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# RESEARCH FINDINGS AND RECOMMENDATIONS:

## Conditions of Confinement Standards Revision

July, 1988

126079

This project was supported by Grant #87IJCX0015  
awarded by the National Institute of Justice,  
United States Department of Justice.

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RESEARCH FINDINGS AND RECOMMENDATIONS:

CONDITIONS OF CONFINEMENT STANDARDS REVISION

American Correctional Association (ACA)  
College Park, Maryland

Funded by the National Institute of Justice

PROJECT STAFF AND PARTICIPANTS:

PROJECT DIRECTOR: Hardy Rauch, Director, Standards and  
Accreditation, American Correctional Association,  
College Park, MD

PROJECT MONITOR: Thomas Albrecht, Program Manager, National  
Institute of Justice, Washington, D.C.

CONSULTANTS:

Stephen Carter, Principal, Carter Goble Associates,  
Columbia, SC

Richard Wener, Ph.D., Director,  
Master of Science in Environment/Behavior Studies,  
Polytechnic University, New York, NY

Rod Miller, CRS Inc., Editor, Caselaw Catalog and  
Detention Reporter, Kents Hill, ME

July 11, 1988

COST-EFFECTIVE CONDITIONS OF CONFINEMENT COMMITTEE

Maurice B. Allen, Jr. FAIA, Prin.  
TMP Associates, Inc.  
1191 W. Square Lake Road  
Box 289  
Bloomfield Hills, Mich. 48303

Alvin J. Bronstein  
Executive Director, National  
Prison Project of ACLU  
1616 P Street, N.W.  
Washington, D.C. 20536

Robert Brown, Jr., Director  
Department of Corrections  
Stevens T. Mason Building  
P.O. Box 30003  
Lansing, Michigan 48909

Robert L. Brutsché, Assistant  
Director, Medical Services  
Bureau of Prisons  
320 First Street, N.W.  
Washington, D.C. 20534

Stephen A. Carter, AICP, Prin.  
Carter-Göble Associates  
P.O. Box 11287  
Columbia, South Carolina 29211

Thomas A. Coughlin III  
Commissioner  
Dept. of Correctional Services  
State Office Building Campus  
Albany, New York 12226

Harold A. Farrier, Professor  
Iowa State University  
Department of Sociology  
107 East Hall  
Ames, Iowa 50011

Richard G. Kiekbusch, Ph.D., Dir.  
Prince Wm. Manassas Regional  
Adult Detention Center  
9320 Lee Avenue  
Manassas, Virginia 22110

Loy Hayes, Chief, Office of  
Facilities Development &  
Operations - Room 460  
320 First Street, N.W.  
Washington, D.C. 20534

Wade B. Houk  
Assistant Director  
Bureau of Prisons  
320 First Street  
Washington, D.C. 20534

M. Wayne Huggins  
Sheriff of Fairfax County  
4110 Chain Bridge Road  
Fairfax, Virginia 22030

Perry Johnson, Deputy Director  
Department of Corrections  
Stevens T. Mason Building  
P.O. Box 30003  
Lansing, Michigan 49809

Michael P. Lane, Director  
Department of Corrections  
1301 Concordia Court  
Springfield, Illinois 62702

Tony R. Lang, AIA  
Progressive Architects &  
Engineers  
2942 Fuller Avenue, N.E.  
Grand Rapids, Michigan 49505

John W. McGough, FAIA  
President, McGough Group, Inc.  
West 245 Spokane Falls Blvd.  
Spokane, Washington 99201

Daniel J. McCarthy  
229 Luneta Drive  
San Louis Obispo, Calif. 93401

Rod Miller, Editor  
Detention Reporter  
P.O. Box 234  
Kents Hill, Maine 04349

Frederic D. Moyer, AIA, Pres.  
Moyer Associates, Inc.  
378 Park Avenue  
Glencoe, Illinois 60022

Pete Nacci  
Director of Research  
Bureau of Prisons  
320 First Street, N.W.  
Washington, D.C. 20534

Michael O'Toole, Director  
NIC Jail Center  
1790 30th Street, Suite 140  
Boulder, Colorado 80301

Allen Patrick, President  
Patrick and Associates  
65 E. State St., Suite 500  
Columbus, Ohio 43215-4213

Richard P. Seiter, Director  
Department of Rehabilitation  
and Corrections  
1050 Freeway Drive, North  
Columbus, Ohio 43029

Morris L. Thigpen  
Commissioner  
Department of Corrections  
101 South Union Street  
Montgomery, Alabama 36130

James Webster, Correctional  
Consultant  
2050 North Abingdon Street  
Arlington, Virginia 22207

Richard Wener, Ph.D., Director  
Master Science Program  
Polytechnic Institute of N.Y.  
333 J Street  
Brooklyn, New York 11201

Norman E. Wirkler, AIA, Pres.  
The Durran Group, Inc  
102 So. Tejon St., Suite 1100  
Colorado Springs, Col. 80903





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# CRS, Inc.

Community Resource Services, Inc.

Incorporated in 1972 as a Non-Profit Organization

P.O. Box 234, Kents Hill, ME 04349

Phone (207) 685-9090

July 14, 1988

• Planning

Hardy Rauch, Director  
Standards and Accreditation  
American Correctional Association  
College Park, Maryland

• Research

• Evaluation

Dear Hardy:

• Design  
Review

I am pleased to submit this Research Report and concept paper on behalf of Rich Wener, Steve Carter and myself. We are pleased that we can offer our suggestions at this time of unprecedented corrections construction. We are grateful to have been given the opportunity to assemble and analyze the wealth of information and experience that has become available since the ACA standards were first drafted over 12 years ago.

• Staffing  
Analysis

• Management  
Services

This document contains the final research reports that each of us has prepared as a foundation for the revising ACA conditions of confinement standards. These are preceded by a report that summarizes our findings and offers initial recommendations for revising standards content and format.

• Program  
Development

Our research efforts have tapped the insights of correctional administrators, designers, planners, literature and caselaw. Richard Wener has surveyed practitioners, reviewed literature and interviewed leading experts (Appendix A). Stephen Carter has analyzed several new facilities in depth to identify design practices and cost implications (Appendix B). I have researched pertinent court decisions (Appendix C).

