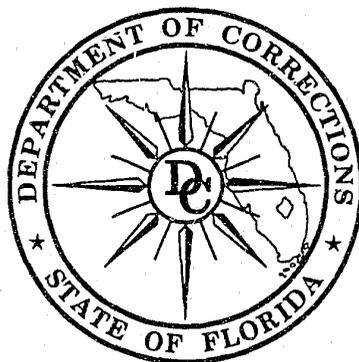


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FLORIDA DEPARTMENT OF CORRECTIONS

Harry K. Singletary, Jr., Secretary



STATUS REPORT ON ELDERLY INMATES

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U.S. Department of Justice
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Prepared by: Youth and Special Needs Program Office
January, 1993

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Prepared by: Youth and Special Needs Program Office

Wilson C. Bell, Assistant Secretary for Programs

Manoucheher "Mano" Khatibi, Ph.D., Director

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PREFACE

This status report on elderly inmates presents a brief overview of issues concerning the older status population in the prison setting. It recommends a specific definition of "older" inmate; displays current population data; discusses policy and programmatic needs; and recommends a plan of action to address these issues in Florida.

I. INTRODUCTION

The American population is graying, with those 65 and older the fastest growing age group in the United States. By the year 2000, there will be 34 million Americans over age 65, or 8 million more than there were in 1980. Those over age 50 will make up 33% of the U.S. population by the year 2010, as compared with only 26% at the present time. We can expect the nation's prison population to reflect this change with a steady increase of this age group. Now is the time to address the issues concerning the older inmate.

Defining Older Inmates

One of the problems facing correctional practitioners in addressing the programmatic, health, and management issues associated with elder inmates is that no definition of what constitutes an "older" offender has been established. Professionals in the field, including gerontologists, do not agree on a specific chronological point at which a person should be classified as old. Definitions state a chronological age that ranges anywhere from 40 to 65. This disagreement among authorities is reflected in the attitudes of society as a whole. The Social Security Act, for example, places the normal retirement age at 65 and reduces benefits if retirement occurs between 62 and 65. Other federal programs have varying definitions. The Federal Age Discrimination in Employment Act covers workers 40 years of age and older, while the Job Training Partnership Act designates those 55 and over as older workers. Subsidized public housing is available to those 60 and older, while eligibility for nutrition and community-service programs varies from age 50 to 55. See Appendix I for more details.

Gerontologists, who also do not agree on a specific chronological starting point for the study of aging, often group people into the following categories:

- older population, 55+
- elderly population, 65+
- aged population, 85+

Others refer to the following categories:

- young-old, 60-74
- middle-old, 75-84
- old-old, 85+

The result is no uniform frame of reference for either research, planning, or programming efforts.

Moreover, chronological age is but one of several factors that must be considered in classifying an older inmate. An extremely important factor is the inmate's mental and physical health, the state of which depends on inherited traits, prior lifestyle, environment, and socioeconomic

background. Because of adverse circumstances in their background and often their limited access to medical care, the physiological age of many inmates may well be older than their chronological age.

Recommended Definition

In order to facilitate classification and programming efforts in Florida's correctional system, it is recommended that we use the following statement to define older inmates: **In view of the physical and mental health of most offenders (the result of socioeconomic status, medical care, and lifestyle), it is recommended that correctional agencies nationwide adopt age 50 as the chronological starting point in a definition of "older offenders."**

II. NATIONAL PROFILE OF THE ELDERLY INMATE

Nationally, the number of inmates 55 and older more than doubled from 1981 to 1990, and the Federal Bureau of Prisons predicted in 1988 that between that year and 2005, the number of inmates in their system, age 50 and older, would grow from 11.7 percent to 16 percent of the population.

The following facts give a profile of the older inmate nationwide.

- Over 95% are males.
- A majority are white; however, minorities (black, Latino, native American) are disproportionately represented.
- Their health is fair to poor, with a history of substance abuse and depression.
- Most are single, widowed, separated, or divorced.
- Most have less than a high-school education.
- Most are unskilled or semiskilled, often with lower-level clerical or sales abilities.
- Offenses include the following:
 - Type 1 - long-term offenders; committed major felonies (homicide)
 - Type 2 - chronic recidivists; committed property crimes and sexual offenses (including rape and child molestation)
 - Type 3 - late-life, first-time offenders; committed crimes against the person (homicide, aggravated assault, and vehicular homicide)
- The recidivism rate is less than 5%; goes down as age goes up.
- Research indicates that older inmates are better behaved in prison than younger inmates.
- They have much lower recidivism rates following release. Many states and the federal prison system take this lower recidivism rate into account when making parole decisions involving older inmates. Florida, however, does not.
- Research indicates that older inmates prefer living in units separated from younger inmates, primarily for safety reasons.

