

# LARGE JAIL NETWORK

## NCJRS BULLETIN

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## Video Court: The Answer to Colorado Winters

*by Ken Morris,  
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As the twenty-first century approaches, innovative technological developments are increasingly finding application in criminal justice. For example, many jurisdictions across the country have turned to high-tech "video court" proceedings to avoid transporting large numbers of prisoners to various courtrooms. The El Paso County criminal justice system in November 1989 joined these jurisdictions in putting such a system into operation. Although El Paso County was not the first to use video arraignments, its experience is somewhat unique.

### Planning for Court Access

In September 1988, the county opened its new Criminal Justice Detention Center. The new facility provides centralized intake and processing for the county's detention system and works in conjunction with an existing Metro Detention Facility. A direct supervision jail, the Criminal Justice Detention Center serves the city of Colorado Springs and a number of outlying jurisdictions. The facility is 4.2 miles from the county judicial building and

approximately five miles from the municipal courthouse.

At the time the facility was being planned, video arraignments were not widely accepted, and there was some question about whether they would be upheld by case law. Although Jefferson and Larimer counties in Colorado had been using video arraignments for several years, planners of the El Paso County facility did not consider them an option. Therefore, the county constructed a satellite court facility within the new detention center, designed to facilitate first appearance advisements for newly committed pretrial detainees.

Members of the judiciary recommended that the planned courtroom aesthetically promote "the dignity and appearance associated with formal judicial proceedings." The courtroom was thus designed with birch furnishings, a judge's chambers, a private restroom, and carpeting throughout. The tiered inmate seating area could accommodate a maximum of thirty prisoners.

The courtroom was also designed to accommodate high-security trials. A visitors' gallery enabled visitors to see and hear the proceedings from behind bulletproof security glazing; it was designed not to jeopardize the facility's secure perimeter.

The newly designed courtroom opened in December 1988. Colorado Springs Municipal Court proceedings were held in the mornings and El Paso County Court advisements in the afternoons. Judges, their clerks, and bailiffs travelled to the detention facility daily to conduct proceedings. County court judges and their staff conducted on-site advisements on a weekly rotating basis. The municipal court judge and his staff traveled to the detention center every weekday.

### Video Arraignments Reconsidered

Within the first year, however, the harsh Colorado winter and the logistics involved in getting judges, their staff, numerous attorneys, and others in and out of the secure perimeter of the jail for daily advisements became a problem. The Jail Overcrowding Committee, a subcommittee of the Criminal Justice Advisory Board, addressed the issue at a meeting early in 1989. (The advisory board is a permanent committee empaneled by the Chairman of the Board of County Commissioners of El Paso County to address criminal justice issues. The group is comprised of judges, the sheriff, the chief of police of Colorado Springs, the detention bureau commander, other law enforcement officials, and concerned citizens.)

In early 1989, the Jail Overcrowding Committee did an extensive cost/benefit analysis of video arraignments. The committee also researched recent case law and related legal issues. Under the leadership of District Judge Richard Toth and Municipal Court Administrator Steven Wheeler, the committee recommended that the county initiate a video court system. This decision was strongly supported by Chief Judge Donald Campbell, Sheriff Bernard J. Barry, and others in the local law enforcement community. If not for the extensive research, communication, and commitment of the multi-faceted committee, the video court concept might ultimately have been dismissed as another "high-tech gimmick."

### **Financing the Video Court**

The Jail Overcrowding Committee proposed a rather unique approach to financing the video court. Members recommended that the cost of installing the video court system be shared between El Paso County and the city of Colorado Springs as a "cooperative effort to illustrate a unified approach." After conducting careful research on the merits and cost of the video system, committee members lobbied their respective funding sources for support.

