

INFORMATION FILE

cop. 2 10/9/78-bin

Library  
National Council on Crime & Delinquency  
Continental Plaza  
411 Hackensack Avenue  
Hackensack, New Jersey 07601

✓  
NATIONAL COUNCIL ON CRIME AND DELINQUENCY

MANPOWER STUDY

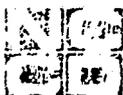
ORANGE COUNTY JAIL  
GOSHEN, NEW YORK

55647

x Fitzgerald

October, 1978

Study Coordinator:  
Matthew P. Fitzgerald



# NATIONAL COUNCIL ON CRIME AND DELINQUENCY

CONTINENTAL PLAZA • 411 HACKENSACK AVENUE • HACKENSACK, NEW JERSEY 07601 • (201) 488-0400

September 28, 1978

### NATIONAL OFFICERS

HON. ARTHURS LANE\*  
Chairman of the Board  
CARL M. LOEB JR.\*  
Vice Chairman of the Board  
ROBERT STUART\*  
Vice Chairman, Governmental Affairs  
JOHN L. RIDDE\*  
Vice Chairman, International Affairs  
WILLIAM F. MAY\*  
Vice Chairman, Professional Affairs  
HON. CAROLINE K. SIMON\*  
Vice Chairman, National Affairs  
MRS. FOTTEI STEWART\*  
Vice Chairman, Citizen Affairs  
H. A. LIPMAN\*  
Treasurer  
H. LADD CLIMLEY\*  
Chairman, Executive Committee  
WILLIAM F. HAY\*  
Chairman, National Executive Committee  
JOHN M. WALKER, JR.\*  
General Counsel  
MILTON G. RECTOR  
President

### BOARD OF DIRECTORS

WILLIAM E. ATCHESON  
J. DAVID BAKER  
JUDGE DAVID L. BAZELON  
MRS. CURTIS BOE  
JOHN O. BOONE  
JON GALT BOWMAN  
FRANKLIN F. BRIDGER\*  
JOHN L. BUCKLEY\*  
JOHN M. BURNS  
ROBERT B. CLARK\*  
MORTON M. COLEMAN  
BILL COSBY  
HON. FRANCIS L. DALE\*  
LEONARD J. DELEHANTY  
E. STANLEY ENLUND  
HARRY E. ESTELL  
CARL H. FLAXMAN  
JERROLD K. FOTILOCK  
PROFESSOR CHARLES FRIED  
JOAN R. GARBER  
RICHARD L. GELB  
SEYMOUR L. HALLECK, M.D.  
HARRISON HILTON  
HAROLD HORVITZ  
DR. DAVID JOHNSON  
HEIDI J. C. JOHNSON  
HON. ORMAN W. KETCHAM  
WILLIAM L. KIRCHNER, JR.  
COMMISSIONER ANN KLEIN  
LAWRENCE C. KOLB, M.D.  
SIGMUND S. LARSON  
NORMAN LEAR  
ROBERT F. LEONARD  
MR. DALY LOWELL  
DAN W. LUFKIN  
JOHN MAVRUS  
WILLIAM H. McLENNAN  
ROBERT B. MCKAY  
JAMES W. McSWINEY  
KARL MENNINGER, M.D.  
ROBERT Q. MILLAN  
WILLIAM T. MORAN\*  
STEPHEN T. MURIN  
PATRICK T. MURPHY\*  
GERALD L. PARSKY  
RICHARD A. PLUMB  
E. BARRETT PRIFTYMAN, III  
PROFESSOR FRITZ REDL  
JOSEPH RHODES, JR.  
HON. ELLIOT L. RICHARDSON  
HON. SCOTT RICHARDSON  
GLADYS E. RIVERA  
FRANCIS HOOVER, JR.\*  
DAVID ROYBENDERG  
MRS. H. M. ROZENDAL\*  
ROBERT D. SACK\*  
JOHN W. SCHMITT  
WILLIAM SCHOEN\*  
RUSSELL SERVICE\*  
WILLIAM SIDELL  
JANE FUGATE SIEVERLING  
MRS. WILLIAM Y. SMITH\*  
MRS. HOWART A. SPALDING  
ARTHUR H. SPIEGEL  
JOHN L. STICKLEY  
T. M. THOMPSON  
MAYNARD P. VENEMA  
C. WILLIAM VERITY, JR.  
MRS. JOHN R. WHITMAN  
MRS. ARTHUR G. WHITE, JR.\*  
J. ALBERT WOLF\*

\*Executive Committee Member

FREDERICK WAHD, JR.  
Executive Vice President  
LEONARD A. THOMPIN  
Vice President

Mr. George R. Bartlett, Jr.  
Chairman  
Protective and Educational Services Committee  
Orange County Legislature  
County Government Center  
Goshen, New York 10924

Dear Mr. Bartlett:

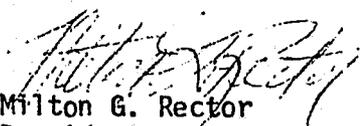
Enclosed is the completed report of the Orange County Jail Manpower Study. Where appropriate and requested we have made specific recommendations. In other areas suggestions have been offered to assist your County in planning for the role of its jail in the future.

It was our pleasure to be of service to you at this time. Decisions that are facing you in the next few days are not easy ones to make. We feel that this document will at least provide you with a realistic and practical evaluation of your present situation and needs. We are most appreciative of the cooperation and assistance extended to our agency and our principal consultant on the part of Orange County officials and staff. Their input was an important factor in collecting the necessary data which enabled us to formulate our recommendations.

In closing we hope that in reviewing this report you will give serious consideration to our suggestion of a comprehensive study of criminal justice in Orange County. We cannot stress too strongly the need for local government to effectuate plans after a careful analysis of its needs.

If we can be of any further assistance please don't hesitate to contact me.

Cordially,

  
Milton G. Rector  
President

MGR:gw

TABLE OF CONTENTS

	<u>Pages</u>
Introduction	1 - 4
The Jail	5, 6
Personnel	7 - 14
The Jail's Population	15 - 19
Program and Activities	20 - 22
Personnel Needs	23 - 28
Specific Personnel Requirements	29 - 46
Administration	47 - 50
Comprehensive Planning	51 - 55
New York State Commission of Correction	56 - 60
Concluding Statement	61

## INTRODUCTION

The National Council on Crime and Delinquency was asked to consider conducting a manpower analysis of the personnel needs at the Orange County Jail located in Goshen, New York. On July 18, 1978, a consultant for the agency met with members of the Personnel and Compensation Committee and the Protective and Educational Services Committee of the Orange County Legislature to explore the details and the feasibility of such a study. As a result of that meeting, the NCCD submitted a proposal to the Orange County Legislature outlining the study that they could perform within the time frame under which the legislature was operating.

Basically, the proposal stated that, pending the passage of an enabling resolution at the August 11, 1978 meeting of the Orange County Legislature, the NCCD would conduct a study of the jail personnel and report back to the Legislature on or about the 15th of September\* with a final draft of its findings and recommendations. The report was to specifically address itself to two major concerns:

- 1) the total number of personnel required to operate the Orange County Jail; and
- 2) the number of personnel that should be assigned to each tour of duty or shift.

The report would also include necessary documentation and supporting evidence for the recommendations made.

Upon acceptance of the details and scope of the study by the County and the NCCD, the agency's consultant began work on the project and conducted five field visits during the latter part of August and early September. Following the data collection phase and preparation of the initial draft, the consultant met with members of the Legislature's Personnel and Compensation Committee and The Protective and Educational Services Committee and other members of the

Legislative and Executive branches. These additional visits were arranged for the purpose of presenting the preliminary report to the appropriate committees and their members.

During the field visits, inspections were made of the Orange County Jail and pertinent records of that facility. In addition, interviews were conducted with Administrators or Representatives of the following governmental units or agencies:

- County Executive
- County Legislature
- County Sheriff
- Orange County Jail
- County Attorney's Office
- County Health Department
- District Attorney's Office
- County Public Works Department
- Legal Aid Bureau
- County Probation Department

In conducting and reporting on a study of this nature, it must be pointed out that a manpower analysis, especially of a jail, is limited in scope and can only produce results that address one specific concern - that is, numbers of personnel necessary to perform certain functions. It cannot, and certainly not within the time frame under which this study was conducted, adequately review, analyze and make comprehensive recommendations relative to quality of personnel, supervision of personnel, organizational structure, program, coordination with other agencies, effects of future decisions and legislation, and so forth.

In closing this introductory statement, it might be well to record the purpose for requesting the study in the first place. Over the past several years, the jail has been the topic of much concern to county officials and the community in general. A series of articles written in a local newspaper highlighted some of these problems, including various types of assaults which had occurred at

the jail. The Orange County Jail and the County Government have been the subject of litigation, including suits seeking money damages, as well as a class action suit filed in the Federal District Court, Southern District of New York. This case - Merriweather, et al, versus Sherwood, et al - challenges the conditions at the Orange County Jail including medical care, hygiene and food service, provision of religious services, visiting conditions, grievance and disciplinary procedures. The inmates are represented by Mid-Hudson Legal Services, Incorporated.

In the early part of 1978, the New York State Commission of Correction, as part of its function to supervise jail operations, completed a manpower analysis of the Orange County Jail. As a result of that study, the Correction Commission mandated that 15 additional Correction Officers would have to be hired in order for the jail to operate at a minimum level as required by the "Minimum Standards and Regulations for Management of County Jails and Penitentiaries". The Commission has stated that these additional personnel are needed, and the County must hire them; otherwise, the jail would be operating in violation of the stated regulations and would be subject to being closed.

In requesting this study by the National Council on Crime and Delinquency, the County expressed the desire to receive input from an outside, independent source to assist them in determining the immediate direction they should take concerning personnel requirements at the jail.

