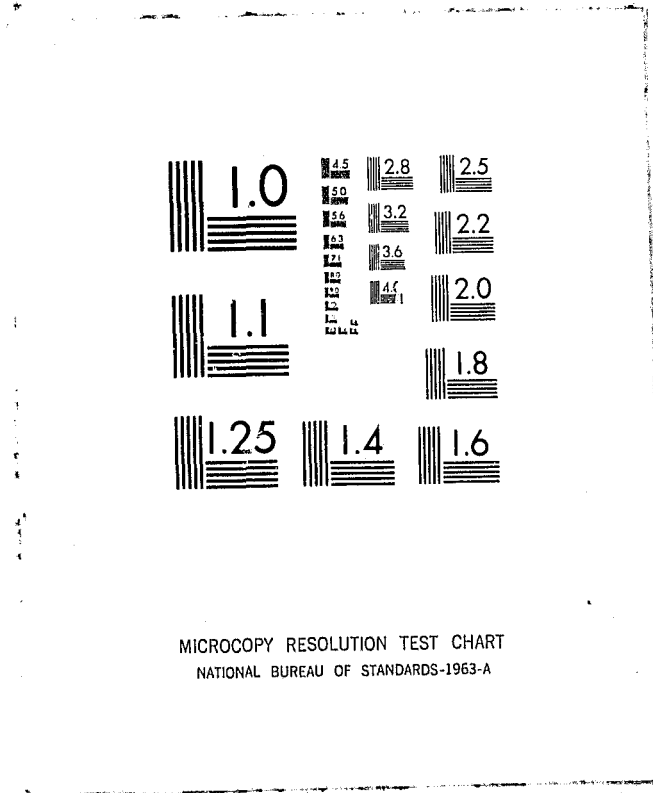


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United States Department of Justice
Washington, D. C. 20531

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OCTOBER 13, 1980

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STATE CRIME COMMISSION *AK*

CRIMINAL JUSTICE STANDARDS AND GOALS STUDY

Study Team: Corrections Date: September 25, 1975

Position Paper Title: Adult Correctional Institutional Facilities
(CR 2-4)

Issue Statement

What are the basic physical standards that should be established to assure a more humane environment for adult correctional institutions?

Conclusion

1. New facilities should be designed and constructed and existing facilities should be improved according to Department of Corrections/Offender Rehabilitation (DCOR) Facilities Standards so that all adult correctional facilities will be in compliance with these standards by December, 1979.
2. The Georgia General Assembly should, in 1976, enact legislation defining inmate assignment capacities for adult correctional institutions and providing enforcement for these standards. Each should have a Standard Capacity and an Emergency Capacity, with the requirement that the Emergency Capacity should not occur more than twenty percent of the time during a six month period.

Research FindingsProblem Identification

Physical standards for correctional institutions should define the criteria for location of institutions, size of institutions and inmate housing in institutions. Standards for inmate housing define the minimum facility space requirements and, with proper enforcement, a way to help prevent inmate overcrowding. These standards should be basic to a humane environment and should apply regardless of inmate security classification, sex or age. They affect construction of new facilities, modification of existing facilities, and the operation of facilities relative to inmate capacity.

5/9/63

In Georgia, the Department of Corrections/Offender Rehabilitation (DCOR) has established standards for new construction and standards for the continued operation of existing facilities.¹ These are objective and workable standards that provide a reasonable definition for overcrowding. They are deficient, however, since there is no method of enforcement. The Georgia Legislature has established minimum standards for municipal and county detention facilities.² State correctional institutions were not included, however, and there is no legally enforceable standard to prevent overcrowding.

The number of inmates is not a result of facility space. On the contrary, the number of inmates in state correctional institutions at any given time is a direct result of many other factors - the commitment rate by the courts, length of sentence, available alternatives to institutional commitment, corrections policies of DCOR, and parole policy. The condition of overcrowding can be solved by construction of more facilities or by policy change in sentencing practices.

In spite of DCOR, or other recognized standards for inmate personal living space, there is no tool stronger than a guideline to prevent overcrowding. A court ruling could immediately change this situation, however. There are many precedents. Under three separate court rulings, Florida, Louisiana and Alabama have been ordered to correct overcrowded conditions in their correctional institutions.

There are several different national standards for correctional facilities³ providing similar objective definitions for personal living space. Such standards are also a measurable criteria for overcrowding.

While many states actually reduced the number of inmates in correctional institutions from 1971 to 1974, Georgia's total inmate population continued to increase.⁴ The existing facilities are clearly overcrowded. One-half of the correctional institutions now house inmates in dormitories providing less than 40 square feet per person.⁵ According to Georgia DCOR Facilities Standards, this is unacceptable and shall not occur even on a short term basis. As of August 20, 1975 there were 8,095 inmates in 16 state correctional institutions.⁶ DCOR Facilities Standards established an "acceptable capacity" as one inmate per cell; or a minimum of 56 square feet per inmate in dormitory areas. According to this standard, the maximum capacity of existing facilities is 6,149 inmate.⁷

Current and proposed new construction for Georgia's correctional institutions through 1980 will not alter the condition of overcrowding. If population projections are accurate, the new construction will just provide overcrowded conditions for more inmates - generally by placing two inmates in private cells or rooms. The cost of building new facilities (approximately \$25,000 per inmate space⁸) and the direct and indirect costs to incarcerate one offender (estimated at \$17,678) per year⁹) make institutional commitment the most expensive alternative for post adjudicatory programs.

