



Overcrowding in Correctional Institutions

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National Institute of Law Enforcement and Criminal Justice
Law Enforcement Assistance Administration
United States Department of Justice

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OVERCROWDING IN CORRECTIONAL INSTITUTIONS

A Selected Bibliography

by

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INTRODUCTION

The number of prisoners in custody has been growing at a steady rate since 1972. In fact, between 1972 and 1976, the inmate population increased by 44 percent, resulting in a serious overcrowding in the nation's correctional institutions. A recently completed survey indicates a national deficit of more than 20,000 beds. Using existing facilities in excess of their capacities creates security problems as well as living conditions that have been termed "cruel and unusual punishment" -- unconstitutional in other words.

In order to accommodate the growing number of inmates, three or even four prisoners are sometimes assigned to cells designed to hold a single prisoner. Prisoners are sleeping on the floor, in shower rooms, in hospital and recreational areas, in corridors, and in facilities once abandoned.

It is difficult to measure the cost to society of maintaining the status quo, since there are so many intangible factors involved, such as the lack of educational and recreational opportunities, the natural buildup of aggression and restlessness in the incarcerated population, the adverse effect of confining the young with the older hardened criminal, the problems of homosexuality, and sheer wastefulness of storing people without regard to their needs or rehabilitation.

One way of alleviating overcrowded institutions is to build additional facilities at an average cost of \$30,000 per bed. There are many other alternatives, including early release of offenders, diversion to other facilities, more liberal use of parole and probation, community-based corrections, halfway houses, community service, and restitution.

The documents in this bibliography were selected from the data base of the National Criminal Justice Reference Service to highlight the overcrowding in the nation's correctional institutions and remedial action underway or recommended. The entries are arranged alphabetically by author in each of the two sections: Part I includes documents that describe overcrowded institutions, and Part II provides examples and recommendations of alternatives to overcrowding.

Information on how to obtain the documents cited may be found on the following page.



HOW TO OBTAIN THESE DOCUMENTS

All of the documents in this bibliography are included in the collection of the National Criminal Justice Reference Service. The NCJRS Reading Room (Suite 400, 1015 20th Street, N.W., Washington, D.C.) is open to the public from 9:00 a.m. to 5:00 p.m. All of the documents cited are also available in at least one of the following three ways:

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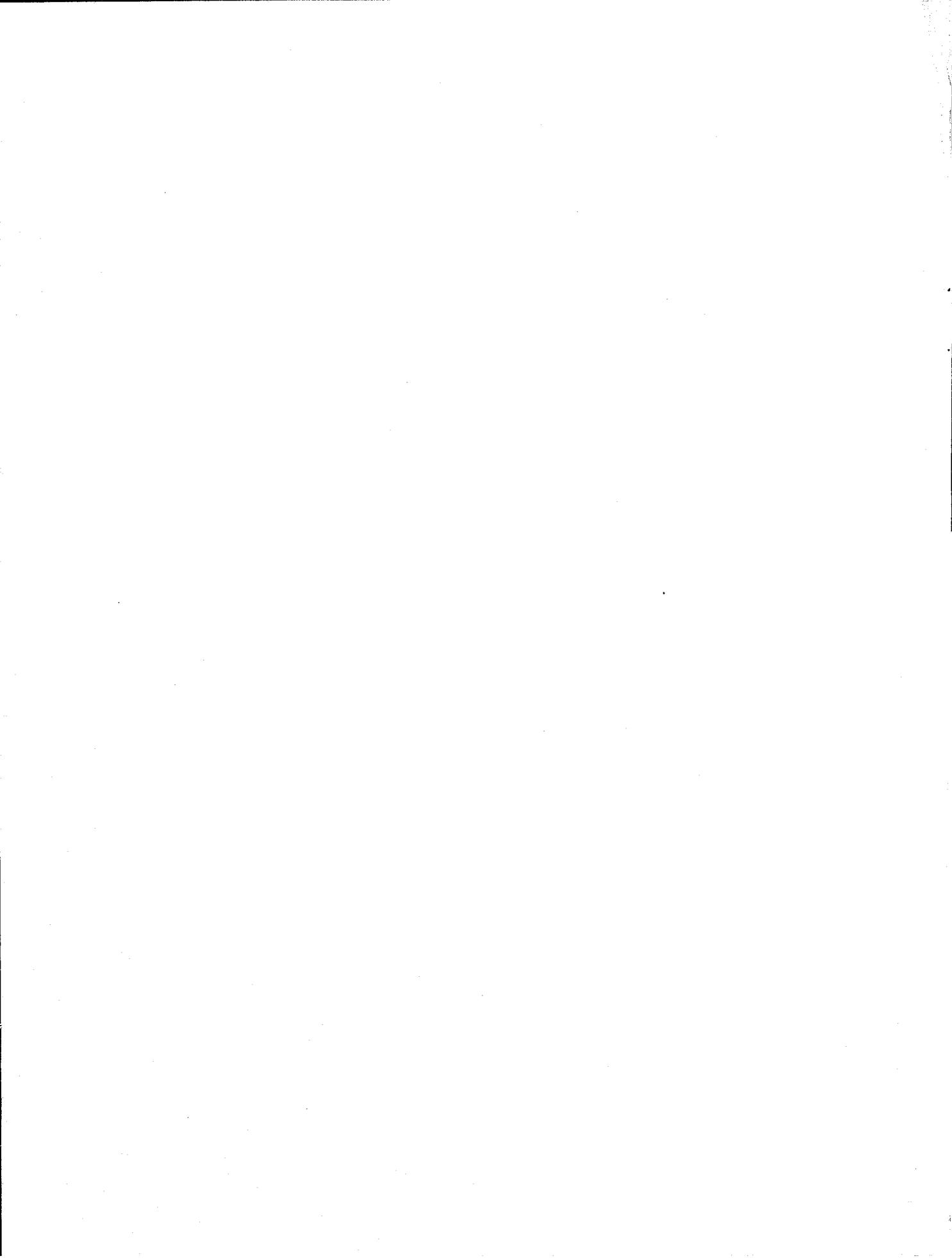
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OVERCROWDING – THE PROBLEM



1. BATES, S. How Many Years. Crime and Delinquency, v. 19, n. 1: 15-18. 1973. (NCJ 09190)

Living conditions are critiqued and the dearth of rehabilitative programs in American county jails is described. County jails most often hold sentenced petty offenders and persons awaiting trial. They are usually operated by local law enforcement officials who have neither the skill nor time to develop rehabilitative programs. It is suggested that the only effective way to improve jail conditions is for the States to assume responsibility for the care of short-term prisoners.

2. BRY, D. Rock County (WI) Jail Study -- Final Report -- Findings and Recommendations. Rock County, Wisconsin, Office of Management Analysis. 1975. 54 p. MICROFICHE (NCJ 25195)

A final report is presented on a 1975 project to study the effects of changing crime rates, sentencing procedures, economic conditions, population, State legislation, and correctional philosophy of the Rock County jail. The study was undertaken in order to identify current inadequacies in the administration and functioning of the jail and to indicate remedial action. The county office of management analysis conducted the study which relies on jail records and documents and interviews with jail staff, inmates, and criminal justice personnel. The study found the jail to be overcrowded, providing inadequate services to inmates, and ineffective as a crime deterrent. An overall lack of coordination was found within the county criminal justice system. Extensive and detailed recommendations are made for improvement. Extensive use is made of tables, charts, and diagrams.

3. CAHN, W. Nassau County (NY) Jail -- Report. Crime and Delinquency, v. 19, n. 1: 1-14. January 1973. (NCJ 09191)

In April 1972, an investigation was initiated by the District Attorney of Mineola, New York, due to allegations of brutality, corruption, and unrest in the Nassau County jail. The services of a private detective firm were employed, and 15 of their undercover agents spent time as inmates in the jail. This article contains comments on the agents' reactions to being incarcerated and their findings regarding overcrowding, noise, lack of privacy, staff attitude and performance, and medical care. The report states that no evidence was found of gross mistreatment, but that there were countless minor complaints, crowded conditions, lack of privacy and peace, and unprofessional attitudes and practices by some guards. An editor's postscript reports on the indictment on June 8, 1972, of 26 jail guards.