Municipal Court Administrator Wheeler developed a budgeting strategy that called, first, for him to convince members of the city council of Colorado Springs to support the concept. Having received

tentative council approval, Wheeler, joined by County Court Judge Rebecca Bromely and Chief District Judge Donald Campbell, illustrated the unified city/county approach in a presentation before the Board of County Commissioners of El Paso County. The presentation was well received by the commissioners, who approved funding. Ultimately, the city of Colorado Springs contributed approximately \$29,000 to the project, and El Paso County funded the remaining \$23,000.

### **The Video Court in Operation**

The video arraignment system went into operation at the Criminal Justice Detention Center in December 1989. The system, which provides color images, transmits via microwave antennas mounted on the roofs of the detention center and the municipal and county courthouses. During arraignment, the defendant stands with his attorney at a podium, while the judge and his staff observe them on a monitor more than four miles away. The image of the judge appears on a twenty-five-inch screen before the defendants and visitors. Members of the district attorney's office have opted to remain in the courthouse with the judge to participate in the proceedings. The system also includes fax machines for transmitting related paperwork.

First appearances are a volatile time for both prisoners and visitors. The video court system keeps security fears, transportation costs, and contraband control problems to a

minimum. The court administrator has noted, "The biggest impact of the video court system is on security; the days of the 'chain gang' are over."

In these days of limited funding, the video court system will also save money. The system is projected to pay for itself in five years by reducing transportation costs. For many jurisdictions, initial costs can be recouped quickly in manpower and transportation savings.

The system operates efficiently and has few maintenance requirements. To date, El Paso County's system has only been out of operation for one day, which was a result of a minor mechanical failure.

**W**hile many in the law enforcement community still view modern technology with skepticism, video courts provide a safe, secure alternative to the traditional mode of operation. The video court system has assisted El Paso County and Colorado Springs in meeting the key goals of public safety and security of the institution. Our experience has also demonstrated the effectiveness of a multi-agency approach to accomplishing goals in an atmosphere characterized by close public scrutiny and the need for an objective analysis of the issues.

For more information, contact Commander Ken Morris, El Paso County Sheriff's Office, Colorado Springs, Colorado, 80906; (719) 390-2106. ■



# Norfolk County Correctional Center Finds Home on Highway Median

by *Peter Perroncello,*  
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**T**he Norfolk County Sheriff's Office and Correctional Center is the only jail in the United States located on the median of an interstate highway. Unlikely as it seems, the site was the best one available. As the highway crossed the Charles River, the southbound lanes cut through a granite ridge, and the northbound lanes diverged, avoiding the ridge entirely. What remained was a nearly 700-foot median strip between lanes.

## Federal Highway Administration's Concerns

Because of the jail's proposed location, however, the Federal Highway Administration (FHA) entered the picture, concerned over the issue of "joint use of airspace" as well as the effect of a correctional facility on the site. The FHA wanted to ensure that motorists would not be distracted by high lighting levels surrounding the facility. In addition, the FHA recommended that any structures erected should be compatible with existing buildings along the highway.

The jail's exterior was designed to address FHA concerns about aesthetics and motorist safety. The result is a combination of precast and reinforced concrete that resembles neighboring corporate façades. Strategic landscaping virtually conceals the jail's exterior from view, and carefully planned lighting ensures minimal distraction to motorists. Extensive planting along the sides of the site facing the highway obscures the facility from motorists traveling north and south along the interstate highway.

## Facility Design

In its natural state, the site was saddlebacked; none of it was flat. Construction required the excavation of 250,000 cubic yards of New England grey granite. It was also necessary to connect an access road to an existing street that runs under the highway.

The site provided other challenges as well. As utilities are not normally provided in the middle of interstate highways, water lines were brought in from a considerable distance. The sanitary sewer paralleled a new natural gas connection.