Other States' and Federal Experience

The Federal Bureau of Prisons has guidelines for the design and construction of new facilities. As explained by an architect in the Bureau's Office of Facilities Development, these guidelines are continually changing and allow the Bureau to be flexible and innovative.¹⁰ The Bureau avoids establishing "Standards of Design" which tend to become rigid - often outliving their usefulness. Guidelines for new construction call for institutions to:

- (1) accomodate a minimum of 250 and maximum of 500 inmates,
- (2) provide individual private rooms with 80 to 100 square feet per room, solid doors (no bars), exterior windows and private water closet and lavatory.¹¹

The Bureau of Prisons operates 52 institutions with a current population of 23,600.¹² The Bureau admits that overall these institutions are overcrowded - especially where double bunking is required in dormitories. And yet they have not established a measurable definition for overcrowding. For this purpose the Bureau's Regional Administrators will soon establish criteria for inmate population and facilities space requirements as part of a "Space Utilization Study."¹³

Many states have continued planning and construction of major new facilities. Some indication of the magnitude of new construction is found in the appropriation for LEAA matching grants to states, established by Part E of the 1970 Federal Omnibus Crime Control Act. Total annual federal support to the states has grown from \$49 million in 1970 to \$150 million in 1975 for advanced correctional programs or facilities. All applications for funding are evaluated by the National Clearinghouse for Correctional Programming and Architecture. All facilities must meet LEAA guidelines and special conditions.¹⁴

Georgia and North Carolina were the only two states with over 200 incarcerants per 100,000 general population reported in 1974.¹⁵ In fact, there was a significant drop to the third highest ratio - that of Maryland with 147.4 per 100,000. During a three-year period from 1971 to 1974, 24 states showed a decrease in offender population. This list included such states as Illinois, Michigan, Ohio and Pennsylvania, all with large urban populations. Seventeen states reported an increase in offender population.¹⁶

The National Clearinghouse calls attention to Illinois, Michigan, Kansas, Minnesota and California for establishing physical standards of design, construction, and operations for state correctional institutions. With regard to new building programs, California is significant in that no new state correctional institutions have been constructed since 1965. In 1966, with the Parole Subsidy Program funded by the state and operated by the counties, committed offender

intake began to drop precipitously.¹⁷ This program placed new emphasis on diverting offenders from the state institutions to county operated probation, group homes, and other programs.¹⁸

As a whole, California's system of correctional institutions is not overcrowded.¹⁹ On September 12, 1975, the total inmate population was 21,637. There are 14,328 single rooms or cells and 9,476 bed spaces in dormitories at an average of 50 square feet per inmate.²⁰ There is no double bunking in dormitories. Only two institutions, housing the most violent inmates, are overcrowded - requiring double bunking in 834 rooms or cells.²¹

California programs of new construction aim to achieve three objectives by the early 1980's:

- (1) accomodate a slight increase in inmate population,
- (2) replace existing facilities that do not meet the standards for construction and operation of institutions,
- (3) improve the geographical balance throughout the state of institution location to the general population.²²

The California Department of Corrections has defined standards for new construction of and modifications to correctional institutions:

- (1) Size of Institution - self contained program units of 100 to 400 inmates, with units clustering around core facilities for a maximum of 2,400 inmates.²³
- (2) Inmate Housing - single occupancy rooms of 80 square feet each, including shower and toilet facilities.
- (3) Existing Dormitory Housing - phase out or renovate for single occupancy rooms.²⁴

Full compliance with these standards is projected during the years 1980-1985.²⁵

Court decisions are increasingly responsible for establishing and enforcing standards for correctional institutions. In 1970, the United States District Court for the Eastern District in Arkansas ruled that conditions and practices of the state's prison system combined to cause cruel and unusual punishment prohibited by the Eighth Amendment of the Constitution.²⁶

In 1973, a United States District Court - in the case of Costello vs. Wainwright - found that Florida's prisons were overcrowded and ruled that the state must meet a standard of 'Emergency Capacity'

by June, 1976 and 'Normal Capacity' by December, 1976.²⁷ Litigation in this case continues in the Fifth District Court of Appeals in New Orleans. An LEAA funded report entitled "Overcrowding in the Florida Prison System"²⁸ defined a normal capacity and emergency capacity for each of the state's correctional institutions. Normal capacity is the number of inmates for which the facility was originally designed; emergency capacity is the number of inmates that can be placed in a facility without jeopardizing the operation, program and security requirements of the institution.²⁹ These capacity criteria are the result of professional evaluation and judgment of the actual physical space in the state's correctional facilities.³⁰ Normal and emergency capacity were not measured according to a uniform standard of living area.

In the meantime, Florida's conditions have not improved. On September 8, 1975 there were 14,779 inmates in the state's correctional institutions. This is 3,202 inmates more than allowed by emergency capacity and almost 5,000 more than normal capacity. The state is now using tents to temporarily house inmates. In F.Y. 1974-1975, Florida had a net increase of 2,795 inmates. The projection for F.Y. 1975-1976 is for a net increase of 3,354 inmates or a monthly average increase of 280 inmates.³¹ Overcrowding in Florida's correctional institutions "has reached a crisis stage."³²

Florida's 6 year Master Plan for Correctional Facilities endorses the National Advisory Commission standard for individual rooms with a minimum of 80 square feet for all new construction. The Master Plan's proposed conversions of existing dormitory housing is based on semi-private single occupancy cubicles. The resident space per cubicle is programmed at 80 square feet. However, the Master Plan serves as a guideline only. It is not being fully implemented because of the severe inmate population growth.³³

In June, 1975, a United States District Court in Louisiana ruled that conditions at the Angola State Prison - Louisiana's largest prison housing about 4,000 inmates - were deplorable and violated the constitutional rights of the inmates.³⁴ With regard to overcrowding, the judge directed the State Fire Marshal to establish standards of minimum living space and ordered full compliance with such standards by December 18, 1975. With assistance from the Louisiana Department of Corrections, and using the National Advisory Commission and the American Corrections Association as a guideline, the Fire Marshal has defined the minimum area of single occupancy cells to be 50 square feet and multiple occupancy cells or dormitories to be 80 square feet per inmate.³⁵

A consultant to the Louisiana Department of Corrections has stated that total compliance by December, 1975, is impossible and that the court will probably accept a plan and schedule of improvements, instead.³⁶ To relieve overcrowding the Department plans to convert unused facilities such as old schools to correctional institutions. Although Angola is the only institution immediately affected by the court order, other state correctional institutions do not meet standards that are being established by this case.³⁷

In August, 1975, a United States District Court ruling in Montgomery addressed the overcrowding in Alabama's correctional institutions. The ruling may prevent the Alabama Board of Corrections from admitting additional inmates until the committed population is reduced to design capacity.³⁸ This design capacity is often double occupancy in cells, but establishes 50 square feet per inmate for dormitory areas. At the four major prisons involved, the current population of 3,800 inmates exceeds the design capacity by 1,600 inmates.³⁹ The legislature had been warned of this overcrowded situation, but had not acted to provide funds for new construction.