- Several states are providing special housing and programs for older inmates. Most of these policies, however, are based primarily on the inmates' health rather than age.
- Many studies indicate that most existing programs are not designed structurally or programmatically for older inmates and do not meet their needs.
- Many are serving long sentences and are not eligible for early release or parole.
- A large number of elder male inmates are not eligible for community-based programs due to the nature of their sentences. Many are sex offenders, which means that they are automatically excluded from work-release or community-based drug programs.
- Elder inmates are the most expensive to incarcerate. A recent estimate indicates that the cost nationally per inmate is more than \$60,000 per year.

Programs for Elder Inmates in Other States

Several state correctional systems have addressed the issue of aging among their prison population. Included here are a few samples of the types of programs that have been designed to meet the needs of older offenders.

Georgia: Men's Correctional Institution in Hardwick has a population of approximately 640 and is designated as a facility for "aged and infirm" inmates. More than half of its population is over the age of 50. It is also estimated that over half of the inmates are chronic care cases.

Michigan: A geriatric unit at Lakeland Correctional Facility in Coldwater uses an inmate's age as the primary criterion for admission. The unit consists of four wings off the health-care center with each room housing anywhere from 1-6 men.

North Carolina: McCain Correctional Hospital in McCain, North Carolina was opened in 1983 as an acute care hospital and geriatric unit for minimum custody inmates. The facility population is 330, with approximately 60-70 of those classified as geriatric cases. Aged and infirm inmates in higher custody grades are located primarily at Central Prison in Raleigh. Age is a weighted factor in North Carolina's objective classification grading system. Some inmates are assigned to the McCain facility based on age, not medical condition.

South Carolina: State Park Correctional Center in State Park, South Carolina, consists of three units - one of which is a geriatric/handicapped unit for minimum custody older males. The admission criteria is age 55 or older and some health limitation. It's population is currently 113 geriatric cases and 25 younger inmates assigned to work details.

This is a co-correctional facility with a women's work release unit. Also housed here are 12 female geriatric cases. The main unit has a population of 150 males. All three units are designated as a "protected" environment and accepts low risk inmates who cannot function in the "mainstream" environment of the more traditional correctional setting. Most of the higher custody older inmates are housed at Broad River Correctional Institution in Columbia.

Virginia: A geriatric program operates within the Staunton Correctional Center to meet the needs of inmates 55 years of age and older. The program includes specialized groups for educational and recreational purposes.

National Survey Results

A survey of available resources on the elderly inmate population in the United States found the most comprehensive study to date was conducted in the spring of 1991 by Joann B. Morton and Nettie C. Jacobs and is entitled "Older Inmates in State and Federal Prison: State of the Art." Their findings are highlighted in Appendix II.

III. FLORIDA PROFILE OF THE ELDERLY INMATE

The number of older inmates in the general prison population has increased remarkably in the last ten years. In 1982 there were 895 inmates over the age of 50 in Florida's prisons, compared with the 2,432 incarcerated ten years later. That represents an increase from 3.4% to 5.0% of the total prison population. Over that same period, the state's total prison population increased from 26,161 to 48,387. It has been estimated that this older inmate population will exceed 3,000 by the end of this decade.

The characteristics of the older inmate in Florida mirror those of the older inmate nationally. In Florida, older inmates are serving longer sentences than other prisoners. They are more frequently committed to prison for more serious crimes than their younger counterparts. The most common offenses involve murder, sex offenses, and drugs.

Although elder inmates still make up a relatively small proportion of the total inmate population, they have a significant management and fiscal impact upon corrections. The department has traditionally attempted to mainstream this population whenever possible. Because elder inmates are usually quiet, less troublesome, and much less violent than younger inmates, they are in some ways easily absorbed into the general prison population. However, the elder inmate population does have special needs and problems which must be addressed. These are related to the following:

- chronic health problems -- physical, dental, psychological
- substance abuse
- vulnerability to victimization by younger, more aggressive inmates
- lack of interest in prison programs, such as educational and vocational programs
- inability to participate in many recreation programs
- if sex offenders, ineligibility for work-release or community-based drug programs
- lack of financial resources
- ineligibility for employment with PRIDE
- lack of family or family members who are financially able to contribute
- the continuation of the aging process in prison
- the need for transition release programs, such as health, family, housing, and financial support.