\*As the study progressed, we saw the need to incorporate other data and recommendations not included in the original proposal. Whereas these additional aspects of the report will not increase the cost of the study to the County, it was necessary to extend the deadline.

... continued ...

\*The consultant presented 17 copies of the preliminary draft to the County on September 14, 1978. This draft contained a fairly firm recommendation of personnel needs. By mutual agreement, the deadline for the final report was extended to the first week of October, specifically the 2nd or 3rd.

### THE JAIL

The Orange County Jail is a one-story facility located on an off-street site in the same general complex as the County Government Center in Goshen, New York. It is a seventeen-year-old building, having been completed in 1961. The jail is presently undergoing an expansion program which will increase its cell capacity, as well as its potential for program and improved services.

The Jail presently has a total cell capacity of 190 - 174 for male prisoners and 16 for female prisoners. The state's classification system requires that inmates be separated according to such factors as:

- age
- sex
- civil or criminal commitment
- detained awaiting trial, etc.,  
or serving a sentence.

Based on this system of classification, the rated cell capacity is 139 for males. This means that, even though there are 174 cells in the male section of the jail, only 139 can be utilized if the jail is to operate in conformance with the minimum standards.

There is no rated capacity for the female cells since the jail mainly houses only unsentenced females. Under most circumstances, female prisoners are boarded under contract at the Sullivan, Ulster and Dutchess County Jails when confined to serve a sentence.

In addition to the 190 cells referred to above, there are three individual cells and one large cell located at the front portion of the jail near the booking office. These cells are used for the temporary detention of incoming and outgoing inmates, as well as for inmates who have evidenced some type of problem in the general housing area and require temporary separation and observation.

The jail proper consists of a total of seven cell blocks, six for housing male prisoners, and the remaining one for female inmates. Each cell block consists of two tiers which carry successive letter designations. There are exercise yards which service each of the cell blocks. All of these, except for one, contain access doors off the block itself. The one which does not, requires the inmates to be escorted from their own cell block through the adjoining cell block to reach the exercise yard.

The expansion, mentioned above in the introduction, will connect up with the present facility by means of the Jail's main corridor. Additional details about the layout of the Jail will be outlined in the portion of this report which deals with the Jail's Daily Routine.

### PERSONNEL

All personnel employed at the Orange County Jail are under the overall management and supervision of the Sheriff who, in addition to his Jail functions, is responsible for traditional civil and court tasks. The Sheriff also maintains a communications unit and employs uniformed deputy sheriffs who perform transportation and other assigned functions for the department.

The next person in the Chain of Command is the Undersheriff. Among his other tasks, the Undersheriff directly supervises the person who is employed as Jail Administrator.

The Jail Administrator's specific title is Deputy Sheriff and Correction Supervisor. According to the general statement of duties in his job description, the Correction Supervisor is responsible for directing "...the management of the County Jail with particular emphasis in the security, health and welfare and custodial operations; does related work as required." He is assisted directly by a staff consisting of 45 permanent positions, including the Jail physician and two chaplains, all of which latter three positions are part-time.

Continuing the Jail Chain of Command, four (4) shift sergeants are employed with the title of Deputy Sheriff and Senior Correction Officer. Two other officers in the Jail carry the title of Deputy Sheriff and Senior Correction Officer. However, they do not perform supervisory duties as the others indicated above do. One Senior Correction Officer is listed as a Rehabilitation Counselor, and the other supervises the activities of inmates on work and groundskeeping tasks on the outside and, where appropriate, on the inside of the jail.

The Jail also currently employs three cooks, one maintenance person and an identification officer and a nurse, all with Deputy Sheriff status. The remaining 30 permanent positions consist of male and female correction officers who perform the day-to-day custodial and operational functions of the jail.

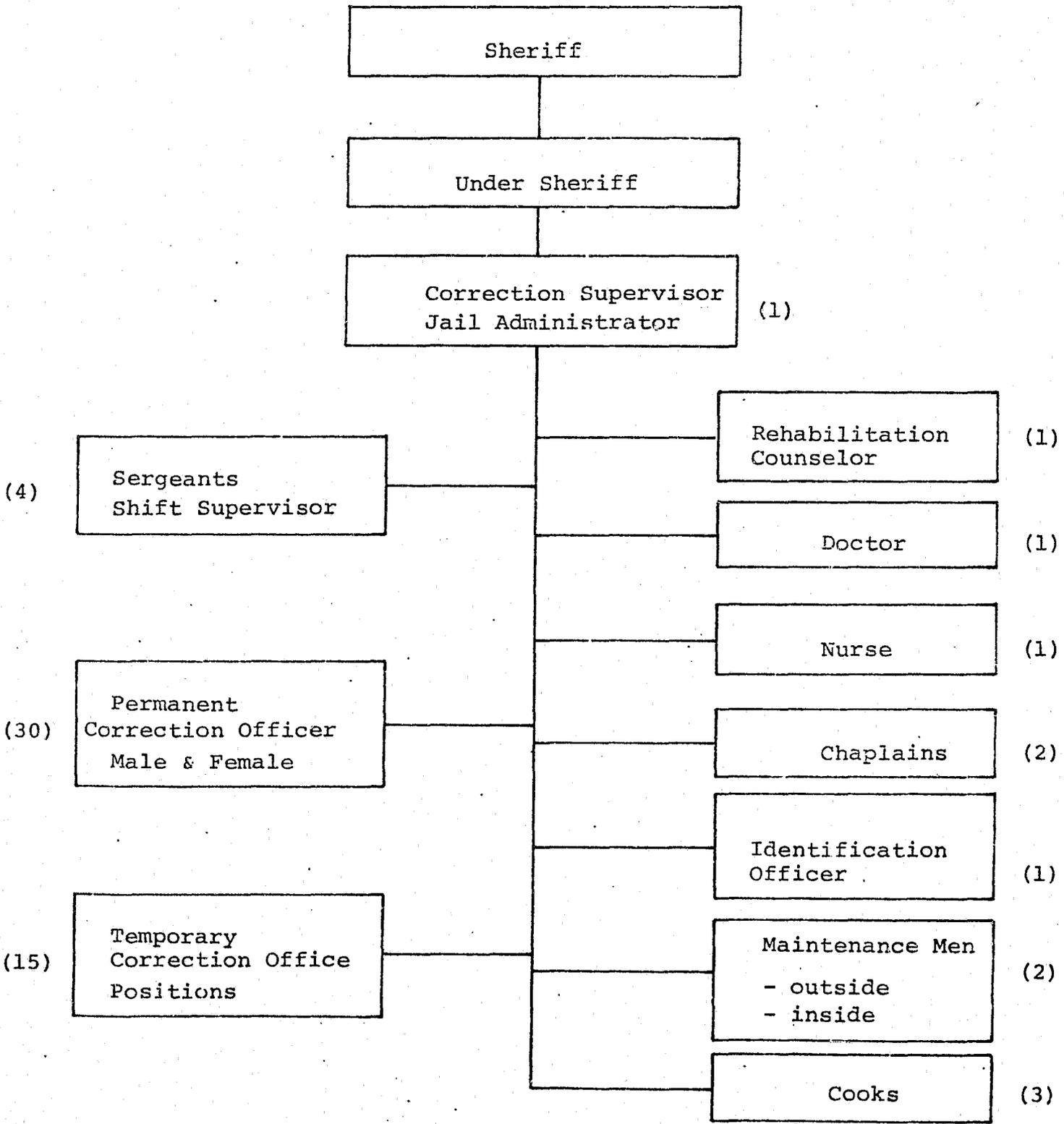
Finally, on a temporary basis, the Jail has authorization to employ 15 additional correctional officers through the middle of October 1978. These 15 positions, and whether or not they should be made permanent, are the objectives of this study and report.

From time to time, the needs of the Jail require the employment of part-time officers to take the place of regular personnel who are on vacation, sick leave, regular days off, or other excused or emergency absence.

The following chart depicts the personnel organizational structure of the Jail. It must be kept in mind that even though the Sheriff and Undersheriff are indicated on this chart, they are not normally included in the total number listed for authorized Jail positions. They are only listed here to complete the departmental chain of command:

ORANGE COUNTY JAIL

Personnel Chart



In summary, then, counting all staff - custodial, management and support, there are a total of 46 permanent authorized positions and 15 temporary authorized positions in the Orange County Jail, for a current total of 61 authorized positions.

As of August 31, 1978, all of these positions are filled with the exception of the following:

- a) one permanent Deputy Sheriff-Correction Officer on leave without pay.
- b) 3 vacancies in permanent Deputy Sheriff/Correction Officer positions due to resignations.
- c) 5 vacancies existing in the temporary Deputy Sheriff/Correction Officer positions. (It should be noted that for a variety of reasons, up until this date there existed an average of 5 vacancies in these temporary positions)

From the best records and recollections available at the time of this study, the present number of permanent authorized positions has been increased only once in at least the past three years, having occurred in the early part of this year when the County Legislature authorized the addition of three full-time permanent positions.

#### Selection and Recruitment

All personnel employed in the Jail serve at the pleasure of the Sheriff. There is no civil service tenure or status. No active personnel recruiting program exists since, according to the Sheriff, an extensive number of self-generated applications are on file in the Sheriff's Office.

According to the process described by the Sheriff, when a position needs to be filled, he reviews the applications he has on file, selects people for interviews and makes a decision on whether or not to hire a particular person.

A background check is performed and the person may be hired pending the finalizing of this background investigation, specifically the fingerprint records check. Each guard is on probation for a period of one year, during which time he can be removed without a hearing. After his one-year probation, there is a measure of job protection in that the officer is entitled to a hearing on the charges or reasons calling for his removal. As a final factor in describing the selection process, suffice it is to say that there is no open competitive or other type of entry level examination, nor any other standard measuring device to test potential employees. The same is true for promotion to the supervisory position of sergeant.