Current Georgia Experience

Georgia has established standards for the design and construction of correctional facilities. Set forth in the Department of Corrections/Offender Rehabilitation Organization Master Plan, these standards are described as "mandatory for all state-operated facilities."⁴⁰

Standards for facilities now under construction, or yet to be constructed, include:

- (1) Clearly Defined Mission - based on necessary inmate segregation, security classification, and programs.
- (2) Flexibility - capacity to respond to changing programs and space needs.
- (3) Location - based on Mission, proximity to inmates' homes, and community resources.
- (4) Capacity - Maximum inmate capacity of 400.
- (5) Resident Housing - a separate and individual living space with a minimum of 80 square feet net for each inmate; ceiling height with a minimum of eight feet; natural ventilation or mechanical systems to maintain temperatures between 66° and 82° F.

Standards for existing facilities include:

- (1) where possible, meet standards for new facilities.
- (2) resident housing - where cells or rooms otherwise meet standards, an allowable reduction to 56 square feet net for each inmate; a reduction to 40 square feet net on a short-term emergency basis; maintain temperature between 55° and 90° F.⁴¹

The Georgia Department of Corrections/Offender Rehabilitation (DCOR) is charged with the responsibility of operating correctional institutions (the penal system).⁴² The Director of DCOR may designate any available, suitable, and appropriate correctional institution as a place of confinement.⁴³ Inmates must be classified and segregated in

institutions.⁴⁴ Furthermore, male and female inmates must be housed in separate institutions.⁴⁵ More recent legislation created the Youthful Offender Act⁴⁶ with requirements that such offenders be incarcerated in minimum security institutions.⁴⁷ These institutions must be used exclusively by youthful offenders.⁴⁸

There are several agencies, independent of DCOR, responsible for enforcing standards that affect the construction and operation of correctional institutions:

- (1) State Fire Marshal, with regulations of the Fire Safety Code.⁴⁹
- (2) State Building Inspector, with regulations of the Georgia Building Code (Referencing both Southern Standard Building Code and Life Safety Code, 1966).
- (3) Environmental Health Section, Georgia Department of Human Resources, provides consulting service (according to a gentleman's agreement rather than by law) to evaluate facilities for environmental health, sanitation and safety.⁵⁰

An Act of the Georgia Legislature in 1973 called for the Department of Human Resources to establish standards for housing and other operations of municipal and county detention facilities. These standards - entitled "Detention Facility Health and Sanitation Standards"- established minimum space requirements for individual cells and multiple occupancy inmate housing for both new and existing facilities.⁵² By defining the acceptable minimum space for inmate housing, these standards establish a measure for overcrowding in municipal or county detention facilities. For example, in existing dormitory areas without an adjacent day room, these standards limit the number of inmates to allow 60 square feet per inmate.⁵³ Although these standards do not apply to state correctional institutions, they are used as a guideline by Environmental Health when evaluating these facilities.⁵⁴

There are 16 state correctional institutions operated by DCOR. On August 20, 1975, the inmate population of these institutions was 8,095.⁵⁵ At the same time an additional 2,579 inmates were housed in County Correctional Institutions.⁵⁶ Georgia has the highest ratio of inmate population to general population of any state in the nation: 214.2 inmates per 100,000 inhabitants in 1974.⁵⁷

Each institution has a defined "Mission", based on type of offender and rehabilitation/training program. Sex, age group, security classification and length of sentence are the basis for segregating type of offender. Classifications include:

- (1) Youthful Offender (according to Youthful Offender Act)
- (2) Young Male, under 19 years old
- (3) Male, 20-30 years old

- (4) Male, maximum security
- (5) Male, diagnostic
- (6) Female⁵⁸

The institutions are located throughout the state. A comparison of the origin of inmates to the location and size of institutions the inmates are assigned to shows little correlation.⁵⁹ Most of the older institutions are in rural areas, far removed from the major urban areas - Atlanta, Macon, Augusta, Savannah and Columbus - where most of the inmates are sentenced. This distance between home and institution is most obvious for women since there is only one women's institution in the state.

DCOR has completed a report "Phase One - Facilities Inventory" for the Department's Master Plan. This inventory provides an assessment, based on professional engineering judgment, of the conditions at each institution with regard to land development and utilization, physical structures, fixed equipment, and utility systems.⁶⁰ For each institution the Facilities Inventory lists the functional spaces, square footage, and condition - "adequate" or "inadequate" - of the structure and the mechanical, electrical and plumbing systems. No judgment is made about the adequacy of the space for a given activity.⁶¹ While Phase One provides a baseline for making comprehensive decisions concerning the existing physical structure, Phase Two of the Master Plan will define the proposed building programs for the next six to eight years.⁶²

Today Georgia is faced with "a sharp rise in the state's prison population which (has) resulted in overcrowding of its facilities."⁶³ According to Robert J. Houghton, Assistant Commissioner, Facilities Engineer (DCOR), "Gross overcrowding is the central problem."⁶⁴ Table 1 lists the 16 state correctional institutions with respective inmate population and "capacity". Based on DCOR standards for inmate housing, overcrowding in existing facilities is an obvious conclusion. The current inmate population of 8,095 (August 20, 1975) even exceeds the Emergency Capacity as defined by DCOR's Organization Master Plan. The capacities of existing state facilities are:

- (1) Emergency Capacity: 7,831 inmates⁶⁵ (the capacity at 1 inmate per room/cell and 40 square feet per inmate in dormitories - for short term emergency basis).
- (2) Standard Capacity: 6,149 inmates (the capacity at 1 inmate per room/cell and 56 square feet per inmate in dormitories).
- (3) Optimum Capacity: 4,841 inmates⁶⁶ (the capacity at 1 inmate per room/cell and 80 square feet per inmate in dormitories).