## Publishers of:

★ Detention  
Reporter

This report is intended to prompt constructive debate about standards revision, and should be considered a starting point, rather than final recommendations. We hope that some field tests will be authorized, as well as the extensive solicitation of comments.

★ Detention and  
Corrections  
Caselaw  
Catalog

As directed, our suggestions for revising existing standards focused on Adult Corrections Institutions (ACI), with the understanding that appropriate adaptations will be considered later.

★ Jail Resource  
Manual

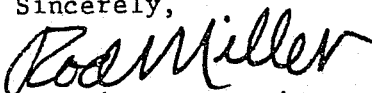
This research effort offers a unique opportunity to apply new information and insights to the standards revision process. We have attempted to explain the rationale for proposed revisions in the summary report, and we provide more detail in each appendix.

★ Policy and  
Procedure  
Workbook

Again, thank you for inviting us to participate in this timely project.

★ Training Aides

Sincerely,

  
Rod Miller, President  
CRS, Inc.

## FINAL DRAFT

RESEARCH FINDINGS AND RECOMMENDATIONS:

## CONDITIONS OF CONFINEMENT STANDARDS REVISION

**I. INTRODUCTION**

The "Cost Effective Conditions of Confinement" project is sponsored by a grant to the American Correctional Association (ACA) from the National Institute of Justice (NIJ), U.S. Department of Justice. The project draws on more than a decade of experience with ACA standards implementation and has the following objectives:

- to review the influence that key ACA physical plant standards have had on the design and operation of corrections facilities, both adult and juvenile; and
- to provide a basis for suggesting specific revisions to these standards to be included in the Third Edition.

An advisory Committee has been formed, and has met three times at ACA conferences (January and August, 1987, and January 1988). During extensive discussions, the Committee articulated several key policies that will serve to guide standards revision efforts:

POLICIESStandards Users...

- \* ACA standards are developed for the following primary audiences: correctional managers, funding authorities, courts.

Application of Standards....

- \* ACA standards are intended to be used for proactive approaches to professionalizing the field of corrections.

Standards Construction

- \* Standards should be constructed to provide performance objectives, allowing a variety of creative approaches to achieve compliance.

Standards Content

- \* Court rulings (interpretations of constitutional minimums) should always be met or exceeded by the standards, but should not be considered maximums.
- \* Standards should not be oversimplified for the sake of convenience.

- \* Standards should provide the basis to measure compliance, but not necessarily through quantification or numerical tests.
- \* Standards must guide users to evaluate both "conditions of confinement" and "quality of life" dimensions of their facilities and operations.

## II. METHODOLOGY

Three interrelated research initiatives were commissioned by the ACA to thoroughly inform the standards revision process. Final research reports are presented in the three appendices to this report.

Appendix A describes an assessment of physical plant standards from the perspective of the effects of the physical environment on behavior. The report presents the results of a mail survey of users of the current standards, a review of research literature, and the opinions of experts in various areas related to physical plant design and management.

Appendix B evaluates the experiences of several correctional facilities constructed since 1982 that have followed ACA standards. Each of these facilities were analyzed for several purposes. The designs were examined to determine how well they satisfied ACA standards, how they have withstood overcrowding, and how they have provided for expansion to accomodate growth. The operational use of spaces was evaluated in light of the inmate living unit (cells and dayroom), central core functions (e.g. food and medical services) and critical program areas such as indoor and outdoor recreation. One research product offers new spatial guidelines for sleeping areas, multiple-occupancy criteria, facility size and support area size.

Appendix C describes insights gained from extensive legal research related to more than 100 federal court decisions that addressed correctional facility deficiencies. The cases were analyzed in detail, and summaries were prepared for pertinent: findings-- conclusions of the courts with regard to physical plant issues, including specific orders and holdings; and "connected issues"-- specific references to non-physical considerations that the courts used to form the broader context (totality) of each case.

### III. SUMMARY OF FINDINGS

Brief summaries from each of the three research efforts are provided here. Readers are encouraged to review each appendix to gain a more complete understanding of the research findings.

#### A. Environment and Behavior Issues (Appendix A)

This research effort assessed the ACA physical plant standards from the perspective of the effects of the physical environment upon behavior. A mail survey of users of the current standards was conducted. In addition, a review of research literature relevant to this area was completed, and experts in various disciplines related to physical plant design and management were contacted. The purpose of all of these efforts was to generate the widest possible base of opinion and data to inform changes in the standards.

Responses to the mail survey were received from 238 of the 1605 corrections professionals to whom questionnaires were mailed. Most respondents were corrections managers, and the largest subgroup was facility administrators. This respondent group had considerable corrections experience (average of 15 years). They were experienced and knowledgeable about the ACA standards and usually used the standards for management or planning reasons.

Uniformly, this group rated the current standards well--as useful and needing only minor improvements. A significant minority, however, offered a number of specific recommendations for desired changes. These recommendations most commonly dealt with aspects of the standards that were considered too restrictive, excessive, expensive, or unrealistic in light of current populations and conditions.

Some specific responses and suggestions included:

- increasing the maximum facility capacity above 500;
- clarifying double-celling policy, and allowing double-celling in at least some settings and circumstances;
- allowing dormitories under some circumstances; and
- making allowances in the standards for special conditions, such as inmate type, facility type, facility size, climate, etc.

The literature review did not provide information on specific cell sizes or configurations. It did seem to indicate that single cells are preferable over doubles or dormitories, especially for younger, more violent inmates. When dormitories are allowed for minimum security inmates, the research suggests that cubicles may be useful in reducing stress.

Research and theory in institutional crowding suggests that special consideration be given to special environmental conditions which are related- but not identical to crowding, in order to reduce stress among staff and inmates. These include maximizing the degree to which elements in the environment can be adjusted (e.g. lighting, noise, temperature), and providing inmates with adequate levels of key resources (e.g. space, telephones, televisions, seating).

The expert group similarly stressed the need to compensate for overcrowding through increased resources, such as staffing and telephones.