Within the confines of the narrow site, a long rectangular scheme running north to south was necessary. A large single-story central unit contains all administrative and

Strategic landscaping virtually conceals the jail's exterior from view, and carefully planned lighting ensures minimal distraction to motorists.

support services. The south zone holds pretrial and special management inmates; the north zone accommodates pretrial modules. A separate, two-story minimum security pre-release facility is on the site, as well as a vehicle maintenance garage. Buildings total 144,000 gross square feet, covering 8.2 acres. The total site is approximately twelve acres.

The new 332-bed correctional center has 270 beds for pretrial and sentenced inmates in eight housing modules; another sixty-two beds are located in the minimum security center adjacent to the main facility but outside the secure perimeter.

## Inmate Supervision

The facility will use two approaches to direct supervision:

- The south zone, housing pretrial and special management inmates,

will emphasize the passive elements of direct supervision. Activities will be restricted to the four housing modules.

- The north zone will have a more active environment. Inmates will be allowed out of the housing modules to eat in a common dining area, attend religious services, and participate in a variety of educational and other programs.

Unit management will be used to direct activities in the eight housing modules. Unit staff will be responsible for all decisions affecting the

as a result of both groups' willingness to compromise. The design represents a unique resolution to many problems.

**T**he Norfolk County Sheriff's Office and Correctional Center opens in mid-October, 1992, well under budget and five months ahead of schedule.

For additional information, contact Peter Perroncello, Norfolk County Sheriff's Office and Correctional Center, Dedham, Massachusetts, 02026; (617) 329-3705. ■

Working with this site—which might have seemed impossible—has involved the strong and continued cooperation of many groups, including the community, the sheriff's office, and the architects.

operations of each module. A case-worker and a correction officer will work in tandem to improve interpersonal communication within each module.

### **Cooperation Among Agencies and Other Groups**

Facility siting issues often generate extensive controversy. Working with this site—which might have seemed impossible—has involved the strong and continued cooperation of many groups, including the community, the sheriff's office, and the architects. Norfolk County has also achieved a landmark precedent with the Federal Highway Administration



## Recommended Reading

*Is Accessibility a Disability? The Impact of ADA on Jails.* Atlas, Randall. 1992. 45 p.

The author reviews the 1990 Americans with Disabilities Act and its applications to detention and correctional facilities. The latter half of the document focuses on the challenge of finding cost-effective ways to ensure reasonable access without compromising security. Areas of detention and correctional facilities examined individually include intake and release areas, housing, security vestibules, health care units, visiting areas, administrative offices, and multi-purpose recreation/program areas.

*Mental Health Services at Los Angeles County Jails.* Lu, Elsie Go. Los Angeles County. Dept. of Mental Health (Los Angeles, CA), 1991. 9 p.

Citing increasing numbers of mentally ill inmates in California's county jails, this report describes the psychiatric facility developed by the Los Angeles County Jail System. Program components include: the forensic inpatient program, forensic

outpatient program, forensic day treatment program, forensic aftercare program, and mental health court diversion program. Also provided are a list of contacts and statistical information on mentally disordered inmates within the Los Angeles County jail system.

*Smoke-Free Jails: Collected Resources.* LIS, Inc. (Boulder, CO); NIC Information Center (Boulder, CO), 1991. Sponsored by National Institute of Corrections (Washington, DC). 89 p.

Included in an information packet on smoke-free jails are collected articles concerning no-smoking policies in jails, associated legal issues, sample policies from Hillsborough County (Florida) and Dane County (Wisconsin), and results from a 1990 megajail survey concerning smoking restrictions.

### **Make Your Agency's Materials Available to Jail Administrators Nationwide**

The NIC Information Center continually needs new resources that address jail issues. Participate in a national resource exchange by sending materials on any topic, or on one of the following:

- Fees for service
- Cell extraction
- Programs or procedures for compliance with OSHA blood-borne pathogenic requirements.

*Thank you for your participation*

Single copies of these documents may be requested by contacting the NIC Information Center at (303) 682-0213, or sending your request to 1860 Industrial Circle, Suite A, Longmont, Colorado, 80501.