#### TRAINING

Training for new or recruit officers on the local level consists of on-the-job training. The new officer is exposed to his tasks when he begins working at the jail. He is then supervised from time to time to see how he is performing. There are no formal training sessions conducted on the local level for either pre-service or in-service purposes.

The only formal training that exists for new or recruit officers is that mandated by law and conducted by the New York State Commission of Corrections. The Minimum Standards and Regulations for Management of County Jails and Penitentiaries deal with training thusly. Section 7017.1(a) states: "Correction Law, article 12, Section 49, mandates that the Commission of Correction shall establish, maintain and operate a basic correctional training program for such personnel employed in local correctional institutions as the Commission shall deem necessary."

Subdivision (b) of Section 7107.1 continues: "Personnel employed in a county jail or a county penitentiary must complete the training program prior to entering upon their duties, or within one year after their appointment." In Orange County, as is the case in other counties, the officers do not receive this formalized training until some time after they have been on the job. Then they are sent as classes are conducted by the state and as they can be adequately scheduled to attend from the local institution.

The state program consists of Phase I, a two-week program, and Phase II, which is a one-week program, occurring after the officer has been employed for a year. Although there is no formal in-service or advanced training program on the local level for senior personnel, the Sheriff sends appropriate staff members to specialized programs conducted by the state or other groups.

#### SALARY AND BENEFITS

The various positions within the Jail Department naturally carry different salary levels. The major pertinent positions and their salary scales follows:

Deputy Sheriff and Correction Supervisor - Grade 13

Deputy Sheriff and Senior Correction Officer - Grade 9

Deputy Sheriff and Correction Officer - Grade 7

Deputy Sheriff and Jail Matron - Grade 7

All employees are entitled to vacation benefits based on years of service. They are also entitled to holidays, sick leave, bereavement days, personal leave days, and what are referred to as July/August days in which they receive the equivalent of one hour compensatory time

per day which equates to the one hour early dismissal that other county employees are entitled to during the summer months. (These will no longer be in effect after this year.)

Summary of vacation and leave time necessary to compute Full Coverage Factor:

Vacation:

1 to 5 years employment .....	13 days
5 to 10 years employment .....	16.3 days
10 to 15 years employment .....	19.5 days
15 years and over employment .....	22.7 days

Holidays:

12 days total

Sick Leave:

13 days - the same for all personnel

Personal Leave Time:

1 to 5 years - 3 days

5 to 10 years - 4 days

10 years and over - 5 days

All Jail employees are also eligible to apply for such other benefits as retirement program and health and other insurance.

Although an in-depth study of personnel and personnel attrition could not be conducted as part of this study, we did observe that, so far this year, 9 persons have left the service of the Jail Department: 4 retirements, 4 resignations and 1 dismissal. This kind of turnover,

regardless of the reasons, quite naturally should be of concern to the administrator so that adequate short and long-range personnel planning can be conducted.

As a final note on personnel, there currently are three (3) C.E.T.A. workers employed at the Jail. One works in the office of the Jail Administrator, assisting him with planning, scheduling, reports, etc. Two other C.E.T.A. workers are assigned to the Rehabilitation Counselor and assist in visiting, commissary chores and other similarly related tasks.

Some of the tasks of these C.E.T.A. workers are of direct concern to this study since, if they were not there to perform these tasks, such as visiting, they would require a member of the custodial staff. Other responsibilities of the C.E.T.A. workers fall into the category of program and administration and will be dealt with in another part of this report.

Under the current funding procedures, two C.E.T.A. positions will terminate at the end of this year, the third in approximately one year from now.

### THE JAIL'S POPULATION

The Orange County Jail is similar to other jails in New York State and the rest of the country in regard to the general population that it services. We will detail below some specific characteristics of the inmates at the Orange County Jail, but at this point a brief statement about jails and their purposes may be in order.

A jail serves two major functions. It is an institution in which we confine those persons who have been arrested and charged with a criminal offense and who are denied bail, or who cannot raise the bail that has been set by the court. In this category of detained persons, we also find those who have been found guilty of a criminal offense and are awaiting the imposition of their sentence by the court or transfer to another institution.

The second major category of inmate in a jail is those persons who are confined there to serve a sentence. Those who have been found guilty of a criminal offense of a lesser degree (a misdemeanor or a violation) may be sentenced to a term of imprisonment in the County Jail not to exceed one year.

Although not as great a number as criminal offenders, jails are used for the incarceration of civil prisoners, chief among these are those persons sent there by the Family Court for non-payment of support stipulations ordered by that court.

The Jail is often erroneously referred to as an institution for the imprisonment of minor offenders. This misconception arises out of the Jail's responsibility to house persons sentenced to terms not to exceed one year. In this connection, it must be borne in mind that persons who are detained awaiting trial may not only be charged with misdemeanors, but also with felonies which include burglary,

robbery, rape and murder.

Additionally, since a great many of the crimes committed in this country and this state are disposed of by some form of plea negotiation, persons sentenced to serve a term of imprisonment upon their plea of guilty to a misdemeanor may have been originally charged with a felony offense. A similar consideration follows from the fact that offenders who at the present time may be charged with a misdemeanor may, on a previous occasion, have been found guilty of one or more felonies.

A final important consideration must be appreciated in order to fully understand the population of a County Jail. For a variety of reasons, not solely because of the fact they have been arrested, inmates at county jails may be in a highly tense, anxious state. Since most of the inmates in jails, and Orange County is no exception, are detained awaiting trial - that is, they have not been found guilty of their crimes - this increases the tension and anxiety, which can result in unwanted and unpredictable situations.

The following statistical information for 1977 will give an indication of the types and classifications of inmates admitted to the Orange County Jail:

INMATE POPULATION  
ORANGE COUNTY JAIL  
1977

	<u>Number</u>	<u>Per Cent</u>
Total Persons Admitted*	4,113	100%
Inmates Serving Sentences	1,189	29%
Persons Held for the Grand Jury, Examination or Trial	2,818	69%

\* (106 persons were admitted to the Jail for reasons other than the above two categories.)

TYPES OF OFFENSES\*\*1977

<u>Classification</u>	<u>Number</u>	<u>Per Cent*</u>
Felonies	1,179	29%
Misdemeanors	2,297	56%
Traffic Infractions	479	12%
Miscellaneous	158	4%

\* (Percentages have been rounded off)

\*\*A special reference is made at this time to two specific classifications of inmates. In a meeting held with Legislators on September 21, 1978, statements were made inferring that the Jail was heavily populated by persons admitted for being publicly intoxicated and for non-support cases. No persons were admitted for public intoxication or vagrancy during 1977. One hundred fifty seven (157) persons were admitted for Disorderly Conduct, which is the closest related offense to the now defunct Public Intoxication Statutes. This amounted to 4% of the population. Total Family Court admissions, which would not only include non-support, but also assault and other family-related offenses, totaled 236 admissions, or 6%.

AGE OF POPULATION1977

<u>Age</u>	<u>Number</u>	<u>Per Cent</u>
16-17	614	15%
18-20	824	20%
21-29	1,438	35%
30-39	626	15%
40-54	410	10%
55-64	180	4%
65 and over	21	1%

LENGTH OF STAY  
SENTENCED AND/OR DETAINED  
1977

<u>Number of Days</u>	<u>Number*</u>	<u>Per Cent</u>
1 to 2 days	1,761	42%
3 to 5 days	870	21%
6 to 10 days	487	12%
11 to 15 days **	294	7%
16 to 20 days	127	3%
21 to 30 days	162	4%
31 to 40 days	100	2%
41 to 60 days	104	3%
61 to 90 days	92	2%
91 to 125 days	54	1%
126 to 150 days	37	1%
151 to 200 days	34	1%
201 to 1 year	26	1%

\*Because these statistics will include persons admitted the previous year, the total population of this table is 4,149. However, it does not change the overall validity of the comparisons.

\*\*3,412 of the inmates admitted during this year spent 15 days or less at the jail. This amounts to 82% of the population. In another part of this report, we attempt to stress the point that a great deal of activity exists in the jail and that the population, for a variety of reasons, is very unstable and constantly changing. These statistics certainly bear out this high turnover factor.

In closing this section on the Jail's population, it is crucial to remember that a Jail is a multi-purpose institution designed to accommodate a variety of people ranging from 16 years of age and up.

As indicated by the statistics above, 70% of the 1977 inmate population was under 30 years of age, with 35% being between 16 and 20 years of age. Almost 70% of the population were held for the Grand Jury, Examination or Trial. Although most of the persons admitted to the facility were charged or convicted of misdemeanor or lesser offenses, a sizeable number (29%) were charged with felonies.

Finally, the inmate population is a highly changing one - 82% spending less than 15 days at the facility, with 75% spending 10 days or less.

PROGRAM AND ACTIVITIES

A routine day at the Jail consists of the inmates arising and being let out of their cells approximately 6:30 A.M., at the changing of shifts. On court days, inmates so scheduled are prepared for the City Courts of Newburgh and Middletown.

Breakfast begins to be served approximately at 7:00 A.M.; this takes approximately 45 minutes to an hour to complete.

Inmates who are scheduled for courts other than Newburgh and Middletown are prepared for same. (To prepare an inmate for court means he must shower or wash, shave, change clothes, secure his bedding, and necessary notations in various records have to be made - cell block records, as well as control records at the Booking Office.)

Approximately at 9:00 A.M., the rest of the inmate population is scheduled to shave. Depending on the number of inmates and the time it takes each one to complete his shave, this could take anywhere from one-half hour to one hour.