There are only 1,952 private cells or rooms in Georgia's state correctional institutions. One institution, the Georgia Diagnostic and Classification Center, provides an individual cell for each inmate. Two institutions, Georgia Industrial Institute and Georgia State

Prison do have some individual cells, but accomodate most inmates in dormitory areas. The remaining 13 institutions have only dormitory space for inmate housing.

The new facilities are nearing completion (see Table 2). The Georgia Women's Correctional Institute at Hardwick and the West Georgia Correctional Institute at Columbus will open in 1976. Renovation of buildings formerly used by the Central State Hospital in Milledgeville will form the new Middle Georgia Correctional Institute. Initial occupancy is scheduled for November, 1975, with completion by the end of 1976. In addition, construction of the Macon Correctional Institute has started and construction funding should be forthcoming during Fiscal Year 1976 for the Savannah Correctional Institute. These additional facilities will add a programmed capacity of 1609 inmates. The programmed capacity of one inmate per cell is not, however, the current projected population. When it opens in 1976, the West Georgia Correctional Institute will probably house 384 inmates by assigning two men to each room.⁶⁷ This condition - two inmates assigned to a "single room" - will also occur at the new Georgia Women's Correctional Institute.⁶⁸

Planned new institutions at Columbus, Macon and Savannah are a significant step in DCOR's concept for Regionalization, or the "location of facilities throughout the state in proximity to population centers."⁶⁹

Beyond the bed space in the existing 16 institutions, and the bed space provided by new institutions and building conversions, DCOR will require space for at least 1,400 additional inmates to meet the projected need of 12,000 spaces by 1980.⁷⁰ By July 1, 1980, the projected inmate population will be 14,900, requiring that 3,000 inmates be accomodated in county correctional institutions.⁷¹

The construction cost of new facilities is approximately \$25,000 per inmate space.⁷² But the cost of incarceration - direct and indirect costs - has many factors. It is estimated that the total cost per inmate per year is \$17,678.⁷³

Authoritative Opinion

Both the National Advisory Commission on Criminal Justice Standards and Goals (NAC) and the National Council on Crime and Delinquency (NCCD) have called for a halt in the construction of new state correctional facilities until all alternatives have been explored.⁷⁴ In 1973, William G. Nagel, Executive Director of the American Foundation, called for a moritorium on construction of all prisons during which time alternatives could be planned and developed.⁷⁵

The Correctional Facilities and Services Committee of the State Bar of Georgia, noting that the state has the highest ratio of prison population to general population of all states, concludes that

"building more prisons for the purpose of just housing more prisoners is not the answer to the correctional facilities and services problem in this state".⁷⁶ Georgia, the Committee says, must find alternatives to incarceration since a large percentage of the present inmate population should not be in prison.⁷⁷

In the context of re-evaluating corrections, many authorities recommend emphasis be changed from major institutions to community based resources. The President's Commission on Law Enforcement and Administration of Justice called for "the establishment of small-unit institutions located in the communities from which they draw their offenders and making maximum use of the resources which such a proximity affords".⁷⁸ This Commission recognizes, however, that "for some classes of offenders, maximum security and long-term incarceration will continue to be necessary...".⁷⁹

As community based corrections divert many convicted persons from major state institutions, the resulting institutional population "can be expected to be older, more experienced in criminal activity, and more difficult to work with".⁸⁰ By removing a person from the free society, institutions should be viewed as the last resort for post-conviction programs.⁸¹

Regardless of support to phase-out major institutions, they will continue to be a major component of corrections. As such, many recommendations have proposed basic standards of size, location and design of institutions. The American Corrections Association (ACA) recognizes that a desirable maximum size relative to "safety, segregation, and a rehabilitative program" is 400 inmates.⁸² Using the maximum size recommended by the American Prison Association in 1929, the ACA goes on to state that the institution will become "increasingly inefficient and unsafe" with a population of more than 1,200.⁸³

The Guidelines for the Planning and Design of Regional and Community Correctional Centers published by the University of Illinois Department of Architecture⁸⁴ recommends that regional facilities be designed for a population of no more than 300.⁸⁵ This limit has been increased to 400 inmates as a qualification for LEAA matching construction funds. LEAA funding requests for planning, design and construction of correctional facilities are evaluated by the National Clearinghouse for Correctional Programming and Architecture at the University of Illinois.