Florida Statistics

The Florida Department of Corrections as of January 31, 1993, had 2,432 inmates 50 years of age or older, which represents 5% of the total inmate population in the state. Florida's over age 50 inmate population ranks third in the nation's prison systems.

AGE RANGE		
RANGE	NUMBER	PERCENTAGE
50-55	1320	54.3
56-60	554	22.8
61-65	287	11.8
66-70	164	06.7
71-75	79	03.2
76+	<u>28</u>	<u>01.2</u>
TOTAL	2432	100.0

BREAKDOWN BY RACE		
RACE	NUMBER	PERCENTAGE
Black	780	32.1
White	1600	65.8
Other	48	2.0
Unknown	<u>4</u>	<u>0.2</u>
TOTAL	2432	100.0

BREAKDOWN BY RACE/SEX

RACE/SEX	NUMBER	PERCENTAGE
Black Female	30	1.2
White Female	54	2.2
Other Female	0	0.0
Black Male	750	30.8
White Male	1546	63.6
Other Male	48	2.0
Unknown Data	<u>4</u>	<u>0.2</u>
TOTAL	2432	100.0

CUSTODY CATEGORIES

CUSTODY GRADE	NUMBER	PERCENTAGE
Maximum	18	0.7
Close	1076	44.2
Medium	750	30.8
Minimum	562	23.1
Unassigned	<u>26</u>	<u>1.1</u>
TOTAL	2432	100.0

SENTENCING CATEGORIES

OFFENSE	NUMBER	PERCENTAGE
Murder	758	31.2
Sexual Offenses	707	29.1
Drugs	331	13.6
Robbery	152	6.3
Violent/Personal	151	6.2
Larceny	130	5.3
Burglary	105	4.3
Weapons	51	2.1
Other/Non-Violent	<u>47</u>	<u>1.9</u>
TOTAL	2432	100.0

LENGTH OF SENTENCE

RANGE	NUMBER	PERCENTAGE
0-5 Years	426	17.5
5+ Years	388	16.0
10+ Years	380	15.6
15+ Years	159	6.5
20+ Years	369	15.2
Life	689	28.3
Death	<u>21</u>	<u>0.9</u>
TOTAL	2432	100.0

**CORRECTIONAL FACILITIES IN FLORIDA WITH 50 OR MORE INMATES
50 YEARS OF AGE OR OLDER**

FACILITY	NUMBER
Lawtey Correctional Institution	141
Union Correctional Institution	135
Polk Correctional Institution	117
Glades Correctional Institution	101
Tomoka Correctional Institution	76
New River Correctional Institution (W)	75
Marion Correctional Institution	74
Avon Park Correctional Institution	71
Martin Correctional Institution	64
Jackson Correctional Institution	60
Desoto Correctional Institution	59
Hendry Correctional Institution	58
South Florida Reception Center	58
Sumter Correctional Institution	56
Zephyrhills Correctional Institution	52
Central Florida Reception Center	51
Charlotte Correctional Institution	50
TOTAL	1298

Source: Florida Department of Corrections
Bureau of Planning, Research and Statistics
January 1993

What Has Been Done in Florida?

Florida's existing programs for older inmates are located at Lawtey Correctional Institution and Hillsborough Correctional Institution for males, and at Florida Correctional Institution for female inmates.

Lawtey Correctional Institution

For several years, Lawtey Correctional Institution has been known as the correctional facility for the elderly. Sentence length and custody level are the most important factors in determining whether an inmate is sent to Lawtey, but physical and mental health is also considered. Inmates with acute health problems may be sent to the prison's infirmary for observation and then on to a local hospital, if necessary. The older inmates participate in shuffleboard, parlor games, bocci, watching television, and the horticulture program. The facility also offers inmates a pre-release orientation.

Hillsborough Correctional Institution

Hillsborough is a small facility, housing only about 300 inmates. The facility accommodates all custody levels in rooms, each of which houses two inmates. Since Hillsborough is small, it is more easily supervised.