This group also emphasized the relationship of variables such as capacity and single v. double-celling to other issues such as management style. For example, they suggested that capacity need not be limited to 500 if facilities are sufficiently decentralized. They also suggested that the standards process recognize emergency overcrowding, but that the use of additional resources (as noted above) be required to help compensate.

#### B. Survey of Physical Conditions of Confinement (Appendix B)

Due to the extensive construction of correctional facilities that is occurring in every state, a substantially expanded body of knowledge is available on design and operational implications for a variety of types of facilities. While the survey research conducted for this effort provided information concerning seven "state-of-the-art" facilities, most of which are accredited by ACA standards or could qualify for accreditation, additional research is necessary to provide more specific spatial guidelines in the decentralized program and support service components of the facility.

The information gained during the course of this research initiative tends to corroborate the intuitive feelings of many correctional administrators and planners--that space is one the greatest friends an institutional manager may have during times of overcrowding. Creative use of space combined with innovative management approaches can improve not only the efficiency, but the effectiveness of correctional facilities and programs.

Changes in a dimensional standard for any building type usually sends "shock waves" through the various user and interpreter groups. Therefore, a change in physical plant standards for correctional facilities can have a substantial impact upon capital and operating costs. None the less, to meet the continuing demand for living area and support spaces for an increasingly complex inmate group, certain components of the current ACA standards require increased area allocations, as summarized in the following narrative.

Facility size. While the present standards refer to a maximum size of 500 beds, in light of improved disaggregated and decentralized management approaches, the ultimate size of the facility should be designed in terms of the number of groups of definable management clusters.

Inmate living areas. As has always been the case, inmate living areas are the primary "form-giver" of the correctional institution. Cells. Through the research, it was observed that each individual requires a minimum amount of personal space to facilitate exercise, to maintain separation from other inmates, and to carry out certain required daily activities.

Within the dayroom environment, space should be provided for a range of inmate activities. The research found that very few of the new facilities constructed since 1982 actually provided only the 35 square feet per inmate in the dayroom. The majority of the facilities provided between 40 and 60 square feet per inmate, due in large part to the area that is created when cells are placed along exterior walls to gain natural light.

It is recommended that the ACA revise the present standards to recognize the operational uses of dayrooms and the space requirements associated with this variety of uses.

Program and support areas. A major factor in the design and operation of a new correctional facility is the ability to provide adequate space and staff to conduct centralized program activities. Even in the more contemporary approach of decentralizing much of the management and programs to the housing unit, the need for centralized and larger program areas remains.

Rather than providing a specific space standard for program components, it may be more appropriate for the ACA to develop design guidelines based on a "use factor" that defines a square foot per inmate user that will give administrators and planners ranges to use in the allocation of space to selected functional areas. It is difficult to apply a guideline of net square feet per inmate for the total facility population, since in many of the centralized functions, the total inmate population of a facility would never occupy these spaces at one time. Therefore, a "use factor" is a better indicator of operational and design conditions.

Using the information from the survey, the following list summarizes space use guidelines for some of the major components of a correctional facility:

- Industries. 300 to 500 square feet for each inmate in the production area at one time;
- Classrooms. 35 to 40 square feet per inmate in a classroom at one time.
- Visitation. 18 to 25 net square feet per individual in a contact visiting room at one time.



- Central Dining. 20 to 25 net square feet per inmate in the central dining area at one time.
- Indoor Recreation. 100 to 150 net square feet per inmate in indoor recreation areas at one time.
- Outdoor Recreation. 500 to 1,000 net square feet per inmate participating in outdoor recreation at one time.

#### C. Legal Research (Appendix C)

First, and most important, the authors stress that the specific findings of courts should not be used as the foundation for the development of professional standards. When courts evaluate conditions of confinement, their yardstick measures the constitutionality of conditions. To pass court muster, a facility and operation must merely be found "not unconstitutional." This is a far cry from representing a professional practice. Rather, the authors suggest that court findings for each specific physical plant topic represent minimums, below which no professional standard should fall.

More important, an analysis of court decisions underscores the need to view physical plant standards in a broader context--to consider the "totality" of conditions of confinement.

Section IV of Appendix C presents specific court findings organized under each physical plant topic area. These are presented in chronological order, allowing readers to quickly identify older cases, and to understand trends. These summaries were used extensively in the development of recommendations for ACA standards revision.

Following the topic summaries, complete case summaries are provided for all 70 decisions, in alphabetical order. These offer interested readers the opportunity to analyze individual cases in more detail.

Several summary charts provide readers with an overview of the research effort. One chart displays the types of connected issues associated with each physical plant topic, and the corresponding frequency. Other charts display the type of finding and the connected issues for each case.

Finally, court decisions offered the impetus to reconsider several current ACA standards, as indicated in the summary report from the consultants. These included:

- Access to Toilets
- Cell Occupancy, Size and Partitions
- Natural Light and Light Levels
- Noise Levels
- Ventilation, Temperature

- Exercise and Recreation (courts are clear that prisoners must be provided with specific levels of access to exercise)
- Visiting (courts are clear about requiring specific levels of access to visiting)

In summary, the legal research underscored the need to look past individual physical plant standards, and provided indications of the types of issues that are, and should be, connected to the evaluation of facility components.

## IV. INITIAL RECOMMENDATIONS

Following several meetings, during which the consultants and ACA representatives synthesized their findings, a series of specific recommendations were developed. These are presented in the following four categories:

- A. Revision of Current Standards
- B. Additional Standards
- C. Potential Appendices
- D. Format

### A. REVISION OF CURRENT STANDARDS

The first task required the identification of standards that warranted revision. A process was developed, through which one or more reason could trigger consideration of a standard. These reasons included:

- National Survey of Field
- Literature Review/Experts
- Analysis of Design and Costs
- Legal Research
- Review for Consistency/Clarity

After a standard was identified, these same sources were also tapped as "resources" to forge recommended changes. For each proposed revision, both the source of identification and the resources for revision are identified.

The following pages present initial recommendations for the revision of current ACA standards. As instructed, the authors have focussed primarily on ACI (Adult Correctional Institutions) standards, with the understanding that these provide a starting point for discussion. Appropriate adaptations will be developed by ACA. Although the authors studied current standards carefully, the content of each is not repeated here for the sake of brevity.