When confronted with large institutions, a concept of residential and program satellite units operating independently around service core facilities is recommended by the Guidelines.⁸⁶ The ACA says that such a facility offers the advantages of economy and wide program range found in large institutions, as well as treatment and safety identified with smaller facilities.⁸⁷ In this case, the ACA recommends that no more than 600 inmates be included in one satellite unit.⁸⁸

The location of new correctional institutions is increasingly based on inmates' needs. As recommended by the NAC, the location of

institutions should be selected on the basis of proximity to:

- a. The communities from which the inmates come.
- b. Areas capable of providing or attracting adequate numbers of qualified line and professional staff members of racial and ethnic origin compatible with the inmate population, and capable of supporting staff lifestyles and community services requirements.
- c. Areas that have community services and activities to support the correctional goal including social services, schools, hospitals, universities, and employment opportunities.
- d. The courts and auxiliary correctional agencies.
- e. Public transportation.⁸⁹

Although the institution may physically retain perimeter security, isolation from the free community can be broken:

"...A fundamental objective of corrections must be to secure for the offender contacts, experiences, and opportunities that provide a means and a stimulus for pursuing a lawful style of living in the community... With this thrust, reintegration of the offender into the community comes to the fore as a major purpose of corrections."⁹⁰

The location of correctional institutions will be a major determinant for the successful interaction between community and institution.⁹¹ Norman A. Carlson, Director of the Federal Bureau of Prisons, states that new institutions "must be built near large urban centers with adequate facilities to meet the needs of inmates."⁹² While most authorities recommend urban locations for all new facilities, the ACA recommended rural settings in 1966.⁹³ Without recognizing inmates' needs and community interaction, this recommendation did mention the locational opportunities for the staff and their facilities.

Interaction with the community is a beginning point to 'normalize' the institutional environment. The typical facility is a powerful expression of a total and self-sufficient system. William Nagel states that:

"Unlike most specifically designed environments, the correctional institution is by program definition a total community - at least insofar as the inmates are concerned.....the setting is total, absolute, comprehensive, immutable".⁹⁴

To change this condition the Guidelines establish design standards that relate the size and scale of spaces - whether dining, living,

sleeping or recreation areas - to comparable spaces in the 'free community'.⁹⁵ This study defines facility components in much the way colleges or other educational institutions might be programmed. It suggests an approach based on more normal values of society.

The NAC defines objectively measurable standards that every new facility should provide:

- (1) "...privacy and personal space by the use of single rooms with a floor area of at least 80 square feet per man, and a clear floor-to-ceiling height of eight feet. Dormitories should not be used. All rooms should have solid fronts and solid doors with glazed observation panels. Toilets and showers should have modesty screens. The furnishings provided should enable the inmate to personalize his rooms".
- (2) "All rooms should have outside windows with areas of ten square feet or more".
- (3) "...adequate heating, air conditioning, and ventilation for all areas including inmate housing. Temperatures should not exceed 80° at any time or 70° during normal sleeping hours".
- (4) "Lighting levels should be 50-75 foot candles".⁹⁶

Many other authorities state similar goals but in less specific terms. The United States Commission on Civil Rights will probably act by the end of 1975 to endorse the following standards proposed by a consultant, Donald H. Goff:⁹⁷

- (1) "Individual cells or rooms are always preferable to dormitories...(Applicable to cells, rooms, or dormitories) a minimum of fifty square feet per person is a standard."
- (2) "Except under dire emergencies there should never be more than one person assigned to a cell or room... In no case should more than one person be housed in a single room or cell longer than seven days."⁹⁸

The ACA defines different standards for men and women. While allowing that individual cells are preferable, it states that dormitory housing for about 70% of the minimum security male population is reasonable because of cost savings.⁹⁹ In medium security facilities, however, individual rooms or cells are the ideal condition with dormitory housing an acceptable compromise only because of costs.¹⁰⁰ In contrast, the ACA states that dormitories are "unsatisfactory" for women's institutions because "traditionally, our society has provided a different standard of modesty and privacy for women."¹⁰¹

The right of each inmate to be housed in "healthful surroundings" is addressed by the NAC. It recommends that, where an institution

does not meet the basic state health and sanitation laws, the facility should be closed.¹⁰² According to the NAC this standard for healthful surroundings "implicitly prohibits" overcrowding.¹⁰³

Because of the traditional role of states in defining the public health and safety, the legislative and executive branches of the federal government have avoided establishing and enforcing corrections standards for the states. But, finally the judiciary is becoming involved. "The Federal Judiciary, however, is drawing upon the 'due process' and 'cruel and unusual punishment' amendments to the Constitution to define new standards for corrections and, more importantly, is enforcing them."¹⁰⁴ Addressing the issue of prison reform, Judicature warned:

"Only disaster can ensue unless the legislature and the administrative agencies keep pace with the social movements that are impelling the courts to take the lead in penal institutional change."¹⁰⁵

Few correctional administrators, architects, or psychologists will claim that a well-designed physical structure will rehabilitate an inmate. At the least, however, it should be supportive of the correctional program. William Nagel states that the design of better institutions "cannot suffice of itself as the means to change men any more than a new school building insures an improvement in the education process therein."¹⁰⁶ Robert Martinson, a sociologist with the City College of New York, says:

"The best a human environment will do is further 'institutional adjustment'. A prisoner may return to crime once out on the streets, but while he is locked up in a humane atmosphere, there is less likelihood that he will riot or show hostile, aggressive behavior."¹⁰⁷

Alternatives

1. Do not construct additional correctional institutions.

Advantages:

- A. There would be no additional appropriations required.
- B. Diversion to community-based facilities or other programs could satisfy the requirements of a large number of convicted offenders that are currently incarcerated.

Disadvantages:

- A. Existing facilities are overcrowded and do not meet criteria for short-term emergency living space established by DCOR Facilities standards.

B. Many facilities are "inadequate" according to DCOR Facilities Inventory.

C. Location of existing facilities does not satisfy needs of inmates, qualified staff and institutional programs with regard to community resources.

2. Renovate existing facilities and construct new adult correctional institutions based on DCOR Facilities Standards. Locate these facilities to complete a regional system in the state.

Advantages:

A. New facilities will be constructed to meet DCOR Facilities Standards and other nationally recognized standards.

B. New facilities will meet locational requirements of inmates, qualified staff, and programs for community-institution interaction.

C. These facilities will help meet the demand for additional needed capacity based on DCOR inmate population projections.

Disadvantages:

A. Construction of new facilities is very expensive - currently estimated at \$25,000 per inmate space.

3. Enforceable standards should not be established to define inmate assignment capacity for adult correctional institutions.