Hillsborough has a six-bed infirmary providing basic medical care. Inmates with serious medical problems are sent to nearby Tampa General Hospital, or to one of two other community hospitals.

The older inmates may enroll in the academic education program if they wish, or may get involved in vocational training. Older inmates with physical limitations may be assigned to easier jobs in the facility, such as cleaning the grounds.

Florida Correctional Institution

Florida Correctional Institution in Lowell maintains a separate dormitory for older female inmates, which is very close to the prison's infirmary. The dorm houses an average of 35-40 inmates. Most of the dorm residents are medical grade 3's (moderately impaired), who receive lighter job assignments than younger inmates unless they request a regular assignment. FCI emphasizes social services, assisting the older women to secure housing and other services upon release.

What Is Being Done in Florida?

Historically, the focus has been on impaired inmates, which has often included the older inmate population. "Impaired" refers to an inmate with a "disability or limitation which would restrict his performance in activities" such as work or programs available to the general population. Inmates over the age of 55 have their health status record tracked by the department's Office of Health Services to ensure proper placement throughout the system, but this has had little impact upon programming to meet the needs of this population or the designation of specialized facilities.

Within the department's Youth and Special Needs Program Office, a position has been designated to develop and coordinate the special needs programming for the elderly inmate population. In addition, the department has formed a steering committee to guide the development of policy and procedures related to this issue.

A working partnership has been established with Florida's Department of Elder Affairs, which will advise and assist with the transition of inmates back into the community. Together a strategy will be developed to support the following initiatives:

- Develop formal linkages and operational agreements for frail older releasees to be identified and served within the private community provider networks.
- Analyze of the data base information on elderly inmates to determine the feasibility of allowing them to join community groups.
- Provide assistance with program design and development at facilities with a concentration of elderly inmates.
- Develop an elder volunteer-recruitment initiatives for services in correctional facilities.

IV. FINDINGS AND RECOMMENDATIONS

Based on this review of the status of elderly inmates, the following findings and recommendations are included for consideration by the Florida Department of Corrections.

FINDING #1: Confusion still exists among the states and within Florida on the definition of an older inmate.

Recommendation 1: The Florida Department of Corrections adopt the age of 50 as the chronological starting point in a definition of the older inmate.

FINDING #2: Before physical and programmatic changes can be made, there must be substantially more study followed by a meaningful plan of action.

Recommendation 2: The existing practices and programs regarding the elderly be examined as a first step in developing an explicit and integrated set of policies and programs to address the special needs of this group. Some of the issues to be addressed include the following:

- Mainstreaming vs. segregation
- Individualized programming
- Fiscal and legal implications
- Classification and assignments
- Physical plant and architectural designs
- Older female offenders

FINDING #3: A need exists for a small community facility and/or special housing units for assignment based primarily on age and/or chronic health-care problems.

Recommendation 3: A study be conducted to determine the current and projected long-term care needs of the older inmate population. This study should be a cooperative effort between the Department of Corrections and a state university expressing interest in conducting research in this area of corrections.

FINDING #4: Little emphasis is placed on the special transitioning needs of elderly inmates returning to the community.

Recommendation 4: Through a cooperative agreement with the Department of Elder Affairs, a plan of action be developed to make information available to those elderly inmates in need of transitional assistance.

FINDING #5: A need exists to involve more citizen volunteers in programs specifically designed for elderly inmates.

Recommendation 5: An effort be made by the department's coordinator of volunteer services to increase the use of citizen volunteers to assist both staff and the older inmate population.

FINDING #6: A need exists for specialized training for staff working with elderly inmates.

Recommendation 6: A training program be designed and taught by individuals with formal training in gerontology for those staff working in facilities with a high number of older inmates to increase awareness of the special needs of the elderly inmate population.

FINDING #7: A need exists for more funding to design and implement special needs programming for elderly inmates.

Recommendation 7: An effort be made to seek new funding resources to support research and programming related to the elderly inmate population.

V. SOURCE REFERENCES

Florida Department of Corrections, Bureau of Planning, Research and Statistics, 1992.