4. COOPER, H.H. Prison Problems in the U.S.A. and Peru. International Journal of Offender Therapy and Comparative Criminology, v. 16, n: 1: 25-31. 1972. (NCJ 07573)

A critical examination of the correctional systems of the United States and Peru discusses problems of pretrial detention, overcrowding, plea bargaining, brutality, and inadequate rehabilitation programs. The author feels that inhumane and inefficient treatment of offenders in correctional settings tends to negate attempts at rehabilitation. The problem of extremely lengthy periods of pretrial detention in Peru is seen as one barrier to rehabilitation, since pretrial detainees are not eligible for rehabilitation programs and are not housed in separate facilities. Detainees often spend years awaiting trial and so may lose any opportunity to participate in programs, since their final sentence may be equal to or even less than the actual time served awaiting trial. It is felt that similar problems are arising in many parts of the United States, especially in urban areas. The plea bargaining system in the United States is also criticized. Exaggerated periods of pretrial detention and a reliance on plea bargaining to clear up court backlogs are seen as detrimental to the goal of efficient and speedy criminal trials, which should be the foundation of effective correction. Minor palliatives such as night courts are also labeled ineffective. Prison disorders in both countries are mentioned, and the common characteristics of fear, hatred, brutality, and overcrowding are described as causes. Repressive measures are not an answer to the problem. The problem of inadequate capabilities for inspecting prisons and the fact that in both countries prison staff members are underpaid are examined. The author concludes that more attention and money must be devoted to the correctional system, and that humane treatment of the prisoner is not merely a legal and social obligation but the first step toward rehabilitation.

5. GETTINGER, S. Profile/The Adult Corrections System in New York City. Corrections Magazine, v. 2, n. 4: 30-40, 45-50. June 1976. (NCJ 35499)

The history of the city's adult prison system is presented. Overcrowding at facilities is discussed and alternatives to incarceration such as pretrial release, diversion, and community treatment programs are assessed. Court rulings that have effected changes in the system since 1972 are briefly reviewed. Budgetary problems affecting prison operations and adding to existing problems such as overcrowding, created by the city's financial crisis, are also considered.

6. _____ . U.S. Prison Population Hits All-Time High. Corrections Magazine, v. 2, n. 3: 9-17. March 1976. (NCJ 34426)

A survey of the States shows that 49 of them experienced prison population increases in 1975 -- the 1975 total of 250,000 inmates is the highest since the 220,000 total of 1962. 1974 and 1975 end-of-year prison population figures are given for the States, the District of Columbia, and the U.S. Bureau of Prisons. The high population makes overcrowding at most facilities inevitable, and there are often three or four in a one-man cell. Reasons for the increase are proposed -- they include soaring crime rates, improved prosecution, and tougher attitudes towards criminals. Many States are responding to the increases with building programs although they suspect that the new institutions would be overcrowded as soon as they were opened. Alternatives are scarce, however, and corrections administrators have, in many cases, resigned themselves to constructing new facilities.

7. HART, W. Profile/Michigan. Corrections Magazine, v. 11, n. 5: 55-63, 65-66. September 1976. (NCJ 38010)

A description is given of the operations and programs at the State's eight adult correctional institutions, as well as the probation and parole services offered at the State and county levels. The Michigan correctional system is characterized by institutional overcrowding that has lent urgency to the department's large construction program and increasing community treatment programs. State/county probation and parole supervision centers around a contract service program for parolees and two experimental probation programs. The Mutual Objectives Program (MOP) provides for contract probation and the Probation Incentive Program (PIP) supports a probation subsidy program.

8. IBRAHIM, A. I. Deviant Sexual Behavior in Men's Prisons. Crime and Delinquency, v. 20, n. 1: 38-44. January 1974. (NCJ 14400)

A review is presented of factors which may cause abnormal sexual behavior in prisons. Prison attitudes which accept this behavior are criticized and possible solutions are offered. Several factors in prison social structure were found which could produce abnormal sexual behavior. The absence of women, the acceptance of deviant behavior, the lack of work and recreation facilities, overcrowding, the lack of identification of sex offenders and homosexuals, and the lack of contact with the outside world and its sexual norms are all seen as contributing factors. The author states that prison structure must be changed to allow for more work opportunities, greater privacy, and increased employment

of women in prisons to expose men to the presence of women. Conjugal visits and overnight passes are also suggested as means of reducing deviant sexual behavior.

9. MAY, E. Profile/Arizona. Corrections Magazine, v. 1, n. 6: 37-52.
July-August 1975. (NCJ 28927)

A descriptive discussion is presented of the State correctional system and the prison reforms implemented and proposed to alleviate institutional overcrowding caused, in part, by stiff sentencing laws and low rates of adult parole. Correctional management problems and innovations in the three areas of adult corrections, juvenile corrections, and probation and parole are examined individually. The situations at individual correctional institutions are also highlighted.

10. MEGARGEE, E. I. Population Density and Disruptive Behavior in a Prison Setting. In Cohen, Albert, George Cole, and Robert Bailey. Prison Violence. Lexington, Massachusetts, Heath Lexington Books, 1976. 10 p. (NCJ 36049)

This study is designed to investigate the relation of population size and population density to the incidence of disruptive behavior over a 3-year period in a prison for male youthful offenders aged 18 to 25. The study was conducted at the Federal Correctional Institution (FCI) at Tallahassee, Florida, a medium security institution, from November 1971 through October 1974. During this period, FCI was renovating its dormitories and was relocating the extra inmates in with other prisoners. Three independent variables -- inmate population, total space, and space per resident -- were correlated with the total number of disciplinary violations and the rate of violations per 100 residents. Partial correlations were also computed between population and space, and the number and rate of incident reports. The results of the study indicated that, in a prison setting, where crowded conditions are chronic rather than temporary (as in laboratory research) and where people prone to antisocial behavior are gathered together, there is a clear association between restrictions on personal space and the occurrence of disruptive and aggressive behavior. However, since the changes in available space correlated more strongly with disruptive behavior than did changes in the number of residents, support is suggested for the theory that there are different effects associated with reducing available space and increasing the number of individuals in a given space.

11. NACCI, P. L., J. PRATHER, and H. E. TEITELBAUM. Population Density and Inmate Misconduct Rates in the Federal Prison System. Federal Probation, v. 41, n. 2: 26-31. June 1977. (NCJ 43392)

Data from 37 institutions were used to compare incidence of rule infractions and population density. It was found that total assaults and assaults on inmates increased as density increased, especially among younger inmates. This study analyzed juvenile/youth institutions, young adult institutions, intermediate-term adult institutions, and long-term adult institutions. The rule infractions were separated into three overlapping categories: (1) infractions adjudicated by the Institutional Disciplinary Committee (IDC); (2) total assaults (inmate/inmate, plus inmate/staff assaults); and (3) inmate assaults upon inmates. Generally, assaults make up about 15-20 percent of IDC matters. All institutions were overcrowded at the time of survey. The relationship between density and misconduct was strongest in institutions housing young adults. In long-term adult institutions, crowding may help to conceal IDC offenses. With prison densities increasing, dangerous side effects will occur unless alternatives to incarceration are found, especially for juveniles and younger inmates who are more prone to violence, and unless the perception of crowding is decreased. Suggestions for reducing the perception of density include lower lighting, partitioned dormitories, low noise levels, natural greenery, simple spaces, activities that fractionate time, fewer mass activities, freedom to be alone, and social homogeneity. Areas for further research are discussed.

12. NEWFIELD, J. Cruel and Unusual Justice. New York, Holt, Rinehart and Winston, 1974. 222 p. (NCJ 13181)

A journalist's account is presented of brutality and poor conditions in New York State prisons and of partiality and incompetence among New York City judges. It is based on affidavits and interviews with prisoners. Organized beatings of prisoners by guards in New York City prisons and the shooting of prisoners at Attica in September 1971 are described. Instances of overcrowding; arbitrary use of solitary confinement; suicides by prisoners; and lack of adequate food, medical, and sanitary facilities are detailed. Cases are mentioned of judges being lenient with drug distributors and members of the Mafia but harsh with poor offenders and members of minorities. It is claimed that political pull rather than professional qualification is the usual means employed to obtain a judgeship in New York City. It is further asserted that a number of judges there are not qualified. The Knapp Commission Report alleging widespread corruption among policemen, prosecutors, and judges is cited. The city marshals, who execute evictions and garnishments and repossess merchandise, are described as venal and tempted by greed and power. Names of prisoners, corrections

personnel, judges, government officials, and city marshalls are mentioned in connection with the episodes described.

13. NORTHERN ARIZONA COUNCIL OF GOVERNMENTS. Jail Feasibility Study.
Flagstaff, Arizona, 1974. 63 p. MICROFICHE (NCJ 18462)

A review is presented of Arizona's Region III demographic data, arrestee disposition, and existing jail facilities, with recommendations for improving detention conditions and furthering offender rehabilitation efforts. This study consisted of a jail census, a 143-item jail questionnaire, a visit to each jail facility including most county satellite jails, and an interview with each jail supervisor. The study found the jails of Region III generally to be overcrowded, antiquated, poorly funded, and unable to provide either acceptable living conditions or effective rehabilitation services. After reviewing some possible alternative solutions, the report recommends greater intergovernmental cooperation, pursuit of a regional correctional facility concept, and improvement of existing pretrial release programs along with the initiation of new ones.