1. STANDARD TOPIC: FACILITY SIZE

Sample Standard References: 2-4127, 2-4160

## SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field	X	X
Literature Review/Experts	X	
Analysis of Design and Costs	X	X
Legal Research		
Review for Consistency/Clarity	X	

Proposed Revision(s):

Institutions are subdivided into functional units of 256 or less. Design and management support semi-autonomous operations of each unit and residents of each unit are primarily managed separate from other units.

Comments and Discussion:

An absolute limit on the maximum size for an institution cannot be supported by research or practice at this time. The concern of the current ACA standard addresses the quality of life for inmates; the proposed change would more effectively achieve that end and would offer planners, designers and managers more flexibility to balance costs.

The 256 functional unit size is based on the maximum living unit size of 64 (see later recommendation) multiplied by 4.

2. STANDARD TOPIC: ACCESS TO TOILETS

Sample Standard References: 2-4130, 2-5112, 2-2092

## SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs	X	X
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

Inmates are provided with continuous access to toilets and hand-washing facilities, 24-hours/day, in all areas of the institution. Each toilet must provide visual privacy and inmate control of access when occupied. When inmates are locked in a cell they must be able to use toilet facilities

without staff assistance. When inmates are confined in cells for more than 10 hours daily a toilet must be provided in the cell. Toilets shall be provided at a ratio of one for each eight inmates.

Comments and Discussion:

Current standards do not ensure availability of toilets throughout the facility and do not require some measure of privacy and control for the user. These changes would increase availability, improve inmate privacy and control, and provide flexibility for designers and managers who will be able to have increased options for "dry" cells if access is provided through other means (e.g. pushbutton lock to leave cell during night hours).

Creative design approaches should be encouraged, such as the creation of a series of "single occupancy" toilet areas that would increase privacy and decrease management problems associated with congregate facilities.

3. STANDARD TOPIC: CELL OCCUPANCY, SIZE AND PARTITIONS

Sample Standard References: 2-4129, 2-4132, 2-4135

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field	X	
Literature Review/Experts		X
Analysis of Design and Costs	X	X
Legal Research	X	
Review for Consistency/Clarity	X	X

Proposed Revision(s):

All cells in which inmates are confined for 10 hours or more daily must be designed for single occupancy and must provide at least 46 square feet of unencumbered space (usable space that is not encumbered by furnishings, fixtures or circulation space).

All cells or rooms in which inmates are confined for less than 10 hours daily, conform with the following requirements:

Number of Occupants	Amount of Un- encumbered Space	Additional Space Required if Toilet	Sleeping Area Partition Required?
1	36 S.F.	10 S.F.	No
2	36 S.F./occup.	12 S.F.	No
3 - 50	36 S.F./occup.	12 S.F./ toilet	Yes

### Comments and Discussion:

Inmate needs are addressed by requirements for 36 square feet of unencumbered space (meeting needs for "personal space," privacy, and various functions), by requiring privacy in toilet areas (see previous page), and by requiring partitioning of each inmate's space in cells/rooms of three or more (partitions should encompass each inmate's free space and should be at least 54 inches in height).

This approach to cell occupancy and size departs from the troublesome attempts to define levels of security (close, maximum, etc.), relying on the 10 hour measure of out-of-cell opportunity to provide a new and more meaningful decision watershed. Presumably, inmates spending most of their time in their cells are higher security, where single occupancy is required. These changes specifically allow for double and triple-occupancy cells/rooms.

This approach is offered as a means to increase design flexibility and creativity, tying the actual total cell size to the free space provided by the design rather than setting a rigid size for the shell.

The free space concept is based on the dimensions associated with inmate exercise activities and a measure of the amount of space needed to provide inmates with opportunities to exercise some control. As Dr. Wener suggests in Appendix A, people need space to move, to interrelate, and to be separate.

The requirement for individual partitions will likely discourage medium-security cells with more than two occupants.

#### 4. STANDARD TOPIC: DAYROOMS

Sample Standard References: 2-4158, 2-5144

#### SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field	X	
Literature Review/Experts		
Analysis of Design and Costs	X	X
Legal Research	X	
Review for Consistency/Clarity		

Proposed Revision(s):

Dayrooms located immediately adjacent to cells/rooms but separated by a floor-to-ceiling wall provide space for varied inmate activities. No dayroom encompasses less than 100 square feet exclusive of circulation space, showers and toilets.

If inmates are confined to their cells/rooms for less than 10 hours daily, adjacent dayrooms shall provide 35 square feet per inmate exclusive of circulation space, showers and toilets. If inmates use the dayroom for dining, an additional 15 square feet/inmate shall be provided.

If inmates are confined to their cells/rooms for 10 hours or more daily, adjacent dayrooms may provide 35 square feet per inmate exclusive of circulation space, showers and toilets for the maximum number of inmates expected to use the dayroom at one time. If inmates use the dayroom for dining, an additional 15 square feet/inmate shall be provided.

Comments and Discussion:

A minimum size is established for any dayroom, and the impact of dining on the utility of the space is acknowledged. Flexibility is provided for dayrooms serving high-security populations, allowing dayroom size to be calculated from the maximum number of users at one time rather than the total number of inmates served.

5. STANDARD TOPIC: NATURAL LIGHT

Sample Standard References: 2-4130, 2-5112

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field	X	
Literature Review/Experts		
Analysis of Design and Costs	X	X
Legal Research	X	X
Review for Consistency/Clarity		

Proposed Revision(s):

Windows with a view to the outside are provided in all cells in which inmates are confined for 10 hours or more daily. No less than 4 square feet of transparent glazing is provided.

Each dayroom provides a least 12 square feet of transparent glazing to the outside plus .5 square feet of glazing for each inmate that uses the dayroom.

Inmates confined in cells for less than 10 hours daily are provided access to natural light through one of two methods:

(1) by a window of at least 3 square feet of transparent glazing with a view to the outside in their cell; or

(2) by providing at least 6 square feet of transparent glazing between the cell and the adjacent dayroom, and providing 12 square feet of transparent glazing with a view to the outside plus 3 square feet of glazing for each inmate that is not provided with a window in his/her cell.

