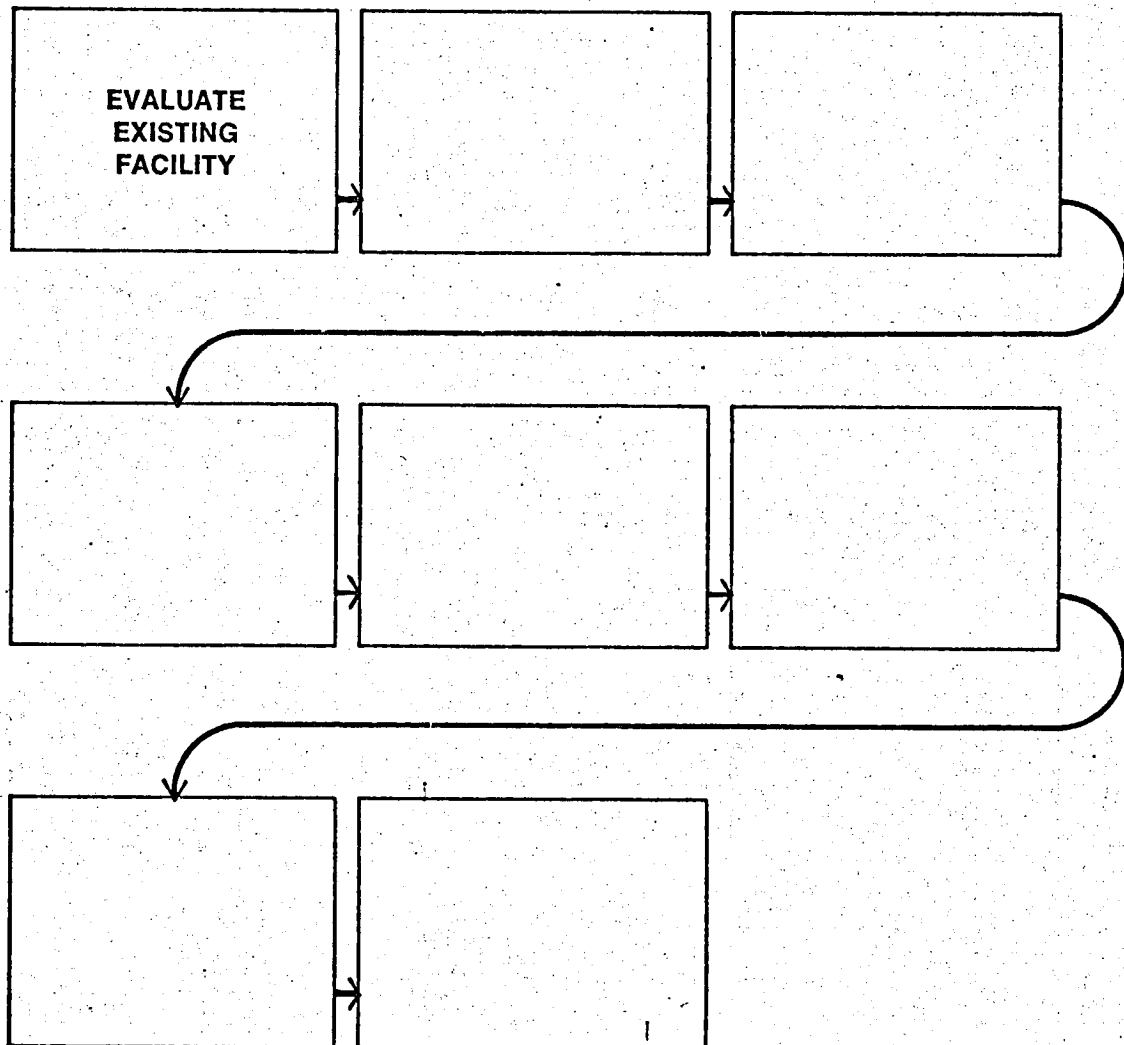
- . Visiting room located so that inmates are required to pass through hospital section to reach it
 - . Dayrooms located on an upper floor necessitating use of additional officer — other than officer supervising dormitory — to supervise it
 - . Solid panels installed on upper area of first floor dormitories which block vision from officers' station to back of dormitory
 - . Unpleasant, noisy, and humid officers' dining room
 - . Poorly located commissary
 - . Poorly chosen light and loud speaker fixtures
 - . Glass paneling which prevents cross ventilation and prohibits communication between officers in station and inmates
-

It is well known that planning errors often occur in newly built jails even when the jail administrator, architect and planners have worked hard to eliminate possible errors. Some of the more common among these are:

- . Lack of privacy in female and juvenile housing (traffic flow to and from male housing often passes by these sections)
- . Poorly located and poorly constructed holding cells
- . Poorly located or nonexistent guard corridors
- . Rough concrete finish on floors which makes cleaning difficult
- . Lack of emergency power source for operating lights and electric locks
- . Absence of exterior windows or use of decorative brick latticework blocking large portions of exterior windows
- . Lack of storage facilities for cleaning equipment and supplies
- . Improper ventilation for expelling any gas used during jail disturbances (in one city a jail is on two floors of a seven story building and shares an air conditioning system with all other units in the building; any gas or smoke from the jail would contaminate the whole building).