Advantages:

A. No implementation procedures would be required.

B. If no standards are applied, the capacity of existing facilities has no definition. Existing facilities could, therefore, accommodate as many offenders as are sentenced by the courts. No additional facilities or programs are required.

Disadvantages:

A. The judiciary may soon define and enforce such standards if DCOR does not. By nearly all standards, the existing facilities are overcrowded.

4. Enforceable standards should be established to define inmate assignment capacity for adult correctional institutions.

Advantages:

A. DCOR can operate facilities according to minimum standards for a humane environment, correctional institutions will

not be overcrowded.

- B. Enforcement of such standards means that current facilities would be required to accommodate only 6,149 inmates.
- C. These standards, by reducing available inmate capacity, will encourage diversion to community treatment programs and other alternatives to incarceration.

Disadvantages:

- A. Major renovations and construction of new facilities that might be required to meet the total inmate population are very expensive - approximately \$25,000 per inmate space for new construction.
- B. New legislation will be required.

Recommendations

Alternative 2 and 4 are recommended. Facilities of adult correctional institutions should be designed and constructed according to DCOR Facilities Standards. Where required, existing facilities should be improved and all correctional facilities should be brought into compliance with DCOR Facilities Standards by December, 1979.

The Georgia General Assembly, during the next legislative session, should enact legislation to define standards for inmate assignment capacity for adult correctional institutions and provide for enforcement of these standards. Each institution should have a Standard Capacity and an Emergency Capacity. The definition for Standard Capacity is:

- a. One inmate per room or cell,
- b. or for dormitory space, a minimum of 56 square feet net living area per inmate.

The definition for Emergency Capacity is:

- a. one inmate per room or cell,
- b. or for dormitory space, a minimum of 40 square feet net living area per inmate.

The legislation should provide that the condition of Emergency Capacity should not occur more than twenty percent of the time on a six-month basis (i.e., 37 days in every six month review period). At all other times, the Standard Capacity should be maintained as the maximum inmate population for each institution.

Implementation

The Georgia General Assembly during the 1976 legislative session, should enact legislation defining standards for inmate assignment capacity for adult correctional institutions and providing for enforcement of these standards. This legislation should provide for a Standard Capacity and an Emergency Capacity for each institution and should provide for enforcement of the standards.

Standard Capacity of existing facilities is 6,149 inmates. On August 20, 1975 the inmate population of these institutions was 8,045. To eliminate present overcrowding and provide for the present inmate population requires an additional 1,946 bed spaces. At current new construction costs of \$25,000 per inmate space, the cost of compliance with Standard Capacity needs is approximately \$48,650,000.

Assuming current sentencing practices and population projections, a total of 12,000 new bed spaces will be required by 1980. New facilities under construction will provide for 1,609 inmates at Standard Capacity. Added to the Standard Capacity of 5,897 inmates (6,149 less 252 bed spaces by closing the Georgia Rehabilitation Center for Women at Milledgeville). The new additional Standard Capacity already funded will be for 7,503 inmates. This indicates a need for additional capacity of almost 4,500 inmates by 1980. At current new construction costs of \$25,000 per inmate space, the cost of compliance with these standards is approximately \$112,500,000.

These costs do not include increased annual operations of correctional facilities.

TABLE 1

Institution	Mission	Population	No. of Cells	Sq. Ft. of Dorms	(20 man cap)	Optimum Capacity ¹	Emergency Capacity ²	(Actual 8/22/75)
		8/20/75			No. Beds Trailers			Sq. Ft./Man in Dorms ³
Chatham Correctional Institute Garden City	Correctional Center; Male	242	-	6,560	40	82	161	28
Colony Farm Hardwick	Correctional Center; Older Male	232	-	12,700	-	162	321	55
Georgia Diagnostic Correctional Center Jackson	Diagnostic & Maximum Security Unit; Male (except Youthful Offender)	803	844	-	-	844	844	-
Georgia Industrial Institute Alto	Rehabilitation, Education, & Diagnostic; Male, Youth (Age 17-19 yrs)	1,337	252	48,128	40	804	1,155	46
Georgia Rehabilitation Center for Women Milledgeville	Female Offender Center	390	-	14,137	-	176	325	36
Georgia State Prison Reidsville	Maximum Security Center; Male	2,903	856	16,480	80	1,812	2,760	37
Georgia Training & Development Center Buford	Vocational Training Center; Male (Age 20-30 yrs.)	250	-	13,060	-	163	323	52
Kemper Bldg. Milledgeville	Correctional Center & Protective Custody; Male	261	-	12,000	-	150	300	46
Lee Correctional Institute Loesburg	Rehabilitation & Education Center; Male (Age 19-30 yrs.)	221	-	3,636	80	45	91	19
Louder Correctional Institute Valdosta	Correctional Center; Male	177	-	3,360	40	42	84	23
Montgomery Correctional Institute Mount Vernon	Correctional Center; Male	297	-	12,500	40	156	312	44
Putnam Correctional Institute Eatonton	Misdemeanor Training Center	135	-	4,500	20	56	112	36
Stone Mountain Correctional Institute Stone Mountain	Community Correctional Center; Male	231	-	4,900	100	61	122	24
Walker Correctional Institute Rock Springs	Youthful Offender Act Center; Male	303	-	12,500	40	156	312	42
Ware Correctional Institute Waycross	Correctional Center; Male	131	-	3,200	-	40	60	24
Wayne Correctional Institute	Correctional Center; Male	180	-	7,400	-	92	185	41
		8,095	1,952	235,061	480	4,841	7,831	

Note: Figures supplied by Robert J. Houghton, Assistant Commissioner, Facilities Engineer,
8/22/75

¹Capacity at 1 inmate per room/cell and 80 sq. ft. per inmate in dorms

²Capacity at 1 inmate per room/cell and 40 sq. ft. per inmate in dorms

³Does not include trailer space (not included in 1 & 2 also)