During this morning period, weather permitting, each tier of each cell block is scheduled for one hour's time in the various exercise yards. Each tier, which is half a cell block, is scheduled separately, and it is the inmate's choice as to whether or not he will go out. Under present procedures, when the exercise periods are in force, the cell block officer is responsible for observing the inmates in the exercise yard, the inmates in the tier who have decided not to go out to the yard, and the inmates in the tier which is not scheduled to go.

On Tuesday and Friday mornings, unless the doctor is unavailable, the jail schedules regular sick call. This requires all the inmates who have requested to be placed on sick call to be brought to the inmates' side of the visiting room. They are placed there under the

supervision of a correction officer. Another correction officer is stationed with the nurse in his office. As each inmate is finished at the nurse's office, another is allowed to pass through the control gate, while the other returns to the visiting room.

The mid-day meal is served at approximately 11:00 A.M. As before, this takes about 45 minutes to one hour to complete, if all goes well.

At 12:30 on Tuesdays through Fridays, visiting hours for the male prisoners begins. This goes until 3:30, at which time the female prisoners are scheduled for visiting time. All visiting hours terminate at 4:00 P.M. Special visits can be arranged on Saturday and Sunday by appointment through the Jail Administrator's office.

The evening meal is served at approximately 3:45 P.M.

At approximately 6:30 P.M., inmates are allowed to take showers. Each tier in the block is handled separately; the showering process can take as long as two hours, depending on the number of inmates and the length of time each takes.

At approximately 9:00 P.M., a snack is served to the inmates.

On most evenings, 11:00 P.M. is lock-in time. However, each block is allowed to have two late T.V. nights per week. These are arranged in advance with the night shift sergeant. A check of past records shows that lock-in time on these nights is approximately 1:30 A.M.

In addition to the above scheduled activities, there is a variety of other things that are occurring on a day-to-day basis. Inmates are being admitted and discharged on a daily basis, at all hours.

Official visitors are admitted to the Jail, mainly to meet with inmates. These include lawyers, probation officers, law enforcement personnel and other such persons. This type of contact occurs mainly

during, but is not limited to, day time.

By schedule, or on an emergency basis, inmates are escorted from the Jail to various medical and counselling facilities. These services are the type which cannot be administered at the Jail.

Several times during the week, visits are made to the Jail for religious services and counselling services, chief among the latter is the Alcoholics Anonymous meeting.

The aforementioned schedule does not specifically reflect the "behind-the-scenes" activity which is constantly taking place. These include prisoner searches where appropriate, issuing of bedding and clothing; handling of correspondence, packages and money for inmates; record notations, telephone calls, individual contacts between officer and inmate; transportation; security checks; inmate counts; dispute settling between inmates; handling disruptive inmates; adhering to the requirements of State Minimum Standards involving the care and custody of inmates.

Finally, even though there is a constant flurry of activity that occurs on a daily basis at the Jail, there is no active program involving the inmate. Except for the one-hour exercise period, and the other voluntary programs like the A.A. meeting and religious services, the inmate's day is spent mainly in watching television and passive-type games in the cell block area - such as cards, checkers or chess.

PERSONNEL NEEDS

Based on our investigation and analysis of the minimum amount of security and service that must be provided, and bearing in mind the necessity to conform to the New York State Correction Commission's Minimum Standards, it is our judgment that the Orange County Jail, exclusive of the Sheriff and the Undersheriff, should employ 71 persons. This number, including all personnel - administrative, custodial, supervisory and support services - will permit the Jail to operate in a manner which is consistent with the best interests of the community, the correction personnel and the inmates.

Before detailing what these specific positions and assignments should be, we would like to point out some relevant factors.

First, depending on who is answering the question about the total number of personnel, the chaplains and doctor are not always included. For example, the Department of Personnel indicates that the current personnel authorization is 61; the Sheriff's Department states there are 58, then will indicate that there are three part-time positions - 2 chaplains, 1 doctor. (Both of these figures include the 15 temporary full-time guards.)

Secondly, although the Jail Administrator is seemingly responsible for all personnel assigned to the Jail Department, he does not include on his duty roster the nurse, inside maintenance man, outside maintenance man and identification man. Neither does he include the chaplains and the doctor. There is included on the duty roster the C.E.T.A. workers who assist the Rehabilitation Counsellor and the Jail Administrator.

Third, a check with the County Personnel Department indicates that the authorized full-time positions in the Sheriff's Department for the years 1975, 1976, 1977 remained the same at 77, which includes all persons hired by the Sheriff - Jail personnel, communications, court personnel, civil deputies, outside deputies and other support personnel. Although the Personnel Department was not able to give a breakdown of the various personnel assignments by units, the Sheriff's office indicated that the number of Jail personnel would have been 40, not including the chaplains and the doctor, for that same three-year period. In early 1978, the Legislature authorized 3 permanent full-time positions and 15 temporary full-time positions (as per Correction Commission Mandate), which brought the entire Sheriff's Department to a 1978 authorization of 95, with the Jail authorization set at 58, plus the chaplains and the doctor.

Fourth, the manpower authorizations do not seem to reflect the changing Jail situations - specifically the population. For example, as indicated above, the Jail authorizations during 1975, 1976 and 1977 remained the same, but the average daily population in 1975 was 195.95, an increase of 38% over 1974's average of 142.15. In addition, the 1975 figure broke a 3-year downward trend which began after a 1971 daily average of 191.9. Further, 1974 reached a 5-year high of total inmates received at the Jail - 4,588 - which figure increased in 1975 to 5,452 inmates received during the year.

The year 1976 saw a slight decrease in the daily average population - 192.08 - with a total of 4,913 inmates received at the Jail. The average for 1977 was 161 and this downward trend seems to be continuing in 1978; an analysis of the first eight months of the year shows the daily average population at 132.63.

Fifth, whereas the downward trend over the past two years will affect certain costs and conditions at the Jail, at their present level they may not necessarily herald in a need for less personnel. As we have indicated in another section of this final report, the total cell capacity of the Jail is 174 male and 16 female cells, not counting the overnight detention area. However, the rated capacity of the male cells is 139. That means that in order to comply with the Correction Commission's Classification System for the separation of inmates, the County should only utilize 139 of its cells. To make any great impact on personnel needs, the daily average population would have to be significantly lower than the rated capacity of 139 and then the mix of inmates would have to be such that they could be housed together in conformance with State standards.

Sixth, the personnel recommendations made in this preliminary report do not, as a matter of course, deal with future needs of the Jail, specifically any which will arise out of the building expansion program, current court cases, or any changes or mandates handed down by the New York State Correction Commission. We have dealt only with future projections where they would realistically support present requirements and where to consider anything less than the recommended figure at this time would be counterproductive.

In approaching the manpower needs at the Jail, we have made on-site visits, have been present at the Jail during afternoon shift changes, have observed activities which occur on both the 7:00 A.M. to 3:00 P.M. and 3:00 P.M. to 11:00 P.M. shifts. In addition to in-depth interviews with administrative personnel, we have also interviewed guards and inspected daily logs, as well as persons in other phases of the Criminal Justice System.

As one enters the jail proper, the first station he runs into is the booking office. This area of the jail has responsibility for all the admission and discharge procedures. This includes, among other things, the searching of the prisoner; securing his property; preparing necessary record cards on each inmate; logging inmates in and out; securing him in the overnight detention cells, where appropriate, and supervising him; supervision of disruptive inmates who have to be taken out of general population and kept separately in individual cells in the Overnight Detention Cell area.

The booking office is also responsible to see that all official visitors are logged in the visitor's book. They supervise inmates while they are down in the booking area being interviewed by probation personnel, attorneys and other appropriate persons. This unit is also responsible to see that new admittees are showered and issued bedding and clothing.

The booking office also makes sure that all jail personnel sign on duty and note the time they leave. They also handle all inquiries from the outside concerning who is in the jail. They also maintain the time sheets on sentenced prisoners and calculate their release date. They are responsible for the preparation of the "Master" yellow card, which is a daily log of all inmates, their cell assignments, their movements and any other pertinent data relating to the day's activities. New master yellow cards are typed up on the 11:00 P.M. to 7:00 A.M. shift.

The booking office also performs the duties of control gate keeper between the hours of 5:00 P.M. and 9:00 A.M. on weekdays and all day Saturday and Sunday.

When inmates are being processed for court appearances, they are brought to the detention cells near the booking office and held there until appropriate police agencies arrive to transport them. While they are in these cells, they are supervised by the booking office personnel.

As one moves along toward the interior of the jail, you arrive at Cell Block #1, consisting of Tiers A & B. This is the female cell area. Off this cell block, with entrance inside the block itself, is the women's exercise yard. (All exercise yards, even those in the male cell area, have an 8-foot clearance, with heavy wire across the top of the yard, limiting the type of physical activity which can be engaged in).

Farther along this "L" shaped corridor is a series of offices housing the Identification Officer, the nurse, the rehabilitation counselor, equipment and other utility rooms. At the end of this corridor is the control gate leading into the main jail complex. This gate is controlled by an officer in an adjoining booth who operates the gate Mondays through Fridays between the hours of 9:00 A.M. and 5:00 P.M., which is considered to be the major activity periods. At other times, as indicated above, this gate is controlled by the booking office personnel.

The first major area in the main jail complex is the visiting room. Visiting hours are Tuesdays through Fridays, between 12:30 and 3:30 P.M. for males, and between 3:30 and 4:00 P.M. for females. Special visiting takes place on Saturday and Sunday and is limited to 10 inmates each day. This occurs between 1:30 and 2:00 P.M. for males and between 2:00 and 2:30 P.M. for females.

Three persons are actually involved in the visiting process during regular hours. A reception officer logs the visitors in and receives packages and money to be put into the inmates' commissary account. Two other officers are required to receive the prisoner on the inmate side of the room, search them, and then observe them during the visiting process. Each of the visiting stations has a 4-inch square opening so that inmates and visitors may have some measure of contact.