14. POWELL, L. E. and M. S. SERILL. Profile/Georgia. Corrections Magazine,
v. 1, n. 2: 65-76. November-December 1974. (NCJ 26250)

Correctional facilities and inmate programs for both adult and juvenile offenders are described in this overview of the Georgia corrections system. Georgia, which had a reputation for brutality and inhumane treatment of inmates, has taken great strides to ameliorate the problem. Work release, formerly nonexistent, now involves 500 inmates. Inhouse legal advice is available to inmates. Prison industries have been expanded. Big problems still remain, however, especially in the areas of overcrowded institutions and planning. Juvenile status offenders are no longer automatically incarcerated, thanks to a new law which provides community alternatives for them. Guided group interaction is the primary treatment modality for juveniles.

15. POWLEDGE, F. Seeds of Anguish - An ACLU Study of the D.C. Jail.
Washington, American Civil Liberties Union of the National
Capital Area, 1972. 52 p. (NCJ 07830)

An American Civil Liberties Union investigation of intake procedures, living conditions, and disciplinary practices in the District of Columbia jail is described. First, the jail's own explanation of procedures and facilities is presented, drawn from the jail's literature, from the correction department's memorandum on

discipline, and inmate information bulletins. Then the experiences of the prisoners themselves and former inmates are related, along with additional information gathered during ACLU-sponsored tours of the jail. The inmates contend that medical care is seriously delayed by the jail screening process, that due process is denied in disciplinary hearings, and that the institution is overcrowded with resulting inadequate sanitation facilities. Recommendations, in areas such as discipline, personnel, food, and sanitation, are offered by the ACLU to improve the jail facility.

16. SAN DIEGO COUNTY. Health Care Services in the San Diego County Jail.
By R. J. Stokes. San Diego, California, 1973. 185 p.
(NCJ 12803)

A consultant's study of health care services in the San Diego County Jail, based on literature research, personal observation, and interviews with inmates and staff, is presented. The author's research included 40 hours of onsite observation, review of inmates' health record cards, and interviews with inmates, sheriff's deputies, and nursing staff members. Findings of the study demonstrate, in the author's view, grave deficiencies in health care services and environmental health conditions which seriously jeopardize the health and well-being of the jail inmates. Major deficiencies pointed out are severe overcrowding, demeaning and cursory medical care, no routine intake screening, virtually no rehabilitative programs for inmates with alcohol, drug, or mental health problems, and no system for continuous evaluation of services. Twenty-five specific recommendations for improvement are outlined, grouped under eight general headings -- environmental health, intake screening, health care practices, staffing, community resources, special health needs, expansion of facilities, and evaluation and accountability.

17. STRACENSKY, G. C. and C. M. FRIEL. Texas Jails -- Problems and Reformation. Huntsville, Texas, Sam Houston State University 1970.
173 p. (NCJ 02304)

An assessment of jails and their populations in Texas, with recommendations for their improvement, is presented. An analysis was made of data on jails and inmate populations furnished by the U.S. Bureau of the Census. Results of this study indicate that the State of Texas has too many local jails for its total inmate population. The greatest majority of the jails in Texas do not provide adequate medical, recreational, or educational facilities and services for inmates. Approximately 50 percent of the total cells in these jails are from 26 to 100 years old. The Texas SMSA retain the majority of the total jail inmates in the State and spend the most money on misdemeanor corrections, although they have only 29

percent of the total jails in the state. Recommendations to correct the present situation center about the regionalization of jails and of inmate services.

18. U.S. CONGRESS. Senate Committee on the Judiciary. Juvenile Delinquency -- Part 20 -- Conditions in Juvenile and Young Offender Institutions. Washington, 1971. 1570 p. (NCJ 05888)

A determination of whether the Federal Government must assume a degree of responsibility for improving correctional institutions is discussed. Included are testimony from directors of departments of correction, newspaper reporters, State legislators, penologists, and attorneys. Exhibits include pictures of brutally beaten inmates, contraband, and letters from prisoners describing facility conditions.

19. U.S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. National Criminal Justice Information and Statistics Service. Census of State Correctional Facilities -- Advance Report. Washington, 1975. 36 p. MICROFICHE (NCJ 25642)
Publication No. SD-NPS-SR-1

Preliminary results are presented of a survey of about 600 state correctional facilities which obtained information on types of institutions, number of inmates, facility conditions, expenses, staff, and programs. As of January 1974, there were about 600 administratively separate correctional facilities in the United States operated or funded by State governments. These facilities, which housed almost 190,000 prisoners, ranged from small community centers, or halfway houses, whose inmates often held jobs in the community, to closed prisons containing upwards of several thousand and securely confined inmates. Staff varied in size from a few persons to as many as 500, and annual expenditures ranged from a few thousand dollars to several million dollars. This census of State correctional facilities, conducted for LEAA by the U.S. Bureau of the Census in January 1974, is the first attempt on a nationwide scale to collect data on these facilities. Information was obtained on the types of institutions and the number of inmates housed therein, the age and condition of physical plants, institutional payroll and operating expenses, staff personnel, and programs and services provided. Preliminary findings on selected topics from the census, along with supporting statistical tables, are presented in this advance report. These findings showed that conditions varied greatly from institution to institution, even among facilities of the same type. In many cases this appeared to result not from the specific requirements of the clientele but from disparities in available resources. Some institutions were relatively new and benefited from the latest innovations in prison

relationship between policy and projections is explored. Results from the two trend analysis techniques utilized during Phase I are presented. These policy-blind methods assume, respectively, that intake and release rates continue at their present levels, producing constant growth in the inmate population, and that sentence length and admissions to prison persist at their present levels, causing populations to cease growing after 2 years. The scope and limitations of the dynamic modeling technique which attempts to account for the differential impact of specific policy alternatives is reviewed. The policy scenarios are described in some detail, along with the results of the modeling exercise that was applied to five states and to the Federal prison system. The exploratory nature of this exercise is emphasized. Finally, a number of key policy issues arising from the study which confront Federal and State government are outlined. A bibliography is included. For Volume II, see NCJ 44357.

22. _____ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Prison Population and Policy Choices, v. 2 -- Technical Appendix. By A. Rutherford, P. Caines, F. G. Greber, R. Levine, W. A. Shaffer, and B. Smith. Cambridge, Massachusetts, Abt Associates, Inc., 1977. 179 p.
(NCJ 44357)

The methodology employed for surveying corrections agencies and institutions is summarized and an outline of a Markov modeling exercise to be applied in Phase II is presented. An overview of the dynamic correctional planning model, which utilizes the methodology of system dynamics, is presented. The applications of the model in the police, court, sentencing, corrections, and prison capacity sectors are discussed. The validation of the correctional planning model, the method used to survey corrections agencies and institutions, and results of the dynamic modeling exercise and of the policy-blind projections are described. The Markov model, a statistical model of the flow of persons through the criminal justice system, is introduced. When completed, it will produce projections of the future average levels of persons in the various sectors of the criminal justice system. It will also produce variances for these levels. These variances provide a description of the range of uncertainty in the projected quantities. The report points out the construction and weaknesses of the Markov model. An attachment presents the Markov chains with feedback. For Volume I, see NCJ 44356.

23. _____ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Penal Incarceration and Cruel and Unusual Punishment. By W. S. McAninch. Columbia, South Carolina, University of South Carolina School of Law, 1973. 25 p. (NCJ 11895)

An analysis of State and Federal cases is presented concerning conditions, practices, and disciplinary measures challenged as violating the eighth amendment. In order to be judicially condoned, there must be a legitimate reason for punitive and administrative segregation. Courts will consider the length of such incarceration, unsanitary conditions, overcrowding, extreme temperatures, and grossly inadequate diets to determine if such punishment is "cruel and unusual." In addition, courts are becoming more receptive to eighth amendment arguments where the prisoner can prove that his opportunities for physical activity, exercise of religion, and interaction with other inmates have been restricted and where no showing of compelling governmental interest has been made. Conditions of overcrowding, lack of sanitation, and lack of protection from inmate assaults, if so severe as to be shocking to the conscience of contemporary humanity, may be deemed unconstitutional.

24. _____ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Study of Juvenile Detention in the City of Norfolk, Virginia. By D. M. Bishop and W. J. Diggles. Williamsburg, Virginia, College of William and Mary, 1973. 35 p. (NCJ 10538)
Stock No. PB 223 424

This document presents the data collected in the study and describes some pertinent programs which have been adopted in other jurisdictions. A disproportionate percentage of juvenile status offenders is detained in comparison to the court's overall detention rate. Since juvenile delinquency is often due to family discord, it is suggested that juvenile offenders be diverted to an appropriate family counseling unit at the intake stage. Family counseling is more effective than official court processing and also reduces judicial caseloads. Another detention alternative suggested is a home detention program in which an offender is released under intensive home supervision. The detention of young offenders may not be necessary at all, and a reevaluation of detention criteria and facilities is recommended.