TABLE 2

Institution Under Construction	Mission	Opening	No. of Rooms	Sq. Ft. of Dorms	Optimum Capacity ¹	Emergency Capacity ²
Georgia Women's Correctional Institute Hardwick	Female Offender Center	11/75	144		144	144
1 Dorm Addition	Female Offender	5/76	43		48	48
Georgia Diagnostic & Correctional Center Jackson						
1 Dorm Addition	Correctional Center; Male	12/75		9,800	125	250
West Georgia Correctional Institute Columbus	Community Correctional Center; Male	4/76	192		192	192
2 Dorm Addition	CCC; Male	10/76	96		96	96
Holly/Ingram Buildings Milledgeville	Youthful Offender Act Center; Male	4/76	295	20,640	553	811
Macon Area Correctional Institute Macon	Community Correctional Center; Male	4/77	288		288	288
			1,063	30,440	1,446	1,829

Note: Figures supplied by Robert J. Houghton, Assistant Commissioner, Facilities Engineer, DCOR. 8/22/75

¹Capacity at 1 inmate per room/cell and 80 sq. ft. per inmate in dorms

²Capacity at 1 inmate per room/cell and 100 sq. ft. per inmate in dorms

Footnotes

1. Georgia Department of Corrections/Offender Rehabilitation Organization Master Plan; "Facilities"; to be edited and published by Batelle Institute; (paper provided by Robert J. Houghton; Assistant Commissioner, Facilities Engineer).
2. Act Number 448, Georgia Laws of 1973; "Detention Facility Health and Sanitation Standards", Division of Physical Health; Department of Human Resources; September 19, 1973 (Board Approval Date).
3. (a) National Advisory Commission on Criminal Justice Standards and Goals.

(b) American Corrections Association.

(c) National Clearinghouse for Correctional Programing and Architecture.
4. (See Footnote #18 - Current Georgia Experience).
5. See Table 1.
6. Id.
7. See Footnote #1.
8. Robert J. Houghton, July 16, 1975.
9. (See Footnote #34 - Current Georgia Practice).
10. Telephone Interview with Mr. Don Voth; Architect, Project Manager, Office of Facilities Development, Federal Bureau of Prisons; August 26, 1975.
11. Id.
12. Mr. Don Voth, September 16, 1975.
13. Telephone Interview with Mr. Bill Patrick, Facilities Administrator for the Southeast Region, Federal Bureau of Prisons; September 18, 1976.
14. Architectural Forum (Magazine); "Pushing Prisons Aside"; March, 1973.
15. "National Incarcerant Population Trends: (1-141)"; by Melinda Beneker, Research Assistant, Department of Offender Rehabilitation; November, 1974. (Note: the District of Columbia, with 447 inmates per 100,000 population in 1974 was the highest reported).
16. Id.
17. Telephone Interview with Mr. Thomas L. Smithson, Chief of Facilities Planning, California Department of Corrections; September 16, 1975.

18. Nagel, p. 167.
19. Mr. Thomas L. Smithson, September 16, 1975.
20. Id.
21. Id.
Note: Two correctional institutions that are overcrowded:
Folsom: 2,000 normal capacity; 516 are now double celled.

Solodad: 2,976 normal capacity; 318 are now double celled.
22. Id.
23. Id.
Note: The large size of such a clustered complex is recognized as a compromise for economy and management. The small 400-600 inmate institution remains the ideal.
24. "Correctional Resources Utilization Plan"; California Department of Corrections; J.J. Enomoto, Director; October 1, 1975, p. 11.
25. Mr. Thomas L. Smithson, September 16, 1975.
26. Drake Law Review, Vol. 20, September, 1970; p 188.
27. Telephone Interview with Mr. T.P. Jones; Chief, Bureau of Planning, Research and Staff Development; Florida Department of Offender Rehabilitation; August 25, 1975.
28. "Overcrowding in the Florida Prison System"; executed by American Justice Institute, Sacramento, California; Technical Assistance Report, funded by LEAA (contract J-LEAA - 014-71); 1972.
29. Mr. T. P. Jones, September 17, 1975.
30. Id.
31. All figures supplied by Mr. T. P. Jones, September 17, 1975.
32. Id.
33. Id.
34. Atlanta Journal-Constitution; "Prison Reform Order Spawns Speculation"; Sunday, August 17, 1975; p. 10-C.
35. Telephone Interview with Mr. David Asch; Consultant to Louisiana Department of Corrections, September 16, 1975.
36. Id.
37. Id.
38. Telephone Interview with Mr. John Hale, Information Officer, Alabama Board of Corrections, September 16, 1975.

39. Id.
40. Georgia Department of Corrections/Offender Rehabilitation Organization Master Plan; Section "Facilities"; to be edited and published by Batelle Institute; (paper provided by Robert J. Houghton).
41. Id.
42. Rules of the State Board of Corrections Administration; 125-1-1-.02.
43. Ga. Code Ann., Sec. 77-309.
44. Ga. Code Ann., Sec. 77-310(a).
45. Ga. Code Ann., Sec. 77-310(c).
46. Rules of the State Board of Corrections Administration; 125-1-1-.05.
47. Ga. Code Ann., Sec. 77-352(a).
48. Ga. Code Ann., Sec. 77-352(e).
49. The Life Safety Code defines the required number or size of exit doors, corridors, and fire stairs for a specified population in all buildings.
50. Interview with Mr. A. Faegin Parrish, Institution Health and Safety, Environmental Health Section, Georgia Department of Human Resources; September 17, 1975.
51. Act Number 448, Georgia Laws of 1973.
52. "Detention Facility Health and Sanitation Standards"; Division of Physical Health, Department of Human Resources; September 19, 1973 (Board Approval Date).