The main jail complex consists of one long corridor with 4 cell blocks (#2 through 5) and utility and service rooms and two shared exercise yards on one side; and two cell blocks (#6 and #7) with one shared exercise yard, administrative offices and the kitchen complex on the other side.

Approximately half-way down this main corridor is a central communications desk referred to as Station 56 (it gets its designation from the telephone extension). This is the location from which the Shift Sergeant supervises; officers can call for assistance; and messages can be telephoned to block officers. This location also provides for visual supervision of the corridor and allows supervising personnel to be able to hear loud noises or disturbances.

At the end of the corridor opposite the main jail control gate is the wall behind which the new addition is being built and the area which will connect up with the corridor in the new addition.

For purposes of this phase of the report, it is felt that no further description needs to be detailed. Any further clarification can be done in pertinent sections dealing with specific personnel.

### SPECIFIC PERSONNEL REQUIREMENTS

#### 1. The Jail Administrator.

He generally performs his duties during the daytime hours. His tour of duty should be such that it adequately permits him to carry the responsibilities as listed in his Job Description.  
1 Person.

#### 2. The Shift Sergeant.

Because of the need to provide supervision at the place of job performance, it is necessary that one sergeant be assigned on each tour shift. We noticed in our data collection that under the present structure, assigned sergeants are not always available, and requires the assignment of a regular deputy sheriff/correction officer to function as an acting sergeant. This may be necessary and appropriate in emergency situations. However, our information indicates that in May of 1978, deputies fulfilled the role of acting sergeant on 27 occasions out of 93 possibilities; and in August of 1978, on 39 occasions out of 93 possibilities. Our firm recommendation is that there should be a sergeant/supervisor available for each shift. Except for emergency situations, this should be able to be accomplished by adherence to the Full Coverage Factor analysis, and proper scheduling of vacations and other authorized leave.

In sum, then, on a 24-hour day basis, this will require 3 sergeants.

#### 3. The Booking Office.

Based on the full explanation of the Booking Office functions as detailed above, it is recommended that 2 persons be assigned to

this station on the 7:00 A.M. to 3:00 P.M. tour and the 3:00 P.M. to 11:00 P.M. tour. On the 11:00 P.M. to 7:00 A.M. shift, it is recommended at this time that one male and one female officer be assigned to the booking unit. In addition to assisting in the booking functions, the female officer will be able to provide the basic level of supervision required on this tour for the female Cell Block #1 since inmates are locked in their cells after 11:00 P.M., except on those nights when they are allowed late night T.V. privileges. (It should be noted, however, that the renovation and redesign of the female cell block next spring may require this recommendation to be reevaluated.)

It should also be stressed that these basic recommendations need to be understood in relation to the required security of the Jail. These are considered minimum levels and, when necessary, may require assistance from relief/runner officers. We feel that this is not only a realistic appropriation of personnel for the specific tasks that have to be performed, but in the non-daytime hours and on weekdays, the booking office plays a major role in the entire security and safety process for all persons - inmates and correction officers - beyond the inner control gate.

It has been indicated that the State Correction Commission has strongly recommended that one male and one female officer be assigned to this station on all tours. As in many issues of this nature, there are pros and cons. At this point, we would just make the recommendation that two officers be assigned at all times, except for the 11-7 shift above, and that, after a careful analysis of safety, security, job satisfaction and performance, the Jail Administrator make the appropriate assignment.

Again, two persons each shift are recommended on the 7 to 3 and 3 to 11 shifts; two on the 11-7, male and female (refer also to #4 below), which calls for a total of 6 persons each day.

4. Cell Block #1 - Female Block.

This cell block is outside the inner control gate, separated from the male section. Since inmates are required to receive active supervision when they are not locked in their individual cells, one female officer is required on both the 7:00 A.M. to 3:00 P.M. shift and the 3:00 P.M. to 11:00 P.M. shift. It is recommended that no specific officer be assigned on the 11:00 P.M. to 7:00 A.M. shift and that the supervision of that block on that tour be carried out by the matron assigned to the Booking Office.

It is recommended then that 1 female officer be assigned to Cell Block #1 on the 7 to 3 and 3 to 11 shifts - a total of 2 officers on a 24-hour basis, with other supervision provided by the Booking Office.

5. The Inner Control Gate Booth.

As indicated before, this position is "manned" Monday through Friday between 9:00 A.M. and 5:00 P.M. There does not seem to be any need at this point to change that schedule. One person, one shift, five days per week.

6. Cell Blocks #2 through #7.

These cell blocks contain male prisoners and inmates are assigned in conformance with the State's Prisoner Classification System. A rather detailed explanation of the daily activities which take place on these cell blocks is contained in another part

of this report. And, as indicated previously, inmates are out of their individual cell blocks routinely between approximately 6:30 A.M. and 11:00 P.M. each day, except for the two late T.V. nights.

It is recommended that during the 7:00 A.M. to 3:00 P.M. shift, and the 3:00 P.M. to 11:00 P.M. shift, that one officer be assigned to each of the cell blocks. Again, after reviewing the activities listed in the previous section, this will be seen as a minimum necessary to conform to the State's requirement for active supervision.

Following this recommendation will result in the assignment of 6 officers each on the 7:00 A.M. to 3:00 P.M. shift and the 3:00 P.M. to 11:00 P.M. shift.

Additionally, on the 11:00 P.M. to 7:00 A.M. shift, it is necessary to assign one officer exclusively to Cell Block #6. This block, consisting of tiers K and L, is termed the observation block and houses the type of inmate who may be considered a danger to himself or others, or who may be considered mentally or emotionally unstable. In other words, because of the type of inmate assigned to this block, very close supervision and observation is required to the point that an officer should always be assigned.

Our recommendation for Cell Block #6 is that it receive the same assignment of personnel on the 11:00 P.M. shift as it does on the other two shifts, resulting in one additional guard being assigned every night.

#### 7. Station 56.

At least one officer per shift should be assigned to this central communications point in the main jail area. This officer

not only provides for direct and indirect two-way communication, but can also be available for emergencies and, when necessary, relief duty. It is not good supervisory practice to have the sergeant tied down to this desk because to do so would take him away from functional supervision of personnel.

This recommendation results in the assignment of 3 personnel on a 24-hour basis.

8. Other Personnel on the 11:00 P.M. to 7:00 A.M. Shift.

In other paragraphs above relating to this tour, we have provided for 5 personnel - 2 in the booking office, 1 to share duty of Cell Block #1; 1 in Cell Block #6; and 1 at the Station 56 desk; plus 1 sergeant. In addition to the above, there should be two additional officers who will be responsible for the supervision of inmates in the remaining 5 cell blocks. On special T.V. nights, this will require them to carry out active supervision until 1:30 A.M. in the morning and regular supervisory visits every half hour for the remainder of the shift. The assignment of these two officers will provide for relief time, as well as having adequate minimum personnel available for emergencies.

This final recommendation for the 11:00 P.M. to 7:00 A.M. shift then provides for two additional officers to be assigned.

9. Runners and Relief Officers on Other Shifts.

In other sections above, we have detailed the specific posts that must be minimally covered on a regular daily basis. We also see the need to assign additional personnel to the 7:00 A.M. to 3:00 P.M. shift, and the 3:00 P.M. to 11:00 P.M. shift. These are naturally the most active shifts, not just because the inmates

are out of their cells, but because of the daily routine that occurs during those hours. This routine was spelled out previously.

We see the assignment of 3 officers on each of the above two tours as Relief Officers or Runners. This would result in the assignment of 6 officers for the two shifts.

These officers would be assigned to relieve the block officers for their meal periods. Presently, block officers eat in the cell block area, or take a relatively short lunch break in the dining room. However, the officers are entitled to a one-hour meal period. There is no reason why this time should not be taken and, if not for eating purposes, the officer should be excused from the block during that period as a mental and physical refresher.

During the 7 to 3 shift, these relief officers would also assist the block officers in supervising the inmates during the exercise yard schedule. They would also assist in preparing inmates for court during those days when court is in session.

On the 7-3 shift, these officers would be able to carry out the visiting room functions, as well as assist with sick call, which takes place every Tuesday and Friday, beginning at 9:30 A.M. and lasting for approximately 1½ to 2 hours.

On the 3 to 11 shift, these officers would continue the visiting hours until 4:00. They would then be available for block officer relief. They would also assist the block officers with the daily shower routine which begins at approximately 6:30 P.M. During this shift also, these relief officers would be available for emergency transportations of inmates. Transportations on the 7:00 A.M. to 3:00 P.M. tour are provided by the Sheriff's outside deputies.

Finally, at appropriate times, these Relief/Runner personnel would be available and assist in unannounced "shake-down" inspections of the Jail. Under the present assignment of personnel, these kind of inspections occur only when there is a sufficient number of personnel, which seems to be about 13 or 14.

9. Recap and Summary of Basic Security Personnel Recommendations:

<u>Position</u>	<u>Tour</u> <u>7-3</u>	<u>Tour</u> <u>3-11</u>	<u>Tour</u> <u>11-7</u>	<u>Tour</u> <u>9-5</u>	<u>Total</u>
Jail Administrator				1**	1
Sergeants	1	1	1		3
Booking Office	2	2	2*		6
Cell Block #1	1	1	0*		2
Cell Block #2	1	1			2
Cell Block #3	1	1			2
Cell Block #4	1	1			2
Cell Block #5	1	1			2
Cell Block #6	1	1	1		3
Cell Block #7	1	1			2
Station #56	1	1	1		3
Runners and Relief	3	3	2		8
Inner Control Gate	—	—	—	<u>1</u>	<u>1</u>
	14	14	7	2	37

\* On the 11:00 P.M. to 7:00 A.M. tour of duty, the Booking Office should have one male and one female officer. The female officer so assigned will also be able to perform the basic supervision of Cell Block #1 required when the inmates are locked in their original cell blocks.