25. WARWICK, R. J. Lenawee County (MI) -- Jail Group Therapy Program -- Summary and Evaluation. Adrian, Michigan, Warwick Associates, 1975. 7 p. MICROFICHE (NCJ 19548)

This evaluation report discloses some factors inherent in jail settings that tend to preclude the success of group therapy rehabilitation programs. One of the problems was the crowded conditions in which inmates lived (11 or 12 inmates per cell). Also, the only time they left their cells each week was for the 1 hour of group therapy. Under these conditions, one was wise not to show any psychological weakness or vulnerability because this weakness would surely be exploited by others for sport during the time that all were living so closely together. Other problem areas are defined as well as the achievements of this program.

26. WILSON, R. U.S. Prison Population Again Hits New High. Corrections Magazine, v. 3, n. 1: 3-8, 12-16, 19-22. March 1977. (NCJ 41484)

The U.S. State and Federal prison population continues its rise upward, according to the annual "Corrections Magazine" survey. The population was 283,000 on January 1, 1977, an increase of 33,000 over the same date in 1976. One expert predicts that if current trends continue, the population will hit 380,000 by 1985. The survey also takes a close look at one of the inevitable consequences of prison overcrowding-- homosexual assault. The plight of one inmate is described in the article. A state-by-state prison population chart is also provided.

27. WRIGHT, E. O. Politics of Punishment -- Critical Analysis of Prisons in America. New York, Harper and Row, 1973. 363 p. (NCJ 10897)

Observations, interviews, and inmate narratives centering on two broad issues -- the internal operation of prisons, and the relationship of prisons to society at large -- are discussed. Three interrelated themes are explored in the discussion of prison internal operations. Rehabilitation is seen as a device used by prison administrators to manipulate and control prison populations. The author examines the discretionary power held by prison officials and how its misuse leads to conditions of lawlessness and totalitarianism. Prisoners' responses to prison conditions are presented in the words of inmates at San Quentin and Soledad and through the author's observations made primarily at San Quentin. Crime and punishment are analyzed as having political implications concerned with the distribution of wealth and power, patterns of opportunity open to various social groups, and

stability of the existing social order. Direct prisoner action, legislative reform and court action are discussed as approaches to challenging the current system. However, the author stresses the ultimate need to restructure fundamental aspects of society before prisons can be significantly humanized. Part of the material is by contributing authors.



APPROACHES TO ALLEVIATE OVERCROWDING



28. ALLIANCE FOR ALTERNATIVES TO JAIL CONSTRUCTION. Santa Clara County Jails -- Where Do We Go From Here -- A Report on the Symposium to Explore Alternatives to Incarceration, May 19, 1973. San Jose, California, 1973. 25 p. MICROFICHE (NCJ 16996)

Faced with overcrowding of their present county jail facilities, 21 community organizations met to explore areas of corrections which would not require new jail construction. Included in this report are synopses of presentations on the present status of jail facilities and alternatives to incarceration in use in both California and other States. Recommendations included a detoxification program to deal with alcohol offenses, use of citations instead of arrests, and expansion of two existing programs -- Project Intercept (pretrial diversion for first-time offenders) and pretrial release. Also suggested were a custody classification preprocessing center, which would bring together in one place all the people an arrestee might come in contact with in his first 48 hours of incarceration, and the Des Moines Project, a program involving supervised pretrial release and probation.

29. AMERICAN BAR ASSOCIATION. Correctional Standards and Implementation Priorities of the National Advisory Commission on Criminal Justice Standards and Goals -- A Special Reprint. Washington, 1974. 160 p. MICROFICHE (NCJ 14527)

A complete text is presented of the major recommendations of the National Advisory Commission Report on Corrections, with the concluding narrative chapter of the report. The extensive commentaries to the standards and goals, and other parts of the National Advisory Commission on Criminal Justice Standards and Goals Report on Corrections have been omitted from this volume to reduce the bulk from the original 636 pages. The narrative chapter explicitly sets forth the priorities and implementation strategies of the National Advisory Commission. Also contained is an excerpt of the American Bar Association Commission on Correctional Facilities and Services Report which endorses the Commission on Criminal Justice Standards and Goals.

30. AMERICAN CORRECTIONAL ASSOCIATION. Response of the American Correctional Association to Correctional Standards as Originally Proposed By the National Advisory Commission on Criminal Justice Standards and Goals. College Park, Maryland, 1976. 53 p. (NCJ 35124)

This document contains the full text of each of the 129 Advisory Commission corrections standards, together with the evaluation and recommendations of the American Correctional Association concerning

each standard. In 1973 the National Advisory Commission on Criminal Justice Standards and Goals, which had been established by the Law Enforcement Assistance Administration in October 1971, published six volumes of standards covering the entire criminal justice system in the United States. One of the six was specifically directed to corrections. The Board of Directors of the American Correctional Association (ACA) immediately began a comprehensive review of the Commission's recommended standards through an elaborate committee structure involving representatives from all local, regional, and professional corrections groups affiliated with the Association. To coordinate the effort, a National Standards Review Committee, composed of board and at-large members, was appointed by the president of the American Correctional Association. This document presents the results of that evaluative effort. After each of the 129 correctional standards, one of the following notations indicating the reaction of the ACA is presented: accepted; modified to read as follows; modified to the extent that the implementation date is changed; and, in one case only, rejected.

31. BALTIMORE MAYOR'S COORDINATING COUNCIL ON CRIMINAL JUSTICE. Baltimore City Jail Overcrowding -- A One Year Perspective. Baltimore, Maryland, 1976. 2 p. MICROFICHE (NCJ 35263)

A chart is presented which summarizes the first year progress of all agencies involved in efforts to reduce the overpopulation of Baltimore city jail. Efforts have been aimed primarily at increasing the number of pretrial releases. Although no significant population reduction has yet been accomplished, the percentage of prisoners in pretrial status has been reduced from 71 to 53, and a greater understanding of the causes of the overpopulation is said to have resulted.

32. BRY, D. Rock County (WI) Jail Study -- Final Report -- Findings and Recommendations.

For complete description, see No. 2.

33. CALIFORNIA DEPARTMENT OF THE YOUTH AUTHORITY. California -- Department of the Youth Authority -- The San Diego Detention Control Study, August 1974 - July 1975. Sacramento, California, 1975. 41 p. MICROFICHE (NCJ 32745)

A final report is presented on a project to reduce overcrowding in the juvenile detention facility through diversion of less serious status offenders -- truants, runaways, and those found uncontrollable in home and school -- from detention. In order to achieve

project goals, the Detention Control Unit recommends for detention only those youths who are charged with provable felonies. Evaluation is based on referral data. Results indicate that under the program, the average daily attendance at the detention center dropped below capacity for the first time in 2 years, while juvenile arrest rates remained almost constant. Recidivism, defined as re-referral to the probation department, was found to be slightly, but statistically insignificantly, less for those initially detained before release than for those released at intake. The report recommends that built-in monitoring systems be designed for diversion and that recognition be made of potential problems for law enforcement and community agencies. Statistics related to all phases of the program and evaluation are presented in numerous tables.

34. CARLSON, N. A. Future of Prisons. Trial, v. 12, n. 3: 27, 29, 32, 34. March 1976. (NCJ 32729)

Three issues facing the criminal justice system which the author feels will determine the future of imprisonment in the United States are examined. The first of these issues is the current debate over the objectives and effectiveness of prisons. The second is the growing number of inmates confined in correctional facilities and finally, the impact of recent court decisions on correctional administration.

35. COLLINS, G. B. One Solution to Overcrowded Detention Homes. Juvenile Justice, v. 25, n. 3: 45-49. November 1974. (NCJ 16955)

The solution presented was to institute an eight-level detention assignment priority system that was limited by the number of beds the detention home was designed to accommodate. The first priority for detention was assigned to those juveniles who had committed a serious felony and the last priority was assigned to juvenile status offenders. Two major goals that had to be realized in the implementation of this priority system were to familiarize the staff with the idea of priorities and sell them on the benefits of the new system, and to inform the community and local law enforcement agencies of the plan.