"Adequate space allotment to prevent overcrowding shall be provided in all sleeping quarters, work and recreation rooms, and dining areas. For new facilities or renovated facilities, single inmate units shall have a minimum of 40 square feet and a minimum volume of 320 cubic feet when a day room is also provided for the single inmate unit block. The day room area shall be located adjacent to the inmate units and shall have a minimum of 30 square feet and 240 cubic feet of space per inmate. If no day room provisions are made then each single inmate area shall have a minimum of 60 square feet and 480 cubic feet of space. Existing multiple-inmate areas shall have the number of inmates limited to meet a minimum space allotment of 60 square feet per inmate. Multiple-inmate areas in new facilities shall have a minimum of 60 square feet and a minimum volume of 540 cubic feet per inmate."

53. Id., p. 6.
54. Mr. A. Faegin Parrish; September 17, 1975.
55. Figures supplied by Mr. Robert J. Houghton.
56. "Department of Corrections/Offender Rehabilitation; Proposed FY 1976 Budget Reductions - State Funds". (paper provided by Robert J. Houghton, Assistant Commissioner, Facilities Engineering, DCOR).
57. "National Incarcerant Population Trends; (1-141)" by Melinda Beneker, Research Assistant, Department of Offender Rehabilitation; November, 1974.
58. "Missions of Institutions" (paper provided by Mimi Salkin, Planning and Evaluation, DCOR).
59. "Georgia Bibb Correctional Facility Feasibility Study", November, 1972.
60. "Master Plan: Phase One - Facilities Inventory", State of Ga., Department of Corrections/Offender Rehabilitation.
61. Id.
62. Information from interview with Robert J. Houghton, July 16, 1975.
63. "Annual Report 1974 - Georgia Department of Corrections and Offender Rehabilitation." (no page or date)
64. Interview with Robert J. Houghton, July 16, 1975.
65. See Table 1.
66. Id.
67. Information from interview with Robert J. Houghton; July 16, 1975.
68. Information from interview with Paul Rosser; July 30, 1975.
69. Robert J. Houghton, September 16, 1975.
70. "Department of Corrections/Offender Rehabilitation; Proposed FY 1976 Budget Reductions - State Funds".
71. Id.
72. Information from interview with Robert J. Houghton; July 16, 1975.

73. Interview with Bill Baughman, Director of Planning and Evaluation, DCOR, July 15, 1975.

The cost of incarcerating one offender per year is estimated at \$17,678. Research to arrive at this figure is based on a population of 6,122 offenders. A breakdown of the cost is as follows:

\$4,303 Administrative and institutional costs to maintain one offender per year.

12,450 Potential generated income loss per offender per year (based on an economic multiplier of \$3.00)

650 Family welfare cost per offender per year.

275 Tax loss per offender per year.

\$17,678 Total

74. Report on Corrections, National Advisory Committee on Criminal Justice Standards and Goals, p. 357
and
National Council on Crime and Delinquency.
75. Nagel, William G., The New Red Barn: A Critical Look at the Modern American Prison, p. 148.
76. "Report of the Correctional Facilities and Services Committee of the State Bar of Georgia to the Board of Governors of the State Bar of Georgia", March 11, 1975, William O. Green, Jr., Chairman.
77. Id.
78. Task Force Report: Corrections, The President's Commission on Law Enforcement and Administration of Justice; p. 59.
79. Id.
80. Report on Corrections, p. 350.
81. Id., p. 2.
82. Manual of Correctional Standards, The American Correctional Association, p. 341.
83. Id.
84. Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults; Department of Architecture, University of Illinois.
85. Guidelines, D6.2d.
86. Guidelines, D6.9d.

87. Manual of Correctional Standards, p. 341.

88. *Id.*, p. 344.

89. *Report on Corrections*, p. 357.

90. *Id.*, p. 3.

91. *Id.*, p. 363. Standard 11.3, #5.

The institution should actively develop the maximum possible interaction between community and institution, including involvement of community members in planning and in intramural and extramural activities.

- a. Institutionally based work-release and study-release programs with an emphasis on community involvement should be adopted or expanded.
- b. Ex-offenders and indigenous paraprofessionals should be used in institutional programs and activities.
- c. Joint programming between the institution and the community should be developed, including such activities as drug counseling sessions, Alcoholics Anonymous meetings, recreation programs, theatre groups, and so on.
- d. Offenders should be able to participate in educational programs in the community, and community members should be able to participate in educational programs in the institution.
- e. Police officers should become involved, acquainting offenders with pertinent sections of the law and in general playing a supportive role.
- f. Offenders should have opportunities to travel and to participate in worship services of local churches, and representatives of the churches should participate in institutional services.
- g. The institution should cultivate active participation of civic groups, and encourage the groups to invite offenders to become members.
- h. The institution should arrange for representatives of government agencies to render services to offenders by traveling to the institution or by enabling offenders to appear at agency offices.
- i. The institution should obtain the participation of business and labor in intramural and extramural programs and activities.
- j. The institution should seek the participation of volunteers in institutional programs and activities.

92. Norman A. Carlson, Federal Probation, (mag), "The Federal Prison System: Forty-five Years of Crime".
93. Manual of Correctional Standards, p. 337.
94. Nagel, p. 177.
95. Guidelines, D6.3d.
96. Report on Corrections, p. 358-359.
97. Telephone Interview with Mr. Bobby Doctor, Regional Director, Southern Regional Office, United States Commission of Civil Rights.
98. "Minimum Standards of Civil and Human Rights for Inmates in Correctional Institutions" by Donald H. Goff for Commissioner of Civil Rights, May 9, 1973.
99. Manual of Correctional Standards, p. 332.
100. Id., p. 333.
101. Id., p. 332.
102. Report on Corrections, p. 34.
103. Id., p. 35.
104. Id., p. 356.
105. Judicature (mag), "Courts as a Vehicle for Prison Reform", Vol. 56, May, 1973, p. 412.
106. Nagel, p. 80.
107. Architectural Forum (mag) "Pushing Prison Aside", March, p. 36.

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