NOTE: When involved in planning a jail it would make good sense to use this page as a checklist to avoid the more obvious errors.

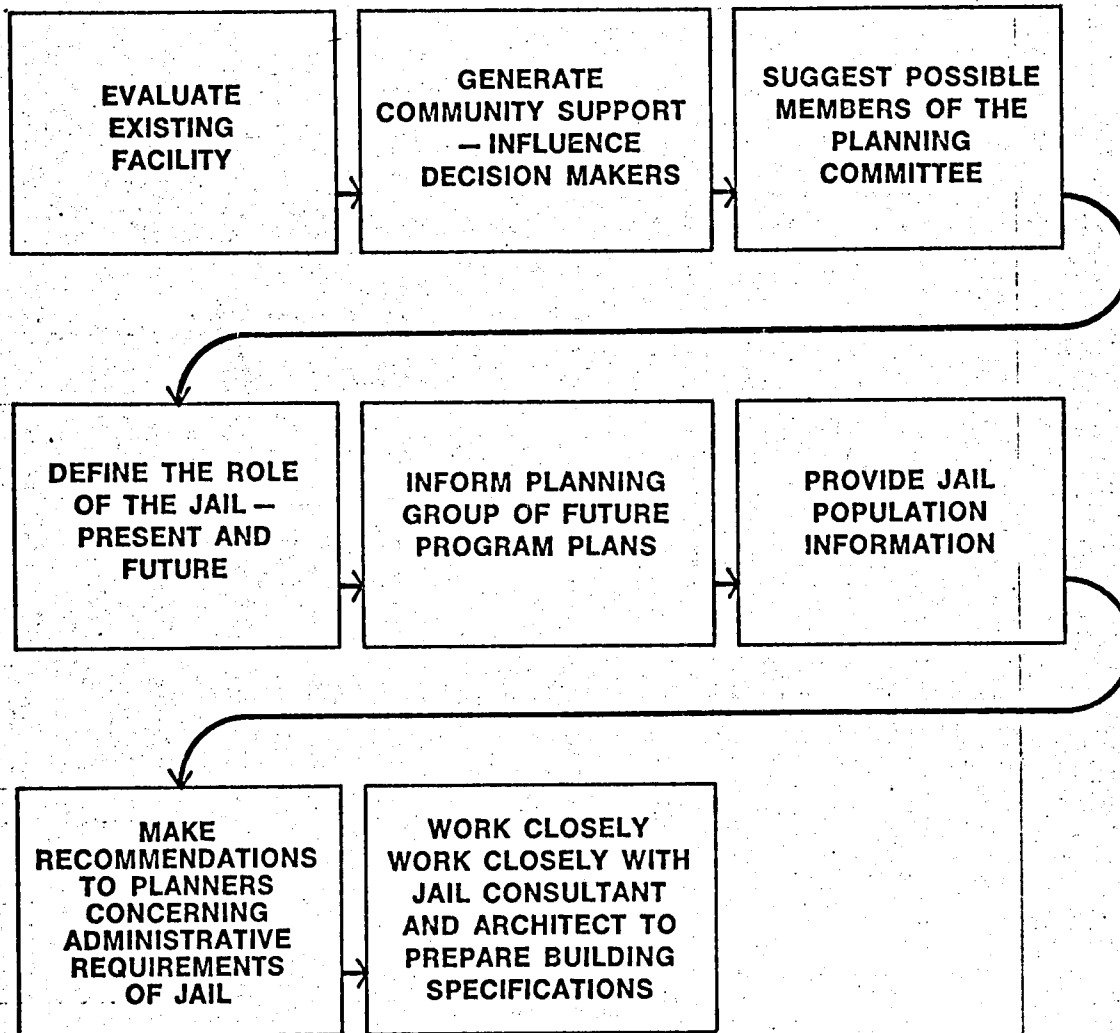
This chapter has outlined the responsibilities of the jail administrator as they should occur in the jail planning process. Review the chapter and, each time you recognize a new phase of the administrator's involvement in the planning process, list it briefly in the flow chart below. The first phase has already been filled in; see if you can complete the rest of the chart.



When you have completed the chart, compare it with the one shown on the next page . . .

Answer:

The following is a flow chart which represents the responsibilities of the jail administrator as they occur in the planning process:



IN SUMMARY:

Although there may be dozens of persons involved in planning a new or remodeled jail, it is the jail administrator who is, in many ways, central to the planning operations. His role is varied and important:

- . Often he must find community support for and initiate a wholesale evaluation of the existing jail facility with a view towards change and improvement.
- . In some cases he may be responsible for appointing or suggesting qualified members of the planning group.
- . He must direct the planning effort by defining the present and the newly emerging role of the jail for the planning group, outlining his correctional program goals for the future.
- . He must supply valuable information concerning his jail to the planning group which must decide on such matters as jail capacity and security needs.
- . He must focus planning energies on avoidance of the mistakes of the past and make recommendations based on his experience and the experience of others who are well qualified to make instructive recommendations.
- . He must work closely with specialists who are chosen to assist in the planning study and recommendations and he must devote thought and energy to assisting the architect in drawing up plans for a well-conceived and efficient jail facility.