36. COUNCIL OF STATE GOVERNMENTS. Southern Governor's Conference -- Task Force Committee on Correctional Problems -- Seminar on the Crisis in Corrections -- Summary. Atlanta, Georgia, 1976. 49 p. MICROFICHE (NCJ 34949)
Publication No. AO-76-MC7

A summary is presented of the proceedings of a seminar to exchange

information on correctional problems in the correctional systems of Southern States and to develop solutions to them. Addresses on the topics of overcrowding in prisons, fiscal troubles, and legislative remedies to the crisis in corrections are included. Summaries of workshop sessions dealing with overcrowding, emergency housing for inmate overflow, developing multi-year designs for corrections, and establishing educational programs to ease the current overcrowding and monetary crises in corrections are presented. The concluding lecture deals with the immediate future of corrections. Appendixes contain the task force report on correctional problems, task force resolution on correctional evaluation, the task force roster on problems in corrections, and a list of participants. The final report on a comparative survey of southern correctional systems is available.

37. FLANAGAN, J. Imminent Crisis in Prison Populations. American Journal of Correction, v. 37, n. 6: 20-21, 36. November-December 1975. (NCJ 31104)

The author states that contrary to predictions by the National Advisory Commission on Criminal Justice Standards and Goals, prison populations are about to rise well above current capacities. The author examines what he considers to be every relevant indicator -- economy, policy, public attitudes, crime rates, prison alternatives, and population at risk -- and finds in them all evidence to support his conclusion. In addition, prison population data indicate that a decade of long prison population decline had been reversed. By 1974, maximum use of diversion programs, and rapid expansion of prison capacities are urged in order to avoid extreme overcrowding and resultant prison disorders.

38. FLORIDA DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES. Florida -- Governor's Adult Corrections Reform Plan -- Final Report. Miami, Florida, 1973. 85 p. (NCJ 10470)

Identification and definition of a comprehensive corrections model to meet the growing demands for a more effective rehabilitative capability is discussed. The goal of the adult correctional reform plan is to exercise control and consequently reduce the opportunity for the commission of criminal acts. The authors state that if appropriate resocialization services were provided, the tendency for recidivism would be eliminated. The proposed structure is based on community-based treatment and supervision, with incarceration used only for offenders who persist in criminal behavior. The proposal provides for intensive treatment and secure detention, with treatment programs which would vary with the amount of security required by the offender. The plan also encompasses a pretrial security and a pretrial diversion program. The authors discuss the administra-

tive activities of the plan in areas of research, planning, and statistics. They cite problems of the present system, such as overcrowded institutions, and possible remedies, such as increased parole releases. A bibliography is included.

39. FRIEL, C. M. Jail Dilemma -- Some Solutions. American County, v. 37, n. 10: 9-11. November 1972. (NCJ 07912)

Suggested solutions to the jail overcrowding problem are offered as alternatives to jail construction programs. The recommendations included -- putting drunks in detoxification centers rather than in jail, more extensive use of recognizance bond programs, issuance of summonses and citations for petty offenses in lieu of arrests, and expansion of probation services which are cheaper than the cost of incarceration.

40. GETTINGER, S. Profile/The Adult Corrections System in New York City. Corrections Magazine.

For complete description, see No. 5.

41. HART, W. Profile/Michigan. Corrections Magazine.

For complete description, see No. 7.

42. HOWARD LEAGUE FOR PENAL REFORM. Ill-Founded Premises -- The Logic of Penal Policy and the Prison Building Programme. London, England 1974. 9 p. MICROFICHE (NCJ 18208)

Proposals to increase the number of institutions and correctional staff in England are criticized, and suggestions of decreasing prison populations, and increasing community-based corrections are offered. It is stated that more prisons should not be built when current prison overcrowding is largely due to the imprisonment of people for whom provision could be made in the community. Support is given for the renovation of prisons accompanied by the demolition of outmoded premises. Substantial transfer of finances and manpower from custodial to noncustodial measures, combined with steps to persuade courts to use community-based measures are recommended. Other suggestions offered in this booklet were to restrict the courts' powers to impose imprisonment, to reduce pre-trial detention, to impose a moratorium on new custodial institutions for young offenders, and to construct any new institutions only in general locations.

43. KIMBLE, J. P. Where Shall We Hide the Bodies? Police, v. 16, n: 11: 22-24. July 1972. (NCJ 04813)

A police officer presents his opinion of the overcrowded correctional system, accenting the need for more and better local correctional facilities. It is suggested that retribution be replaced by state subsidies to counties who assume the initiative and create new regional correctional systems aimed at rehabilitation.

44. MARYLAND LEGISLATIVE COUNCIL. Maryland -- Special Joint Committee on Corrections -- Report to the Legislative Council, 1974. Annapolis, Maryland, 1974. 35p. MICROFICHE (NCJ 17531)

Proposed legislation, comments, and other recommendations in such areas as institutional overcrowding, accumulation and processing of information, community corrections centers, parole, and the medical experimentation program are discussed. The committee recommended that institutional overcrowding be remedied through reduced intake, the acquisition or reallocation of space, and an increase in the release rate. It is further suggested that the Governor and the General Assembly jointly develop some supportive action to revitalize the community corrections program, that the board of parole members' salaries be increased above the \$20,000 statutory annual salary, and that inmates be exempted from sales tax on goods purchased in the institutional commissaries. Included in the appendixes are statistics on inmate population and the texts of proposed legislation.

45. MAY, E. Profile/Arizona. Corrections Magazine.

For complete description, see No. 9.

46. MORRIS, N. and J. JACOBS. Proposals for Prison Reform. New York, Public Affairs Committee, Inc., 1974. 28p. (NCJ 18570)

Alternatives to the current overcrowded, rehabilitation and deterrence-oriented prison system are suggested, including increased use of community-based corrections, better staff, and due process guarantees in prison. The author contends that the rehabilitative ideal of prisons, like the early Quaker ideal of solitary confinement and meditation in prison, has proven to be unworkable. The use of indeterminate sentences, "coerced cures," and broad administrative discretion in the treatment of prisoners are cited as

examples of the unjust procedures brought about by the rehabilitative ideal. It is suggested that humanitarian reform -- better facilities, more prison activities, prison furloughs, and conjugal visits -- are needed in prisons instead of rehabilitative programs. Also discussed are such topics as the reform of local jails, the inequalities of bail, the high costs of prison reform, and prisoners' rights.

47. NEW YORK CITY BOARD OF CORRECTION. Crisis in the Prisons -- New York City Responds -- A Commitment to Change. New York, New York, 1972. 45 p. (NCJ 09484)

The efforts of the Board of Corrections in prison reform, including recommendations which involve the entire community in resolving the prison crisis in New York, are discussed. This annual report enumerates the many projects initiated by the Board, most of which were volunteer and most of which were successful. The report emphasizes that the single greatest crisis in the city prison system is overcrowding and concludes that this crisis cannot be resolved unless the courts can reduce the detention population or command the availability of additional facilities on an emergency basis. In this report, the Board urges the reorganization of the criminal justice system by reforming the bail system, implementing limited detention rule, and improving the training and working conditions of correction officers. Various new medical and mental health services, increased distribution of periodicals, volunteer entertainment, programs for Spanish-speaking prisoners, and improvements in living conditions are other examples of projects in the prisons that the Board has piloted. The Board has also disseminated public reports on prison life and death in order to arouse public and official attention.

48. NORTH CAROLINA COMMISSION ON SENTENCING, CRIMINAL PUNISHMENT, AND REHABILITATION. North Carolina -- Commission on Sentencing, Criminal Punishment, and Rehabilitation -- Interim Report, February 1, 1975. Raleigh, North Carolina, 1975. 20 p. MICROFICHE (NCJ 25870)

A summary of recommendations is presented, based on a study and analysis of recent trends in North Carolina's prison population, to be submitted to the 1975 session of the State General Assembly. Overcrowding was found to result primarily from a reduction in parole and conditional release approvals and a steady increase in the percent of felony violators in the prison population. Due to the expense involved in the expansion of prison facilities, the Commission concentrated on methods to reduce prison populations. Recommendations include changes in release policies, sentencing

policies, and in juvenile processing policies. Other recommended policy changes include development of alternatives to confinement, higher pay and better training for correctional officers, and providing for continuing review for sentencing statutes.

49. NORTHERN ARIZONA COUNCIL OF GOVERNMENTS. Jail Feasibility Study.

For complete description, see No. 13.

50. OVERCROWDING IN PRISONS AND JAILS -- MARYLAND FACES A CORRECTIONAL CRISIS. Maryland Law Review, v. 36, n. 1: 182-211. 1976.