\*\*It is not a requirement that the Jail Administrator work a specific shift continuously. After thorough analysis, he should decide which shift is most beneficial.

10. Other Than Basic Security Personnel Needs.

This manpower analysis, as indicated above, has dealt basically with the number of security personnel required. There are other personnel and functions which the Sheriff and Jail Administrator are required to address. The following contains a statement of these personnel and these functions and, where appropriate, recommendations are made.

Medical Services.

Currently, medical services are provided by a part-time physician and a full-time nurse/deputy sheriff. It has come to our attention that a plan is already in the works which would significantly increase the level of medical services at the Jail. The County Legislature has committed matching funds which, along with federal funding, would allow for increased hours of availability for doctors and provide for the assignment of 5 full-time nurses. Necessary improvements would also be made to the physical aspects of health care. This plan is being developed in cooperation with the Sheriff's Department, the County Health Department, and the New York State Correction Commission.

Transportation.

There are several aspects to the provision of transportation services. Transportation of inmates to courts on a daily basis are generally provided by the appropriate police agency.

Other than for these court transportation tasks, when it is necessary to take an inmate to a location for outside medical services, visits to counselling centers or other official reasons, between 9:00 A.M. and 5:00 P.M., the transportation is provided by

"outside" Sheriff's deputies. These are deputies who are part of the Sheriff's Department, but do not come under the administrative sphere of the jail.

After 5:00 P.M. and at times during the daytime hours, emergency transportations have to be conducted by assigned Jail personnel.

In addition to correction officers, transportation is sometimes conducted by the Rehabilitation Counsellor and the Identification Officer.

We have attempted to provide for these emergency transportation requirements through the Relief Officer/Runner recommendations on each tour designated above.

#### Rehabilitation Counsellor.

Presently, there is no consistent active program at the Jail. Ordinarily, the Rehabilitation Counsellor would be responsible for the developing of programs deemed appropriate. Presently, the Rehabilitation Counsellor is responsible for Commissary procedures; the library, including the law library; and a variety of limited counselling and informational services. We make no recommendation about this position, except to indicate that the Jail Administration needs to identify its goals and objectives concerning inmate programs and services, and to begin to form necessary plans and strategies to carry them forth. This not only is seen as a general need, but with the expansion of the Jail facility resulting in additional space for program possibilities, these plans and strategies become increasingly more important.

Correspondence.

Presently, the inspection of the mail is handled by the inner control gate officer. Mail is picked up and delivered in the cell block area by correction officers. The inspection of packages is performed as part of the visitation process. Based on the volume of this activity at the present time, there does not seem to be a need to recommend any changes or assign additional personnel.

Work Details.

Work details consists of clean-up and maintenance of the Jail area, other than individual inmate areas. Outside clean-up and maintenance tasks are performed by inmates under the supervision of a specifically assigned Senior Correction Officer/Deputy Sheriff. If the number of inmates needed for this work is too large for this officer to supervise adequately, then another Correction Officer from the Jail is assigned to assist. Extensive clean-up projects inside the Jail are conducted in the same manner.

Regular routine maintenance and repairs are performed by a Deputy Sheriff/Maintenance Officer who is assisted by a County Public Works Department Maintenance person and a trustee.

No recommendation for change is being made in this process; we would simply point out that the Jail Department Maintenance persons, whether performing inside or outside maintenance tasks, carry the title and rank of Deputy Sheriff because of their responsibilities to supervise inmates and inmate trustees in the completion of these functions.

The Identification Officer.

This officer has been referred to briefly above. We indicated that he has been involved from time to time with emergency transportation of inmates.

Specifically, however, he is responsible for all the fingerprinting, photography and identifications functions of the Sheriff's Department. He is carried on the Jail Department roster. His major responsibility in connection with his assignment to the Jail is the fingerprinting and photographing of inmates as required. The Identification Officer carries the rank of Deputy Sheriff and generally works a set tour of duty during the daytime, Monday through Friday, and is subject to call as required by other Sheriff's Department responsibilities.

11. Computation of Full Coverage Factor.

As has been indicated above in Paragraph #9, it is our recommendation that for basic security purposes, a total of 37 correction officer personnel are required on any given day. It should be stressed that this number is exclusive of any of the positions and personnel stipulated in Paragraph #10 above. It should also be pointed out that this figure of 37 is the number of persons needed on any given day; to arrive at the total number of correction officer personnel that must be hired by the County to assure this coverage, we must now compute the full coverage factor. Once that factor is computed, we will be able to arrive at the total employees required for the security function. In Paragraph #13 below, we will re-cap the number of other personnel required. This group of personnel will not be

computed on the same basis as the security personnel since they are not required at this time to be here on a full-time, round-the-clock basis.

Ingredients for computing the full coverage factor include the total number of regular days off; annual vacation; sick leave; holidays and other pertinent leave time. For our specific purposes in the Orange County Manpower Study, we have considered personal leave days, but have not considered bereavement days. We have also not included the so-called July/August days related to in a previous section of this report.

The full coverage factor and its implications for full staffing needs is presented in 3 stages. First, we compute the FCF for those Deputy Sheriff/Senior Correction Officers who are designated as Shift Sergeants. These officers usually have an average seniority greater than the regular correctional officer, and are entitled to at least 3.3 days of additional vacation. They are also entitled to at least one additional annual leave day. (In regard to this latter leave day category, we have chosen to use a departmental average of 3 for all classifications).

In the final analysis, even though there is a difference in the Full Coverage Factor between the regular and senior correction personnel, at present it is so slight that it does not alter the total number of departmental personnel required. However, we have gone to the trouble to analyze them separately for reference by the department for future staff analysis.

Full Coverage Factor for Senior Correction Officer/Deputy Sheriff/Sergeant:

<u>Planning Base</u> .....	<u>365 days</u>
Regular Days Off .....	104 days
Holidays .....	12 days
Annual Vacation .....	16.3 days
Personal Leave*.....	3 days
Sick Leave**.....	<u>11.5 days</u>
Total	146.8 days
Balance	<u>218.2 days</u>

Rounding off, the estimated number of on-duty days for each sergeant is 218 days.

$$\text{Base Days } \frac{365}{\text{Estimated on-duty days } 218} = 1.67 \text{ FCF}$$

Full Coverage Factor for Correction Officer/Deputy Sheriff.

<u>Planning Base</u> .....	<u>365 days</u>
Regular Days Off .....	104 days
Holidays .....	12 days
Annual Vacation .....	13 days
Personal Leave* .....	3 days
Sick Leave** .....	<u>11.5 days</u>
Total	143.5 days
	<u>143.5</u>
	<u>221.5</u>

Rounding off, the estimated number of on-duty days for each Correction Officer is 222 days.

$$\text{Base Days } \frac{365}{\text{Estimated on-duty days } 222} = 1.64 \text{ FCF}$$

Full Coverage Factor for Jail Administrator and Inner Control Gate Officer.

We have inserted this computation separately since it is felt that some provision has to be made for the relief of these persons on annual, personal and sick leave. However, since their positions are only filled generally during Monday through Friday, we do not have to include regular days off in the computation.

<u>Planning Base (365 less 104)</u>		<u>261 Days</u>
Holidays	12 days	
Annual Vacation***	18 days	
Personal Leave*	3 days	
Sick Leave	<u>11.5 days</u>	
	44.5 days	<u>44.5</u>
		<u>216.5</u>

Rounding off, the estimated number of on-duty days for each of these personnel is 217 days.

Base Days	261	= 1.20 FCF
Estimated on-duty Days	<u>217</u>	

NOTES:

\*In the absence of any specific records and based on information of Administrative Personnel, we have used a departmental average estimated at 3 days.

\*\*Sick leave computation is based on an analysis of Sick Leave usage for 1977 prepared by the County Department of Personnel. (The Commissioner of Personnel has issued a Mid-Year 1978 Analysis which indicates that if the current trend in 1978 continues for the rest of the year, the Jail Department's average will increase to 13.5 days, an increase of two days. We have chosen to use only last year's actual analysis).

\*\*\*We have used an average of 18 days annual vacation, arrived at by the fact that the Jail Administrator is a senior person entitled to at least 22.7 days and the Gate Control Officer might be a less-than-five-year employee. The Jail Administration might wish to plan this on an actual basis and to make projections accordingly.)

12. Minimum Staffing Requirements Based on Full Coverage Calculations (Basic Jail Personnel Only)

<u>Positions</u>	<u>Total Required in Any One Day</u>	<u>Full Coverage Factor</u>	<u>Total To Be Employed</u>
Jail Administrator	1	1.20	1.20
Sergeants	3	1.67	5.01
Booking Office	6	1.64	9.84
Cell Block #1	2	1.64	3.28
Cell Block #2	2	1.64	3.28
Cell Block #3	2	1.64	3.28
Cell Block #4	2	1.64	3.28
Cell Block #5	2	1.64	3.28
Cell Block #6	3	1.64	4.92
Cell Block #7	2	1.64	3.28
Station #56	3	1.64	4.92
Runners & Relief	8	1.64	13.12
Inner Control Gate	1	1.20	1.20
	<hr/>		<hr/>
	37		59.89

Rounding off, we arrive at a total recommendation of Security/Custodial personnel, including the Jail Administrator, of 60 full-time permanent positions. We have rounded off based on the grand total because it is the most practical way to arrive at a realistic total.