Comments and Discussion:

These changes would strengthen provisions for inmate access to natural light, increasing the satisfaction of objectives for providing natural light (as defined by courts and environmental research). This approach acknowledges that many inmates spend most of their daylight hours outside of their cells, often in their dayroom. Designers are given increased options for providing natural light (vs. the "20 foot" suggestion) and methods are clarified.

The discussion should encourage provision of mechanisms for inmates to control light levels and privacy (e.g. blinds for windows into dayrooms).

6. STANDARD TOPIC: LIGHT LEVELS

Sample Standard References: 2-4132, 2-5112

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field	X	
Literature Review/Experts		
Analysis of Design and Costs	X	X
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

(1) In addition to the 20 footcandle requirement in reading and grooming areas, suggest inmate control of lighting and light levels.

(2) Establish a maximum light level during sleeping hours.

(3) Establish a requirement for appropriate light levels throughout the facility (as done for ACI but not other facilities). A reference chart, based on the standards of the Illumination Engineers Institute, could be provided as an appendix.

Comments and Discussion:

Encouraging inmate control of light levels should be stressed in the discussion. Providing users with a reference chart will strengthen the standard.

7. STANDARD TOPIC: NOISE LEVELS

Sample Standard References: 2-4130, 2-5112

## SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs		
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

The standard should be revised completely, according to experts in the field of acoustics. They have determined that it is inadequate as written--the current standard is too high if it refers to ambient levels, and it is too low if it refers to activity levels. The consultants recommend that an acoustician be commissioned to develop a new standard, supporting discussion, and technical data for inclusion in an appendix.

Comments and Discussion:

A more accurate and clear measure is needed.

8. STANDARD TOPIC: VENTILATION

Sample Standard References: 2-4130, 2-5108, 2-2082

## SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs		
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

As with noise standards, the current standard is not adequate. Ventilation needs vary based on the plumbing fixtures present in a room or cell. Ventilation



requirements should be extended throughout the facility, rather than only specifically-mentioned areas. As with light levels, industry standards might be described in a reference chart in the appendices.

Comments and Discussion:

Ventilation requirements are not consistently applied throughout the facility.

9. STANDARD TOPIC: TEMPERATURE

Sample Standard References: 2-4130, 2-4112

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs	X	X
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

Make the standard more potent by specifying either a temperature range (such as 65-80) or referring to a "comfort zone" portrayed in a chart of temperature/humidity. Consider allowing as an alternative, in existing facilities, operable windows. Extend temperature requirements to the entire facility. As with noise levels, application of the standards from other professional groups is warranted here.

Comments and Discussion:

Court decisions often find temperature to be a critical element, and establish specific ranges. The current standards are not strong enough in this regard, and do not consider the relationship between temperature, humidity and comfort levels. Some sets of standards do not extend temperature requirements to the entire facility.

10. STANDARD TOPIC: FURNISHINGS

Sample Standard References: 2-4130, 2-5112, 2-4135

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs	X	
Legal Research	X	
Review for Consistency/Clarity	X	

Proposed Revision(s):

Every inmate is provided in his/her sleeping area with: a sleeping surface and mattress at least 12 inches off of the floor; a writing surface and proximate area to sit; storage for personal items; and a place to hang clothes.

Dayrooms provide sufficient available seating and writing surfaces for every inmate. If dining activities occur in the dayroom, additional seating and surfaces must be provided. Dayroom furnishings are consistent with the security level of the inmates assigned.

Comments and Discussion:

This approach provides more consistency between classifications of inmates and offers designers more flexibility in cell layout. Discussion should suggest providing inmate-controlled "task lighting," and should also provide suggested amounts of volume for storage of items.

Discussion for dayroom furnishings should review the range of activities that occur in the space (e.g. television viewing, reading, recreation, conversation, games, and sometimes eating and work). Selection of furnishings should consider providing increasingly "normative" surroundings with lower security levels.

11. STANDARD TOPIC: EXERCISE AND RECREATION AREAS

Sample Standard References: 2-4138, 2-5125, 2-5145

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field Literature Review/Experts	X	X
Analysis of Design and Costs	X	X
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

The standard should clearly establish that exercise/recreation spaces are not the same as dayrooms, although dayrooms can provide redundant opportunities for some exercise and recreation activities.

Outdoor and covered exercise areas are provided in sufficient number to ensure that each inmate is offered at least one hour of access daily. Use of outdoor areas is preferred, but covered areas must be available for use in inclement weather, allowing facilities in some climates to cover and/or enclose a yard, while others will have to provide indoor space (these do not have to be "indoor" but must be fully functional when the outdoor areas are not feasible for use).

Outdoor exercise areas shall provide at least 1,500 square feet of unencumbered space, plus 15 square feet per inmate for the maximum number of inmates expected to use the space at one time.

Covered/enclosed exercise areas shall provide at least 1,000 square feet of unencumbered space for facilities serving 100 inmates or more and shall have a minimum ceiling height of 22 feet. Covered/enclosed exercise areas shall provide at least 500 square feet of unencumbered space for facilities serving less than 100 inmates. In addition to the minimum space, each exercise area shall provide 15 square feet per inmate for the maximum number of inmates expected to use the space at one time. Such areas can be designed for multiple uses as long as the design and furnishings do not interfere with scheduled exercise activities.

Comments and Discussion:

The 15 square feet per inmate requirement has been established in current standards (2-5146), as have other elements of the proposed changes. These changes will clarify the performance requirements for the space, and yet still offer design and operational flexibility.

12. STANDARD TOPIC: VISITING AREAS

Sample Standard References: 2-4140, 2-5128, 2-2091

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field	X	
Literature Review/Experts		
Analysis of Design and Costs	X	X
Legal Research	X	X
Review for Consistency/Clarity	X	

Proposed Revision(s):

The standard should require, as performance objective, that each inmate have the opportunity for three hours of scheduled visiting weekly including evening and weekend periods. This can then be translated into the requirements for contact and non-contact visiting based on the operational plans for schedules, number of prisoners expected to visit at one time, and classification/separation.