(NCJ 37528)

This comment focuses on the causes and constitutional implications of and possible remedies for the problem of overcrowding in Maryland's correctional facilities. Higher arrest rates, rising crime rates, and increases in the average length of sentence and the number of convicts sent to Maryland prisons are credited with causing the institutional overcrowding. Constitutional challenges based on the eighth amendment guarantee against cruel and unusual punishment. The 14th amendment rights to due process and equal protection are also considered along with pertinent case law. A discussion of pre- and posttrial remedies for overcrowding concludes that by increased use of pretrial diversion and pretrial release, restrictions on judicial discretion in sentencing, and use of alternatives to incarceration (or shorter fixed sentences) for the nondangerous offender, jail and prison populations might be reduced with a minimum of suffering. Other reforms suggested include limiting the use of long-term incarceration to dangerous criminals, and reevaluating parole procedures.

51. POWELL, L. E. and M. S. SERRILL. Profile/Georgia. Corrections Magazine.

For complete description, see No. 14.

52. POWLEDGE, F. Seeds of Anguish -- An ACLU Study of the D.C. Jail.

For complete description, see No. 15.

53. RICHMOND, M. S. New Roles for Jails -- Guidelines for Planning.
Washington, Bureau of Prisons, 1969. 32 p. (NCJ 01715)

Trends and alternative ways of dealing with offenders are discussed as background for planners of local jails. General concepts are presented for changing both the scope and direction of services offered by community correctional institutions. Functions of the local correctional institution include pretrial programs, including early diversion, pretrial liberty and pretrial services, and postconviction procedures for extending the limits of confinement. Models for planning program development and management are presented which can be adapted to community resources, facilities, and administration. A case study of a Philadelphia detention center illustrates how far actual correctional facilities can miss recommended objectives, with consequent overcrowding and attendant problems. The appendix lists design items to be included in the architectural plans for a correctional institution.

54. SAN DIEGO COUNTY. Health Care Services in the San Diego County Jail.

For complete description, see No. 16.

55. SAXENA, R. Overcrowding in Indian Prisons -- Finding Alternatives to Imprisonment. UNAFEI Resource Material Series, n. 12: 134-138. October 1976. (NCJ 41787)

The author reviews some of the causes of overcrowding in Indian prisons, and outlines several current and proposed measures against overcrowding. Such problems as court delays, increased criminal sanctions against a number of activities, and a growing number of pretrial detainees and short-term convicts have led to a serious overcrowding situation in Indian prisons. To counteract this problem, the Government of India has instituted such measures as restrictions on police, prosecution, and courts to shorten the period of investigation and trial; issuance of executive instructions to all the courts for speedy disposal of cases pending trial; and separation and streamlining of prosecution and police work. The author also suggests such measures as separate institutions for inmates awaiting trial, increased pretrial release of prisoners, more use of the prisoners' shortening of sentence rules, increased use of probation, and adoption of suspension prosecution.

56. SINGER, A. C. Prisons -- Rehabilitation of Criminals -- Presentence Studies Done in the Overcrowded District of Columbia Jail. University of Cincinnati Law Review, v. 41, n. 3: 716-730. 1972.
(NCJ 13768)

A review is presented of a District of Columbia case illustrating an emerging right to rehabilitation, particularly for the youthful offender, and an effective court remedy of ordering public officials to plan remedial action. The case signifies three important developments in corrections law. The first is a strengthening of the statutory right to rehabilitation. In this regard, the case recognizes that overcrowding of penal facilities, alone, can seriously hamper the rehabilitative goals of a penal statute. Second, the court, although somewhat vaguely, appears to base its opinion, in part, upon a constitutional right to rehabilitation for youthful offenders. If indeed this is what it meant to hold, the decision marks a major advance in correctional law. Third, the opinion demonstrates the effectiveness of the remedy of ordering administrative officials to prepare a plan for improvement of penal facilities. This remedy has been of interest because its effectiveness depends on the legislatures' willingness, which seems to be increasing, to appropriate money for implementation.

57. STRACENSKY, G. C. and C. M. FRIEL. Texas Jails -- Problems and Reformation.

For complete description, see No. 17.

58. U.S. CONGRESS HOUSE SELECT COMMITTEE ON CRIME. Reform of Our Correctional Systems -- A Report by the Select Committee on Crime.
Washington, 1973. 83 p.
(NCJ 11747)
Stock No. HR 93-329

The historical context and significance of prison tension at Attica and other correctional institutions, State efforts at reform, and suggestions for Federal action are discussed. The initial chapters of this report trace the history of corrections, discuss prison riots at such facilities as Florida State Prison in Florida and Attica, New York, and examine problems in corrections. These problems concern overcrowding, limited employment and vocational training, isolated rural locations, staffing difficulties, and inadequate physical plants. Also discussed are the frustration of prison education programs, the restrictions and criticisms of early release programs, drug abuse, homosexuality, and the problems presented by minority inmates. Other sections discuss Federal funding, and State correctional systems in South Carolina, Florida,

and Minnesota. The following chapter, on alternatives to incarceration, focuses on community-based corrections facilities, probation, parole, restitution, and pretrial rehabilitation programs. Also discussed is the role of the court in correctional reform. The appendix contains a summary of National Commissions Recommendations on Corrections for 1967-1973.

59. U. S. DEPARTMENT OF JUSTICE. Law Enforcement Assistance Administration. Corrections -- Report of the National Advisory Commission on Criminal Justice Standards and Goals, 1973. Washington, 1973. 656 p. MICROFICHE (NCJ 10865) Stock No. 494-672

The Commission recommends specific standards in pursuit of the achievement of six major goals for the improvement of the American correctional system. The American correctional system today appears to offer minimum protection for the public and maximum harm to the offender. The National Advisory Commission on Criminal Justice Standards and Goals, in its report on corrections, has proposed about 140 standards designed to change that situation. The standards spell out in detail where, why, how, and what improvements can and should be made in the corrections segment of the criminal justice system. This report is a reference work for the correctional professional as well as for the interested layman. Among its goals, the Commission urges that disparities in sentencing be removed and justice in corrections be upheld by measures guaranteeing offenders' rights during and after incarceration. The scope of corrections can, and should, be narrowed by diverting many juveniles and sociomedical cases (alcoholics, drug addicts, prostitutes, and the mentally disturbed) to noncorrectional treatment programs and by decriminalizing certain minor offenses such as public drunkenness and vagrancy. Another goal states that probation should become the standard criminal sentence, retaining confinement chiefly for dangerous offenders and releasing a majority of offenders to improved and extended community-based programs. Corrections should undergo a planned integration into the total criminal justice system with each State unifying all correctional functions and programs for adults and juveniles within its executive branch.

60. _____ . Law Enforcement Assistance Administration. Harris County (Texas) Corrections Plan. By N. Hall, R. Berck, M. Hanson, R. J. Obenland, and E. Zarroug. National Clearinghouse for Criminal Justice Planning and Architecture, Champaign, Illinois, 1975. 97 p. (NCJ 19446)

This report sets forth recommendations and their rationales to alleviate the overcrowded and understaffed conditions and the

deteriorated facilities of the Harris County (Texas) Jail and Rehabilitation Center. The correctional facilities in Harris County (Houston and environs) were, at the time of this report, in violation of Article 5115, revised Civil Statutes of Texas, which requires that the county provide "safe and suitable" jails for the confinement of prisoners. Three possible courses of action are open to Harris County. It can ignore the problem, but probably not for long in the face of citizens' groups and the courts. It can simply expand, and renovate existing facilities and build new ones. The solution favored by the authors, however, is to make more use of pretrial diversionary remedies and to reduce the length of time spent in pretrial detention. This would reduce the number of prisoners from 2,300 to 1,200 and would be less expensive than building new facilities.

61. _____ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Jail Population Management -- Diagnosing and Predicting Changes in Occupancy Levels. By E. J. Burke and R. C. Cushman. Sacramento, California, American Justice Institute, 1973. 71 p. (NCJ 10915)
Stock No. PB 225 421/7AS

Diagnostic and predictive mathematical models are utilized in understanding pretrial detention facility population dynamics for management use. This paper contains a discussion of the manner in which Markov chain analysis (an operations research methodology) from modern stochastic theory (a probabilistic approach) permits the construction of two general types of predictive jail models. These models take into account the various types of random input (bookings) and output (releases). The manner in which the jail population progresses from one level to another and the predictability of these transitions are described. Numerical data are presented which illustrate the use of the model as a diagnostic and predictive tool. Further, the basic requirements for a formalized control and decision model are presented. Topics for further research and development work are discussed, including the implementation of a jail population control system on a real-time basis. A form for daily booking and population counts, an explanation of the mathematics of the jail population models, and computer print-outs on release types and court disposition are appended.