13. Re-Cap of the Total Number of Positions Other Than Security Personnel.

Full Time:

Nurse/Deputy Sheriff	1
Senior Correction Officer/Deputy Sheriff/Outside Maintenance	1
Senior Correction Officer/Deputy Sheriff/Rehabilitation Counselor	1
Correction Officer/Deputy Sheriff/Inside Maintenance	1
Cook/Deputy Sheriff	3
Identification Officer/Deputy Sheriff	<u>1</u>
Total Full-Time	8

Part Time:

Physician	1
Chaplains	<u>2</u>
Total Part-Time	3

<u>Total Full and Part Time, (for which no specific change is recommended)</u>	11
--	----

14. Recommended Total of Jail Department Employees

Full Time Security Personnel	60
Full Time Service Personnel	8
Part Time Service Personnel	<u>3</u>
Total .....	71

15. Comparison of Recommendations and Current Authorized Positions.

<u>Classifications</u>	<u>Current</u>	<u>Recommendations</u>	<u>Change</u>
Security (F.T.)	50*	60	10
Service (F.T.)	8	8	0
Service (P.T.)	<u>3</u>	<u>3</u>	<u>0</u>
	61	71	10

\*This figure includes the 15 temporary full-time positions mandated by the Commission on Correction.

16. Summary of Manpower Needs

Based on our analysis of the current posts to be covered and services to be supplied, and adhering to minimum requirements under the law and practical personnel policies, it is our recommendation that the Jail employ a total of 71 people. In comparison to the current figure which includes the 15 temporary officers required by the State, this would mean an addition of 10 persons.

### ADMINISTRATION

The basic manpower requirements have been spelled out in the previous section. There are other areas that we feel the County and the Sheriff should address in developing a comprehensive personnel and program services plan. As stated, we have dealt specifically with the basic custodial needs of the Jail. However, the overall administrative program, including personnel, procedures and services, is as much a part of the daily operation of the Jail as the assignment of correction officers to the cell blocks.

Under the present organization structure, there is one Jail Administrator (Warden), who bears the specific designation of Deputy Sheriff and Correction Supervisor. His responsibilities have been spelled out in the Personnel Section of this report. As now structured, the Jail Administrator is on duty at the Jail during the normal work week, Monday to Friday, on a day-time schedule. When he is off-duty, no command person or member of the management team is normally available at the institution to oversee its operations or to deal with other administrative decisions. In addition, when the Jail Administrator leaves for the day, the highest ranking person remaining at the Jail to deal with administrative matters and emergencies is a Sergeant. The rank of Sergeant is basically a supervisory one - that is, in conformance with acceptable principles of organization, he provides necessary supervision of personnel and activities in a direct, on-the-spot manner. His administrative and management responsibilities and his authority to make decisions in emergencies are limited.

There are various other factors which indicate the need for the County to evaluate the Jail Administrative Staff. The Jail expansion program will be completed in late Spring, 1979. When that addition is

completed, there will be a definite need to hire more security personnel, as well as support and service staff. Additional personnel mandated by the Commission of Correction, and others recommended in this report, will also have an effect on administrative responsibilities.

In sum, then, we are saying that at the present time and increasingly so in the very near future, additional administrative personnel should be considered by the County. Basically, we suggest the designation of one Assistant Warden and one Administrative Assistant.

The Assistant Warden would assist the Jail Administrator with basic administrative tasks -- planning, budgeting, research, training of personnel, policy formulation, program development, and other similar management functions. This Assistant or Deputy Warden would also provide additional management presence by being on-duty at the facility during the late afternoon and evening hours. He would also act in place of the Warden when he is on vacation or other designated leave.

The Administrative Assistant is a support position for the Jail administrative office. Presently, there is a person hired under the C.E.T.A. Program who performs this function. It is felt that this position should be continued on a permanent basis. This individual would be responsible for such day-to-day activities as typing, record-keeping, handling communications and preparation of reports and schedules. The increased activity at the Orange County Jail will heighten the need for this already necessary position.

In completing this section of the report, we would state that the proper operation of any facility or institution depends not just on having sufficient numbers of custodial personnel, but also on the

assignment of administrative or management personnel.

By way of illustration, we would point up two areas that management might wish to evaluate - one is the sick leave taken by department personnel and the other deals with the part-time personnel budget.

It was previously indicated that the average sick leave taken in 1977 was 11.5 days and current projections show that figure is on the increase for 1978.

Annual sick leave is one of the items that are computed in arriving at the Full Coverage Factor. An analysis might be conducted to determine: a) if sick leave is being abused; b) current sick leave procedures presently in force; c) the nature of the Correction Officers position and the effect it has on his physical and emotional well-being.

The second area to which the management team might direct its attention is the part-time personnel budget and how it relates to full staffing needs, assignment of personnel, leave policies, and other similarly related matters. For instance, our figures show that during 1977, the Jail spent \$75,164.89 for part-time employees. The part-time expenditure so far in 1978 is \$63,307.04 which does not include the last pay period of the third quarter, nor the last quarter of the year.

PART-TIME BUDGET  
Quarterly Breakdown

	<u>1st</u> <u>Quarter</u>	<u>2nd</u> <u>Quarter</u>	<u>3rd</u> <u>Quarter</u>	<u>4th</u> <u>Quarter</u>
1977	\$18,699.30	\$14,496.69	\$20,429.22	\$21,539.68
1978	\$24,905.29	\$20,353.15	\$18,048.60 (\$20,848.60) *	(\$21,102.35) **

\*As indicated, the third quarter expenditures do not include the last pay period in September. This projected figure is based on the actual dollars spent and a reasonable expectation for that last pay period.

\*\*The projected cost for the final quarter of 1978 was arrived at by averaging the first three quarters of 1978. Based on last year's fourth quarter figure, it seems to be a practical, conservative estimate.

In analyzing and comparing the above information, the projected 1978 part-time employee budget may amount to \$87,209.39.

Quite naturally, these figures are subject to a great deal of interpretation. At this point, we would simply state that a thorough analysis by management of these expenditures is in order. It should also be stressed that if the County follows the manpower recommendations in this report, it would be in a position to virtually eliminate the need for part-time assistance. Those funds which this year equates to 8.31\*\*\* full time correction officer salaries could then be transferred to the full-time personnel account.

\*\*\*This personnel figure was arrived at by dividing the projected 1978 part-time budget by the correction officer's annual salary plus benefits. ( $\$87,209.39 \div \$10,500$ ).

An adequately staffed administrative component in any kind of organization is a key factor in its ability to function effectively and efficiently. A strong management team with proper planning, research and staff utilization techniques will be of significant value to the County. At the very least, it will result in better utilization of the jail budget, and keep within realistic boundaries the increases that are already envisioned.

### COMPREHENSIVE PLANNING

Orange County, like many counties and cities throughout the United States, is at a stage where it is beset with the need to provide services, yet faces some very real concerns vis á vis the tax dollar.

We have spelled out in this report our basic recommendations for custodial personnel. We have also briefly addressed the tasks of management and made appropriate suggestions which we feel will have impact on the overall operation of the Orange County Jail. After all is said and done, however, in a very short time it is conceivable that Orange County could find itself in the same or similar position that exists now.

Perhaps it is time for the County to take a comprehensive view of its entire Criminal Justice System. The Jail is a single institution which has basic limited functions. Revolving around and affecting that facility in a variety of ways are other criminal justice agencies, such as the courts, police agencies, prosecutors, defense attorneys and probation. Of these agencies, the Courts and Probation have the most direct effect on the population at the Jail.

Basically, the Courts affect the Jail population in two specific ways. The Court determines the sentence upon a finding of guilt. That sentence could be a term of imprisonment of up to one year, depending on the classification and degree of the crime or offense. Secondly, during the initial phases of the criminal prosecution, the court makes decisions as to the amount of bail, if any, which will be set on the individual so charged. The decision to release the person in his own recognizance or to hold him in jail, the amount of bail set, and the ability of the person to meet that bail all have a bearing on the number of people at the jail at any one time.

The County Probation Department, in addition to supervising a person who has been placed on probation instead of being imprisoned after conviction for a crime, has two other functions which affect the daily population at the Jail.

The first, and most recent one, is the formal Release on Recognizance Program which was instituted in the fall of 1977. After a person's initial appearance on arraignment on a criminal charge, the Judge, as indicated before, will make a decision as to whether to release the person or hold him in bail awaiting further processing. The Judge makes this decision on the best information available to him at the time of arraignment.

If the person for whom bail has been set cannot meet that bail, he is then detained in Jail. On the next business day, he will be visited by a member of the Probation Department's Release on Recognizance Program. Based on their investigation of the individual, they will make a recommendation to the Judge as to whether this person should be considered for release on his own recognizance. The Judge, of course, has the option to accept or reject the recommendation. In essence, the Probation Department is providing the Court with additional information on which to act.

Based on preliminary consideration of statistics, the daily average population in particular, the Orange County Probation Department's R.O.R. Program seems to have resulted in reducing the jail population. As indicated before, the average daily population for 1977 was 161 and the projection so far for 1978 is 132.63. How much of this is due directly to the R.O.R. Program at this point would be difficult to state. Suffice it is to say at this time that their contribution to jail population reduction is significant.

The other area in which Probation can potentially affect the Jail Population is in the preparation of pre-sentence investigation reports. The Criminal Procedure Law of New York State requires that the Court, upon the conviction of an individual for a crime, must order a pre-sentence investigation report in felony cases and in misdemeanor cases where there is a possibility of the person being sentenced to serve 90 or more days in jail, or where probation as a sentence is being considered. The Court must also order this report in Youthful Offender cases. In addition to the mandated cases, the Court may also request a pre-sentence report in any other case where a person has been convicted of a misdemeanor.

The goal of the Orange County Probation Department is to complete these pre-sentence investigations within 30 days. However, because of their own staffing problems, they are not able to do that. This means, of course, that some inmates are incarcerated at the jail for longer periods of time than they should. What direct effect this has on the average daily population would require further investigation.