13. STANDARD TOPIC: DINING

Sample Standard References:

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs	X	X
Legal Research		
Review for Consistency/Clarity	X	

Proposed Revision(s):

The standard should establish a performance objective of at least 20 minutes of dining time per "shift" and no more than 4 shifts per meal.

Comments and Discussion:

This will require designers and managers to consider how many dining areas and their corresponding capacities.

14. STANDARD TOPIC: PROGRAM AND SUPPORT AREAS

Sample Standard References: 2-4139, 2-5128

SOURCE(S) OF IDENTIFICATION/RESOURCE(S) FOR REVISION:

	Source of Identific.	Resource for Revision
National Survey of Field		
Literature Review/Experts	X	X
Analysis of Design and Costs	X	X
Legal Research		
Review for Consistency/Clarity	X	

Proposed Revision(s):

Guidelines should be established, consistent with the recommendations presented in Appendix B (see below). These will offer suggested amounts for each type of activity.

- Industries. 300 to 500 square feet for each inmate in the production area at one time;
- Classrooms. 35 to 40 square feet per inmate in a classroom at one time.
- Visitation. 18 to 25 net square feet per individual in a contact visiting room at one time.
- Central Dining. 20 to 25 net square feet per inmate in the central dining area at one time.
- Indoor Recreation. 100 to 150 net square feet per inmate in indoor recreation areas at one time.
- Outdoor Recreation. 500 to 1,000 net square feet per inmate participating in outdoor recreation at one time

## B. ADDITIONAL STANDARDS

Several new standards are proposed. They are outlined very briefly below, encouraging readers to consider the concept before developing detailed language.

Proposed new standards include:

1. A new standard concerning living unit size (64).
2. A mandatory "totality" test standard, to be provided in an appendix, ensuring that standards users are aware of the need to view individual physical plant issues in a broader context.
3. An essential "conditions of confinement" index, to be provided in an appendix. From an inmate perspective, this would address such issues as inmate control of environment, privacy, personal space, etc.
4. An essential "design checklist" for new construction or addition, to be provided in an appendix. This would guide users through a series of practical analyses viewing the plan in its broader operational context.
5. A mandatory/essential series of "planning/design" standards that require careful consideration and documentation of planning mission, population to be served, management assumptions, design assumptions.

6. *Staffing*

## C. POTENTIAL APPENDICES FOR THIRD EDITION

Several charts, checklists and other reference materials have been identified in the preceding pages (e.g. artificial light, comfort zones, noise levels, design checklists).

In addition, it would be helpful to some users to index certain topics based on their special needs. For instance, architects would prefer to have facility standards organized by each specific facility component (e.g. listing all requirements for a cell). The more "friendly" the standards document can be for all users, the more effective the outcome.

## D. FORMAT

Finally, many persons have suggested a new format for facility standards. The organization of Section B (proposed revision) provides an example of a structure that addresses each substantive area at one time. For instance, light levels are specified in one standard, rather than the 5+ references in the current standards. Re-formatting and reorganization in the physical plant section could be another important method to make the standards more "friendly" for all users.



APPENDIX A

ENVIRONMENT AND BEHAVIOR ISSUES IN  
PHYSICAL PLANT STANDARDS

Submitted to: American Correctional Association  
Cost Effective Conditions of Confinement Advisory Group

Prepared by:

Richard Wener, Ph.D., Director,  
Master of Science in Environment/Behavior Studies,  
Polytechnic University, New York, NY

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## EXECUTIVE SUMMARY

The project assessed the ACA Physical Plant Standards from the perspective of the effects of the physical environmental upon behavior. A mail survey of users of the current standards was conducted. In addition, a review of research literature relevant to this area was completed, and experts in various areas related to physical plant design and management were contacted. The purpose of all of these efforts was to generate the widest possible base of opinion and data to inform changes in the standards.

Responses to the mail survey were received by 23% of the 1605 corrections professionals to whom questionnaires were mailed. Most respondents were corrections managers - the largest subgroup being chief administrators. The respondent group had considerable corrections experience (average of 15 years). They were experienced and knowledgeable about the standards and usually used the standards for management or planning reasons.

Uniformly, this group rated the standards well - as useful and needing only minor improvements. A significant minority, however, had a number of specific recommendations to make on desired changes.

These recommendations most commonly dealt with aspects of the standards considered too restrictive, excessive, expensive, or unrealistic in light of current populations and conditions.

Some specific responses and suggestions included:

- o increasing the maximum facility capacity above 500
- o clarifying double celling policy, and allowing double celling in at least some settings and circumstances
- o allowing dormitories under some circumstances
- o making allowances in the standards for special conditions, such as of inmate type, facility type, facility size, climate, etc.

The literature review did not provide information on specific cell sizes or configurations. It does seem to indicate that single cells are preferable over doubles or dormitories, especially for younger, more violent inmates. When dormitories are allowed for minimum security inmates, the research suggests cubicles may be useful in reducing stress.

Research and theory in institutional crowding suggests that special consideration be given to special environmental conditions which are related - but not identical to crowding, in order to reduce stress among staff and inmates. These include maximizing the degree to which elements in the environment can be adjusted (lighting, noise, temperature, etc.), and providing adequate levels of key resources (space, telephones, tvs, seating, etc.) to inmates.

The expert group similarly stressed the need to compensate for overcrowding through increased resources (telephones, staffing, etc.).

This group also emphasized the relationship of variables such as capacity and single v. double celling to other issues such as management style. For example, they suggested that capacity need not be limited to 500 if the facilities are sufficiently decentralized. They also noted that the standards process recognize emergency overcrowding, but require use of additional resources (as noted above) to help compensate.

## METHOD

### Purpose:

The purpose of this study was to:

- 1) identify what professionals in the corrections field would like to see done with revisions of standards, and
- 2) examine what the 'state-of-the-art' in the behavioral and environmental design and science professions can provide for standards revisions. To these ends, three separate but related strategies were undertaken:

### Attitude Survey

A brief survey was sent to 1627 corrections related professionals to obtain opinions about the ACA standards and their perceptions of needed changes.