62. _____ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Monroe County (NY) Jail -- The Need for and Feasibility of Relocating into Other Facilities Seven Categories of Prisoners. By E. B. Croft, R. Cronin, and C. H. Dickson, Rochester, New York, University of Rochester, 1975. 124 p. MICROFICHE (NCJ 29338)

A feasibility study is presented on alleviating jail overcrowding and improving prisoner rehabilitation programs by moving certain groups of prisoners to the north wing of the Monroe Community Hospital, scheduled to be vacated. The types of prisoners considered for relocation include sick and injured patients, prisoners requiring psychiatric examinations and treatment, drug-addicted prisoners, public intoxicants, sentenced prisoners approved for work or education release, prisoners sentenced to intermittent terms, and sentenced female prisoners. This report presents the study findings as follows: Chapter I provides some historical material on the original intent and purpose for building and utilizing these facilities; Chapter II provides a description of the Monroe County jail and lock-up complex; Chapter III examines, in depth, the capacity of the jail and lock-up complex and details, over time, the prisoner populations and resultant problems of crowding; Chapters IV through X present the findings for each of the seven types of prisoners on the feasibility and appropriateness of their relocation to the Monroe Community Hospital site; and Chapter XI provides a summary of conclusions along with an outline of some alternatives the county might consider. It was determined that only three of the seven categories of prisoners -- those with intermittent sentences, those on work or educational release, and sentenced female offenders -- could appropriately be transferred from the jail to another facility. The study indicated, however, that utilization of the north wing at the Monroe Community Hospital would not be cost effective nor relieve jail overcrowding. Alternative approaches suggested include remodeling of present facilities, adding two bays to the present jail, and transferring all male sentenced prisoners to another facility. The appendix contains 29 tables and charts of jail statistics.

63. _____ . Law Enforcement Assistance Administration. National Institute of Law Enforcement and Criminal Justice. Study of Juvenile Detention in the City of Norfolk, Virginia.

For complete description, see No. 24.

64. UNIVERSITY OF CALIFORNIA. Recent Applications of the Ban on Cruel and Unusual Punishments -- Judicially Enforced Reform of Nonfederal Penal Institutions. Hastings Law Journal, v. 23, n. 4: 1111-1137. April 1972. (NCJ 05255)

Federal and State judicial decisions are discussed which have declared unlawful the manner of confinement in State prisons and local jails even in cases where sentences were valid. Relying on the flexibility of the eighth amendment, courts have now included several previously ignored elements in their consideration of the constitutionality of imprisonment. Thus the scope of the eighth amendment has mushroomed. Judicial imposition of inmate population limits for particular jails has developed as a remedy for severe overcrowding and its detrimental effects. Several constitutional yardsticks have been adopted for the purpose of eliminating abuse of punitive segregation. Unduly harsh conditions of pretrial detention are now of questionable constitutional validity under the least restrictive means test. Systematic denials of medical care and unsanitary or wholly deteriorated physical structures have both contributed to declarations of unconstitutional punishment. Negligent delegation of authority to inmate trustees and inadequate civilian staffing have likewise just recently been included within the umbrella of eighth amendment scrutiny.

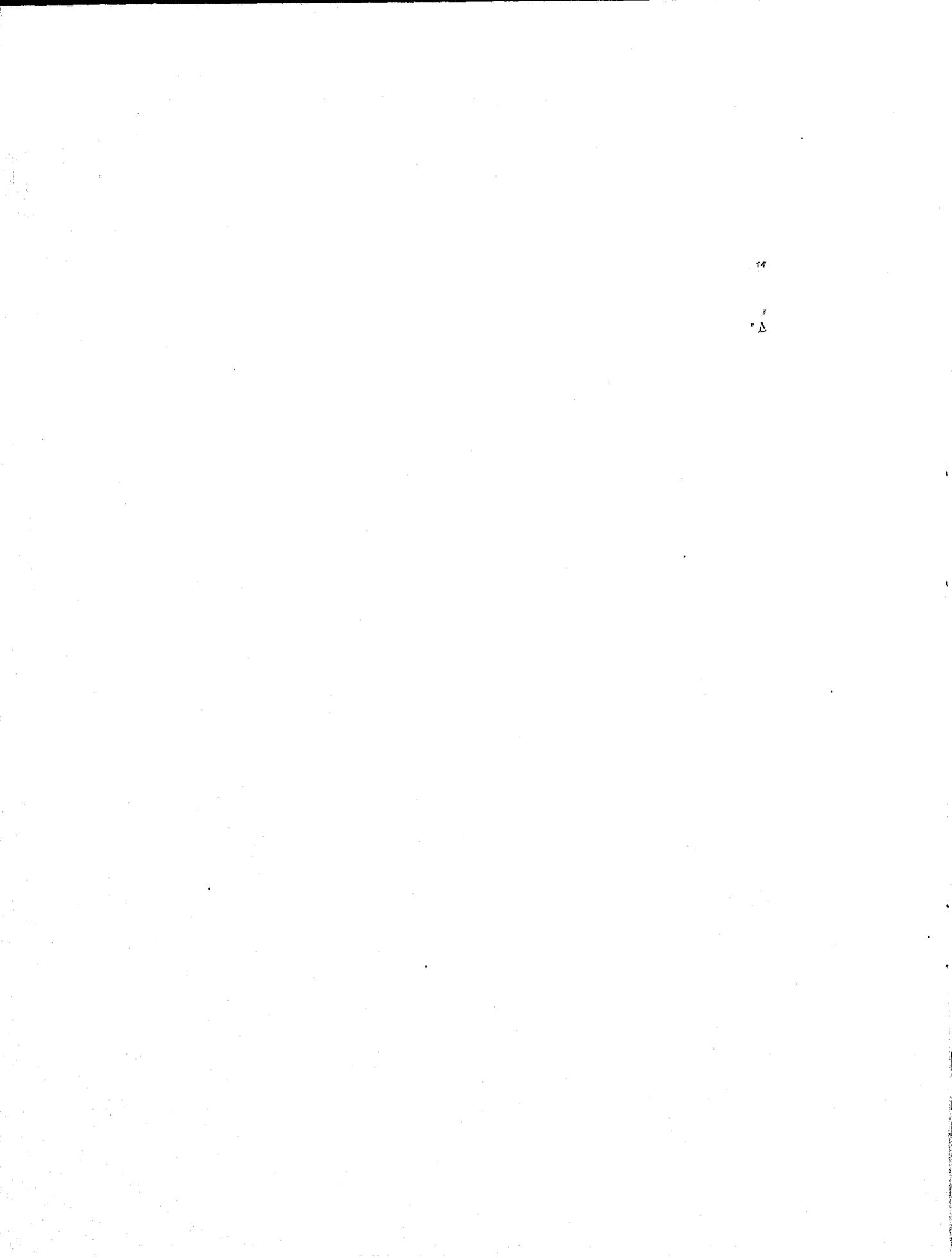
65. VIRGINIA STATE CRIME COMMISSION. Virginia State Crime Commission, Phase 4 Report -- Study of Corrections. Norfolk, Virginia. 389 p. MICROFICHE (NCJ 29112)

This phase of the ongoing study of corrections in Virginia deals with overcrowded conditions, reiterates some previous recommendations, cites new problem areas, and notes improvements. Recommendations are made for restructuring administration of some units, revamping the recordkeeping system, and establishing valid training in leadership for superintendents and key line personnel. The rehabilitative programs for inmates are emphasized as well as the need for higher educational programs.

66. WHITLATCH, W. G. Practical Aspects of Reducing Detention Home Population. Juvenile Justice, v. 24, n. 2: 17-29. August 1973. (NCJ 14106)

This article reviews present juvenile detention policies and describes new policies being used in Cuyahoga County, Ohio. It was concluded in Cuyahoga County that the problem of overcrowded detention facilities would not be as great if admissions were properly screened and releases expeditiously effected. The new policy states that a child taken into custody shall not be detained or placed in shelter care prior to the hearing on the com-

plaint unless his detention is required to protect the person or the property of others. Statistics show that girls are more frequently the victims of unnecessary detention than are boys. It was decided to set sound rules for detention intake, and this resulted in the closing of five detention home units and savings in dollars.



APPENDIX A—LIST OF SOURCES

All references are to bibliography entry numbers, not to pages.