A recent report, prepared in conjunction with the New York State Probation Commission and based on the 1977 work load, indicated that the total line staff requirement for the Probation Department's services, including the R.O.R. Program and Pre-sentence Investigations, was 32.46. The 1977 line staff numbered 17, leaving a deficiency of 15.46. This analysis does not include the administrative staff, which includes the Director of Probation and 2 Supervising Probation Officer positions.

Subsequent to that analysis, additional personnel have been assigned to the Probation Department. The present line staff, excluding administrators, consists of 5 Senior Probation Officers and 19 Probation

Officers, for a total of 24. This latter figure includes a Senior Probation Officer and two Probation Officers assigned to the Release on Recognizance Program. It should also be mentioned that the funding for the personnel assigned to the R.O.R. unit consists of federal funds coming through the Mid-Hudson Crime Control Planning Board and the C.E.T.A. program.

It can readily be seen from an analysis of the above data that based on 1977 State Probation Commission staffing requirements, the County Probation Department remains understaffed. This lack of adequate levels of staff affects the ability of the Probation Department to provide maximum service in regard to the use of probation as an alternative to incarceration, pre-sentence investigation reports, release on recognizance recommendations, and all other services offered by the Department. That, in turn, has an impact on the jail census directly, as well as indirectly.

In sum then, this section recommends to the County that it undertake a Comprehensive Planning phase which would consist of a study of all the agencies that affect the jail directly or indirectly, as well as the jail itself, to determine just what the overall needs of the County are. As indicated above, the study would include, among others, probation and its services; the courts and their decisions on bail or release, and sentencing; the provision of prosecution and defense attorney services; the police and the use of tickets of appearance. The study should also include the services and programs to be developed at the Jail, and those which may be affected by court decisions and Commission of Correction mandates like those on contact visiting.\*

\*We have not dealt with contact visiting in this report since that matter is currently the subject of a court

suit. However, if the regulations are handed down at some future time which will change the type of visit allowed or the hours of such visits, staffing requirements will be affected.

It is not too late for the County to begin to take this comprehensive view of its criminal justice services. In addition to developing a plan for the future, this study could affect the final construction phases of the jail expansion program. We specifically relate to inside construction like service areas and cell block and tier construction. At the very least, a comprehensive plan aimed at reducing overall jail population might result in the stabilization of jail staff increases.

With this final report, we are enclosing with special designated copies (those six in the original contract agreement) information about the experiences of Polk County, Iowa, and the development of the Des Moines Community Corrections Project. In addition, we are including an NCCD Special Report, DEPOPULATING THE JAILS. A review of the programs and projects contained in those pamphlets indicate that a willingness and a desire to plan effectively will result in an improved system of handling the criminal offender.

NEW YORK STATE COMMISSION OF CORRECTION

In preparing this report, the NCCD has been guided by generally accepted personnel practices, as well as its own experiences in studying other communities' correction services, including jails and probation. An additional consideration was the New York State Commission of Correction's Minimum Standards and Regulations for Management of County Jails and Penitentiaries.

At appropriate times in this report, we have made specific references to those minimum standards. In this section of the report, we wish to include specific and appropriate portions of the Regulations which have had direct bearing on our recommendations and, where necessary, to include comments.

Section 7000.1 deals with the legal authority of the Commission.

Subdivision (a) of the section states:

"Article XVII, section 5, of the New York State Constitution provides that there shall be a State Commission of Correction which shall visit and inspect all institutions used for the detention of sane adults charged with or convicted of crime."

Subdivision (b) continues:

"Article 3, section 46 of the New York State Correction Law defines the following as basic functions of the State Commission of Correction:

- (1) Promulgate rules and regulations establishing minimum standards for the care, custody, correctional treatment, supervision, discipline and other correctional programs for all persons confined in local correctional institutions.
- (6) Close any of the facilities subject to inspection which are unsafe, unsanitary or inadequate to provide for the separation and classification of prisoners as required by law or which has not adhered to or complied with the rules and regulations promulgated by the Commission.

Section 7003.1    Policy

"Consistent with the requirements of this Part, each local correctional facility shall develop and employ policies and procedures designed to ensure that proper facility safety, security and supervision is maintained."

Section 7003.2

Defines the types of visits and supervision which is minimally required.

"Definitions. (a) As used in this Part, the term supervisory visit shall mean:

- (1) a personal visual observation of each individual prisoner by facility staff members responsible for the care and custody of such prisoners to ensure the presence and proper conduct of all prisoners; and
  - (2) a personal visual inspection of each individual prisoner housing unit and the area immediately surrounding such housing unit by facility staff members responsible for the care and custody of prisoners to ensure the safety, security, and good order of the facility.
- (b) As used in this Part, the term active supervision shall mean the immediate availability to prisoners of facility staff members responsible for the care and custody of such prisoners, including but not limited to:
- (1) supervisory visits to be conducted at 15-minute intervals; and
  - (2) the uninterrupted ability of such staff members to communicate orally with and respond to each such prisoner unaided by any electronic or other artificial amplifying device.
- (c) As used in this Part, the term constant supervision shall mean the uninterrupted personal visual observation of prisoners by facility staff members responsible for the care and custody of such prisoners."

Consultant's Note: It is this section which prohibits the utilization of television monitoring devices to supervise inmates in place of personnel. The regulation specifically states that the supervision must be personal or, where appropriate, the correction officer must be immediately available to the inmate. Nothing, however, prevents the use of these monitoring devices in addition to the required level of personnel.

Section 7003.3

States how the supervision is to be carried out.

- "(a) Except as otherwise provided in this Part, supervisory visits shall be conducted at intervals not to exceed one-half hour when prisoners are secured in their individual housing units.

- (b) A written record of all supervisory visits conducted pursuant to subdivision (a) of this section shall be maintained in a bound ledger with consecutively numbered pages. Such written record shall include, but not be limited to:
- (1) the date and time of the supervisory visit;
  - (2) the facility housing area in which the supervisory visit is conducted;
  - (3) the signature of any facility staff member conducting the supervisory visit;
  - (4) any unusual event or significant problem including the time of and response to such event or problem; and
  - (5) any other relevant information.
- (c) Mechanical or electrical time recording devices shall be used to record the performance of supervisory visits conducted pursuant to subdivision (a) of this section. The records resulting from the use of a mechanical or electrical time recording device shall be retained within the facility and reviewed periodically by the chief administrative officer.
- (d) Active supervision shall be maintained when prisoners are confined in facility housing areas but not secured in their individual housing units. A written record of such supervision shall be maintained in the ledger required pursuant to subdivision (b) of this section. Such written record shall include, but not be limited to:
- (1) the facility housing area in which active supervision is being maintained;
  - (2) the name of the facility staff member responsible for active supervision;
  - (3) any unusual event or significant problem occurring during active supervision, including the time of and response to such event or problem; and
  - (4) any other relevant information.
- (e) The chief administrative officer or the facility physician may determine that additional supervision is required for prisoners whose condition, illness or injury requires such supervision. Such determination shall be in writing and shall state the specific facts and reasons underlying such determination. Such additional supervision may include:
- (1) constant supervision; or
  - (2) more frequent supervisory visits."

Section 7003.4

"Supervision of prisoners outside facility housing areas.

- (a) Except as otherwise provided in this section, active supervision shall be maintained whenever prisoners are participating in activities outside facility housing areas.
- (b) The chief administrative officer may determine that supervision, other than active supervision, is required for prisoners participating in activities outside facility housing areas. Such supervision may, where appropriate, include:
  - (1) constant supervision; or
  - (2) supervision by:
    - (i) facility staff members primarily responsible for duties other than the care and custody of prisoners; or
    - (ii) other persons providing services within the facility, including persons conducting facility programs.
- (c) Prisoners participating in temporary release programs as provided in articles 22-A, 27 and 28 of the Correction Law need not be supervised when such prisoners are outside the confines of the facility.
- (d) Consistent with the requirements of Part 7021 of this Subtitle, the chief administrative officer shall determine the type and manner of supervision to be provided to trustees while such trustees are outside their facility housing areas."

In various meetings with county officials during this study period, concern had been expressed about the level and amount of staffing needed when inmates are out of their individual cells, but still confined to the cell block tier itself. We indicated previously that inmates are allowed out of their individual cells at approximately 6:30 A.M., and, except for the two late T.V. nights, are locked in at 11:00 P.M.

After a complete consideration of that aspect of the daily routine, and consulting with personnel and staff listed at the beginning of this report, as well as jail staff, we recommend that no change in these hours be instituted at this time.

It must be remembered, first of all, that the jail is an active place as far as the coming and going of inmates is concerned. Secondly, and most importantly, is that there is no program at the jail other than the one-hour recreation period. In the absence of any planned, consistent program of activities, locking inmates in for longer periods of time would not only have an immediate negative effect on the inmate and the institution, but certainly would heighten the tension at the jail which, in turn, could impact the safety and security requirements at the jail on a continuing basis.

A further, and final, consideration in this matter is that given the rather extensive daily routine at the jail, the number of hours that could be reduced would be minimal and, in the long run, would not result in any staff savings - which is really the bottom line in addressing this concern.

CONCLUDING STATEMENT

In arriving at our recommendations and preparing this report, we have attempted to provide Orange County Officials with as full a view as possible of the present jail situation and to include, where appropriate, future projections and considerations.

Although the time that elapsed between the County Legislature's resolution authorizing this study and the submission of the final report was relatively brief (less than 60 days), we feel that we have been as thorough as possible in conducting our investigations, evaluating the data, and arriving at our recommendations.

We would like to make special mention at this point that we received the utmost cooperation from all the agencies and personnel involved in this study. This cooperation on all levels greatly assisted in the ability of the NCCD's consultant to gather and clarify the data necessary for us to arrive at our recommendations.

It is our hope that Orange County will accept this report, which they have requested, not only as an immediate recommendation dealing with personnel requirements, but also as a planning document for future considerations.



**END**