### Expert list

Experts in fields related to physical conditions of confinement were contacted to help identify the current state of the art in their respective fields as they relate to the standards. Six members of this group met as part of an environmental design conference to discuss these issues, and identify where consensus was and was not possible.

### Literature Review

A thorough review was conducted of scientific and professional literature in several areas related to the standards - particularly focusing on crowding and setting size issues.

## Results

### Survey

#### Survey Design

The survey was design to be quick, simple and straightforward. It asked some background questions about the respondent (position, experience, etc.) followed by the primary question asking which standards, if any, should be changed; why, and how they should be changed.

#### Sample Design

A sample of 1627 corrections professionals was drawn from a population of 5401 of the ACA Membership directory and the membership of the AIA Committee on Architecture for Justic. A stratified random sampling strategy was chosen, so that responses could be obtained from all critical ACA constituencies. That is, the population was divided into 16 groups (i.e., maximum-adult, maximum-juvenile, medium-adult, medium-juvenile, etc.). Within each group a sample to received the mail survey was randomly chosen.

The sample size was 50% for most groups, 10% for the largest single group (Adult Local Detention Facilities), and 100% for several very small groups (see Table 1). The sample groups included architects and designers, state corrections administrators, and administrators from state and local corrections facilities at all levels of security and for adult and juvenile inmates. A follow up post card was sent 2 weeks after the survey to remind recipients to return the completed survey.

#### Respondent description

##### Response rate

Twenty-three percent of the surveys were completed and returned. Return rates varied across the sample groups, from 14% through 59% (see Table 2).

##### Who responded

##### Professions

The respondent group was largely composed of persons describing themselves as full time corrections professionals. 71% indicated they were in corrections management, 37% said they were in corrections operations, 33% worked in corrections programs, 30% were in corrections planning, 19% were in corrections design, 12% said they were in law enforcement, 5 were in research and 2% were

lawyers<sup>1</sup> (see Table 3).

#### Job Titles

Most of those who responded were chief facility administrators, such as Wardens, Jail Administrators, or Directors. Other categories represented included agency directors, assistants to administrators, accreditation directors, or people involved directly in design (see Table 4).

#### Settings

Many of the respondents currently work in positions in which they are involved in more than one type of facility. 61% indicated they were working with/in Adult Correctional Institutions, 29% in Adult Local Detention Facilities, 15% in Adult Community Service Facilities, 14% each in Juvenile Training Schools and Juvenile Detention Facilities, 6% in Juvenile Community Residence Facilities, and 6% in Parole Authorities (see footnote <sup>1</sup>) (see Table 5).

#### Experience

Our sample represents a group with a great deal of correctional experience. The average time working in corrections related areas is almost 15 years, ranging from one month to 36 years of experience (see Table 6).

Most of our sample indicated that they use the ACA standards quite frequently. The largest number (30%) use them weekly. 84% use them at least several times per year. 6% of the sample say they have never used the standards (see Table 7).

The sample also rated themselves as being knowledgeable about the standards. 88% rated themselves as knowing the scale very well, well or somewhat, while 3% said they did not know the standards at all (see Table 8).

#### How standards are used

Most of our sample (52%) make use of the standards in managing facilities. Other major uses were in planning facilities (49%) and in operating facilities (46%). 35% have used the facilities in developing local standards, 28% in reviewing or

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<sup>1</sup> Percentages total more than 100% since categories were not exclusive and many respondents indicated more than one area of work.

accrediting facilities, and 18% have used them in bringing or defending a conditions of confinement lawsuit (see footnote 1) (see Table 9).

## Respondent attitudes

### Opinion scale

Overwhelmingly, the sample rated the ACA standards as being good and needing only minor revisions. 16% said they should not be changed at all, 60% recommended only minor changes, 18% felt some standards need major change, and 1% felt there were serious problems which needed fixing. None indicated that the standards were useless or harmful (see Table 10).

Opinions of standards across user groups. Opinions about the standards were remarkably consistent across the various groups of standards users were sampled. There were no significant differences among the groups on their opinion of the standards, or on their ratings of use and knowledge of the standards (see Table 11).

### Respondent views with respect to needed changes (see Table 12).

Approximately 100 of the respondents included open-ended comments on recommended changes in the standards. Most of the rest of the respondents either overtly indicated that no changes were needed, or left that section blank, suggesting the same by omission.

Most of the comments suggested that specific standards were too restrictive or too expensive to implement. These comments ranged across a variety of specific standards, but often had as a common thread the assumption that current conditions (overcrowding, limited budgets) made some standards (such as single rooms, 500 bed institutional capacity) unnecessary or impossible to meet.

A small group noted another view - that the standards have been a countervailing force to economic pressures which affect design and operational decisions, and should be kept as an ideal for institutions, rather than simply reflecting prevailing conditions.

Other general responses were that the content or format of many responses were confusing or inconsistent across the various standards

publications or that standards should be modified for the needs of different groups or special institution types (ie, different needs for older facilities).

The most commonly commented upon standards were for the standards concerning overall institution capacity, single or double rooms; and square footage requirements for rooms, living areas, exercise areas, etc.

Some typical comments included:

"I have concern that if you continually change the standards drastically, then the effectiveness of having them to begin with will be lost .. like shooting a moving target."

"The standards regarding the physical plant seem too general, and appear to be 'wouldn't it be nice', rather than 'this is what we have; does it meet the need of the inmate?' This holds true for cell size, exercise area, day room area, etc. There should be more flexibility."

"(You have) set up a vicious circle that is not in anyone's best interests. Rather than fund (standards-based facilities), the public will ignore them and there will be no standards... The ACA has an obligation to the taxpayers as well as the offenders."

**OVERALL FACILITY SIZE:** Many felt this standard was too restrictive. A common response was that 500 was not economically feasible or managerially necessary (others suggested that 500 should be held as a standard for new, but not older settings). Many felt that capacities of 600 to 1000 were acceptable. Others noted that with sufficient unit management, no capacity restriction was needed.

This is "an arbitrary standard. More selective use of design and programs will allow for larger, more cost effective institutions (both initial construction and life cycle operational cost)."