1. National Council on Crime and Delinquency
Continental Plaza
411 Hackensack Avenue
Hackensack, NJ 07601
2. Available only through NCJRS Document Loan Program or Microfiche Program.
3. Same as No. 1.
4. Association for Psychiatric Treatment of Offenders
199 Gloucester Place
London NW1 6BU
England
5. Correctional Information Service, Inc.
801 Second Avenue
New York, NY 10017
6. Same as No. 5.
7. Same as No. 5.
8. Same as No. 1.
9. Same as No. 5.
10. Heath Lexington Books
125 Spring Street
Lexington, MA 02173
11. Administrative Office of the United States Courts
Supreme Court Building
Washington, DC 20544
12. Holt, Rinehart and Winston
383 Madison Avenue
New York, NY 10017
13. Northern Arizona Council of Governments
P.O. Box 57
Flagstaff, AZ 86001
14. Same as No. 5.
15. American Civil Liberties Union of the National Capital Area
3000 Connecticut Avenue, N.W.
Washington, DC 20036
16. San Diego County, California
San Diego, CA 92123
17. Sam Houston State University
Institute of Contemporary Corrections and the Behavioral Sciences
Huntsville, TX 77340
18. U.S. Congress
Senate Committee on the Judiciary
Washington, DC 20510
19. U.S. Department of Justice
Law Enforcement Assistance Administration
National Criminal Justice Information and

- Statistics Service
Washington, DC 20531
20. Same as No. 19.
 21. ABT Associates, Inc.
55 Wheeler Street
Cambridge, MA 02138
 22. Same as No. 21.
 23. University of South
Carolina
School of Law
Columbia, SC 29208
 24. National Technical
Information Service
5285 Port Royal Road
Springfield, VA 22151
 25. Warwick Associates
4602 West U.S. 223
Adrian, MI 49221
 26. Same as No. 5.
 27. Harper and Row
10 East 53rd Street
New York, NY 10022
 28. Alliance for Alternatives
to Jail Construction
152 South 16th Street
San Jose, CA 95112
 29. American Bar Association
1800 M Street, N.W.
Washington, DC 20036
 30. American Correctional
Association
4321 Hartwick Road
College Park, MD 20740
 31. Baltimore Mayor's
Coordinating Council on
Criminal Justice
231 East Baltimore Street
Baltimore, MD 21202
 32. Same as No. 2.
 33. California Department of
the Youth Authority
714 P Street, Room 1050
Sacramento, CA 95814
 34. Association of Trial
Lawyers of America
20 Garden Street
Cambridge, MA 02138
 35. National Council of
Juvenile Court Judges
Box 8000
University Station
Reno, NV 89507
 36. Council of State
Governments
Southern Office
3384 Peachtree Road, N.E.
Room 610
Atlanta, GA 30326
 37. Same as No. 30.
 38. Florida Department of
Health and Rehabilitative
Services
Florida State Office
Building
1350 Northwest 12th Avenue
Miami, FL 33136
 39. National Association of
Counties
1735 New York Avenue, N.W.
Washington, DC 20006
 40. Same as No. 5.
 41. Same as No. 5.
 42. Howard League for Penal
Reform
125 Kensington Park Road
London SE II
England

43. Charles C. Thomas
301-327 East Lawrence
Avenue
Springfield, IL 62717
44. Maryland Legislative
Council
16 Francis Street
P.O. Box 348
Annapolis, MD 21401
45. Same as No. 5.
46. Public Affairs Committee,
Inc.
381 Park Avenue South
New York, NY 10016
47. New York City Board of
Correction
100 Centre Street
New York, NY 10013
48. North Carolina Commission
on Sentencing, Criminal
Punishment, and
Rehabilitation
1412 Legislative Building
Raleigh, NC 27611
49. Same as No. 13.
50. University of Maryland
School of Law
500 W. Baltimore Street
Baltimore, MD 21201
51. Same as No. 5.
52. Same as No. 15.
53. Bureau of Prisons
320 First Street, N.W.
Washington, DC 20534
54. Same as No. 16.
55. United Nations
Asia and Far East
Institute for the
Prevention of Crime and
Treatment of Offenders
26-1 Harumi-cho, Fuchu
Tokyo
Japan
56. University of Cincinnati
Clifton Avenue
Cincinnati, OH 45221
57. Same as No. 17.
58. Superintendent of Documents
Government Printing Office
Washington, DC 20402
59. Same as No. 58.
60. National Clearinghouse
for Criminal Justice
Planning and Architecture
505 East Green, Suite 200
Champaign, IL 61820
61. Same as No. 24.
62. University of Rochester
Rochester, NY 14627
63. Same as No. 24.
64. University of California
Hastings College of Law
198 McAllister Street
San Francisco, CA 94102
65. Virginia State Crime
Commission
P.O. Box 11266
Norfolk, VA 23517
66. Same as No. 35.

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APPENDIX B—RESOURCE AGENCIES

This list identifies some of the agencies and organizations that are performing research or funding projects in the general area of overcrowding in correctional institutions. These agencies may be able to provide additional information for researchers studying specific aspects of overcrowding in correctional institutions.

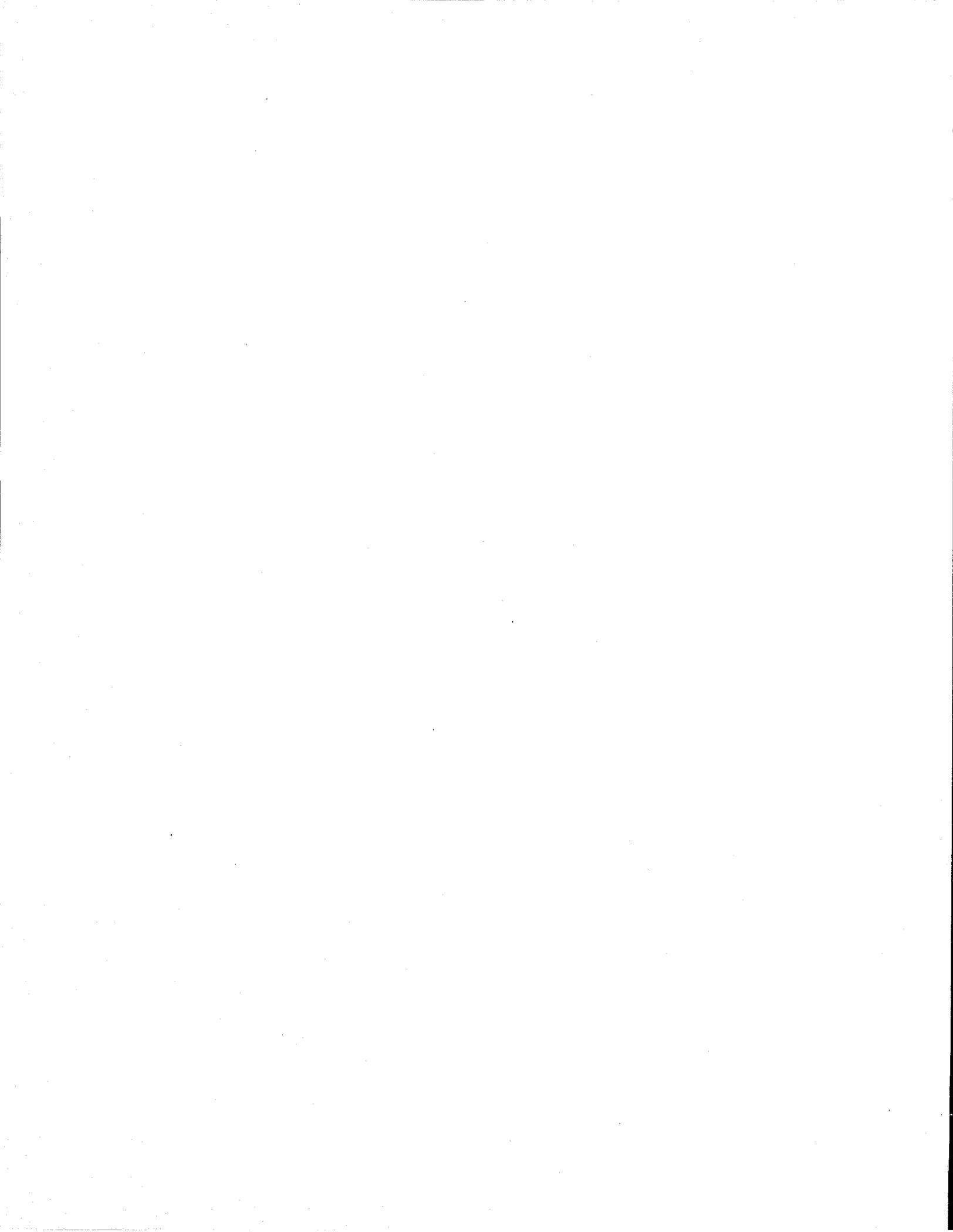
American Medical Association
Program to Improve Health Care
and Medical Services in Jails
535 North Dearborn Street
Chicago, IL 61610

The National Prison Project of
the American Civil Liberties
Union (ACLU) Foundation
Suite 1031
1346 Connecticut Avenue, N.W.
Washington, DC 20036

American Bar Association
Commission on Correctional
Facilities and Services
1800 M Street, N.W.
2nd Floor
Washington, DC 20036

National Institute of
Corrections (NIC) Jail
Center
P.O. Box 9130
Boulder, CO 80301

American Correctional
Association
4321 Hartwick Road
Suite L-208
College Park, MD 20740



END