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VI. APPENDICES

Appendix I - Applicable Legislation

- Several pieces of federal legislation impacting older people and service providers must be considered in the development and implementation of correctional programs. The legislation covers both services for and the civil rights of older people. One of the major pieces of legislation impacting services for the elderly is the **Older Americans Act of 1965** as amended. This act, administered by the U.S. Department of Health and Human Services, mandates that each state establish an agency to coordinate aging activities at the state level. Federal funds channeled through the state agency provide partial and/or total funding for a variety of services including senior centers; counseling services; nutritional services; home and congregate meals; in-home services for frail elderly; elder abuse prevention; older worker (age 55 and up) community service employment program. Some of the employment programs are administered by the U.S. Department of Labor (DOL) under the Older Americans Act.
- Also relative to employment, the **Job Training Partnership Act of 1960** administered by DOL provides programs for older workers 55 and older. The program provides assessment and training for older workers as well as job counseling and placement services. Jobs for this group can be full or part-time with an emphasis on the former.
- Another important piece of legislation is the **Social Security Act**, which in addition to administering retirement benefits, also provides block grant funding to the states for a variety of social services programs including meals, transportation, adult day care, and others for those who meet income guidelines regardless of age. Supplemental Social Security benefits and health care funding including Medicare and Medicaid are other important components of Social Security programs.
- Other federal legislation dealing with individuals with disabilities could apply to older persons if they meet the criteria. In both the **Rehabilitation Act of 1973** and the **American with Disabilities Act of 1990**, disabled are defined as those with a physical or mental impairment that substantially impairs one or more life activities. This includes such things as caring for one's self, completing basic manual tasks, seeing, hearing, walking, breathing, or working. Both acts prohibit discrimination against and specify equal access to programs, services, and other activities by persons with mental or physical disabilities. Mainstreaming under both pieces of legislation is encouraged.

- Another piece of applicable civil rights legislation is the **Federal Age Discrimination Act of 1967**. This legislation makes it unlawful to discriminate on the basis of age between 40 and 70 in any area of employment. The administration of this act is under the Equal Employment Opportunity Commission.

Appendix II - Highlights of "Older Inmates in State and Federal Prison: State of the Art", by Joann B. Morton and Nettie C. Jacobs.

- A. Only four agencies had written policy and procedures which specifically addressed older inmates. They were Georgia, Pennsylvania, South Carolina, and the Federal Bureau of Prisons.
- B. A chronological age was used by 28 agencies to designate an older inmate, but that age ranged from 50 to 65 with the average age of 59 and a mode of 55 years of age.
- C. Special units for older inmates were reported by 18 agencies. Of those with special units only three agencies (Florida, Ohio, and South Carolina) reported housing older females in special units.
- D. Common criteria used to make housing assignments for older inmates include the following:
 - Inmate health needs
 - Inmate program needs
 - Inmate security needs
 - Age only
 - Geographical location of inmates family
 - Medical care only
 - Other, most often related to level of functioning

Note: No agency reported using chronological age alone as the main criterion.

- E. Living arrangements included:
 - Single bunks only
 - Double bunks only
 - Both single and double bunks
 - Single cells, double cells, and dormitory arrangements
- F. Security levels of special unit housing included:
 - 5 with lock-up units

- 6 with minimum custody
- 1 with work release
- 3 with more than one security option for special housing for older inmates

G. Equipment and provisions designed for older inmates and the number of agencies reported having these options are as follows:

- Wheelchair-accessible living areas (32)
- Wheelchair-accessible dining areas (28)
- Wheelchair-accessible industries (14)
- Wheelchair-accessible program areas (25)
- Call button by bed in living areas (06)
- Call button in unit (05)
- Air conditioned (18)
- 24-hour medical care (26)
- Handicapped bathroom accessible (27)
- Handrails (24)
- Hearing-impaired phones (05)

H. Programs designed for older inmates and the number of agencies providing them are as follows:

- Medical (21)
- Work (13)
- Education (14)
- Recreation (19)
- Therapy (17)
- Exercise (17)
- Pre-release (11)

I. Only 21 agencies reported having programs that were available to both male and female inmates. Eight agencies reported having co-correctional facilities for older inmates.

J. Twenty-two agencies reported that plans had been developed for new or expanded programs for older inmates.

K. Only six agencies reported that any form of special training was offered to staff working with older inmates.

L. Thirteen agencies reported that at least one outside agency was involved in providing services to older inmates. Only seven listed more than one outside agency that was involved with their elderly population. Twenty-seven agencies reported no outside involvement with their older inmates.