"(the standard) should allow for more than 500 inmates, but keep the spirit of that standard by saying they should be 'divided into separately managed units of no more than 500'"

**SLEEPING ROOM NUMBER AND SIZE:** Comments were that both restrictions to single rooms and room sizes were difficult to meet. Suggestions included reducing allowable single room sizes (to 50 or 60 sf), and allowing double celling. Some comments, on the other hand, were that 50 or 60 sf was not enough, or that those sizes should be directly related to out of cell opportunity (for instance, smaller room sizes might be acceptable if rooms were occupied only for sleeping).

Most felt that doubles rooms were undesirable but necessary because of crowding conditions. A small minority argued that, regardless of crowding, double rooms should be allowed because they were no managerial problems, or because they helped reduce suicides.

"Why is a 2 man cell area acceptable for the federal courts and not the standards?... (I am ) requesting a cell area square footage that is agreeable by the majority (of managers)"

"Many states are going to double-bunking for expediency to deal with overcrowding. ACA standards should not bend to these pressures and should remain as an example of ideal standards. It took many decades to get to the point of single cell occupancy and it is the lynch-pin of correctional reform."

In 2-9125 "the wording is confusing...creates the impression that housing 2 youths in a room results in non-compliance..."

"This one I feel strongly about ...jails (should) have a certain percentage of single cells. I rec 60% for jails and 90% for holding facilities....group occupancy is appropriate for potential suicidal inmates".

**CELL FACILITIES AND CONDITIONS:** Comments included requests to allow 'dry' cells, suggestions to



reduce the amount of information contained in this one standard.

Some respondents felt the standards should specifically allow double rooms, that ratios of showers/toilets per person were too restrictive, and that standards should vary by custody level and facility age.

"...when a toilet is placed in a sleeping room, any attempt to respond to the challenge of creating a 'homelike' setting (for juveniles) is impossible...for residents who have demonstrated the ability to cooperate with staff".

**SEGREGATION CELL FACILITIES:** Typical comments were that some required features (a stool, for example) were security hazards, and that room size requirements were too large or otherwise restrictive.

"Inmates conversing with one another in segregation would disrupt the general population"

"Our segregation rooms do not permit inmates to converse through outlets through the inner walls but they have access to needs through doors to their rooms. They are not totally isolated, but the standard seems to require the ability to have inner wall contact."

**DAY ROOMS:** Many felt this standard was restrictive. Some indicated space requirements for day areas were excessive (for example, day rooms were redundant spaces for work release). Some felt 35 square feet per inmate was excessive and should be varied as a function of other available spaces, off unit time, or number using at any one time.

"35 sf/adult is as generous as a country club for dayroom".

"Need at least 50 sf/inmate for activities."

**DORMITORIES:** Common responses were that dorms should be allowed for some groups, such as work release or minimum security (some would like to allow dorms for medium security). Many

respondents did not understand how the numbers allowed in dormitories were derived. For example, they wondered why 3-50 person dormitories were allowed, while 2 person rooms were not.

**INDOOR EXERCISE SPACE:** Some felt the amount of indoor exercise space required was inappropriate - that is should vary with climate, or be set for the number of inmates allowed to use that space at any one time.

**OUTDOOR EXERCISE SPACE:** Many felt the number of square feet specified was difficult to meet, for various reasons - because square footage didn't reflect usability for recreation, or use by number of inmates, or newer high rise facilities.

"What if in 500 bed facilities each group of 50 inmates had 1200 sf directly adjacent and accessible - but no area met the standard of 30'X50'. Technically this is a violation, but it is certainly better than one 30X50 area for all 500 people."

"I'd like to see the standard respond to actual and preferred use patterns by encouraging the development of easily managed, easily accessible small outdoor spaces near to both housing and other program areas to encourage their use. We don't bring all the kids out at once."

**OTHER:** There was considerable confusion over the meaning of some standards. Several noted the need for better indices and tables for easier and quicker reference to the standards. There were also problems about definitions. It is not clear that jurisdictions assign the same meaning as to terms such as medium and minimum security, or to unit management.

## Expert opinions

A group of correctional researchers and planners met for several hours to review and summarize the research literature and thier own experiences. They were able to reach consensus on the following issues:

- o Overcrowding is inevitable in the current justice environment. Standards should neither deny that reality, nor sanction abuse of the environment. Standards should recognize crowding by allowing relaxing of requirements on a temporary basis to meet emergency conditions.

This emergency overcrowding, however, should be tempered by increased facility resources (phones, tvs, staffing, etc).

- o On a regular basis, double celling should only be allowed:
  - o for lower security level inmates
  - o when used with a strong classification system
  - o and/or as part of an organized program (such as a reward for juveniles)
- o Cell areas are of little consequence for single rooms, except in the extreme. Cell areas for multiple rooms are more critical.
- o Allowable unit capacity depends upon the supervision system in place. Direct Supervision allows greater unit size (up to 60-70), while Indirect systems demand smaller inmate groups.
- o Allowable facility capacities depend upon level of decentralization. Decentralization can occur at several levels:
  - o mini-facilities - with a maximum capacity of 500, with separate management staff, and separate spaces for most programs and daily needs
  - o functionally autonomous living units
- o Group toilets and showers should be avoided - for privacy, safety, and efficiency reasons. Toilets should be provided in individual cells or separate rooms outside the cell. Showers should be provided in separate single rooms. Where existing facilities have group toilets or showers, partitions should be used to provide privacy screens.

- o If sleeping rooms do not have toilets, they should:
  - be unlocked
  - or, be on units which have constant staff presence (direct supervision)
  - or, where inmates are locked in rooms overnight, have a staff view of the inmate on 15' basis.
- o Each sleeping room should have a window with an outside view (external to the facility or internal to a courtyard).

## Literature Review - Summary

The literature review centered on research in the area of crowding - facility and cell size and population density. This was for several reasons. First, there is a large research base in this area. Secondly, these seem to be crucial questions for future standards. Third, the research in other areas directly relevant to these standards issues is lacking in amount and quality.

### Research on Crowding

There is a tremendous body of research in this area, a significant portion of which deals directly with institutions. The sophistication of this research has increased tremendously in the past few years. Much of the experimental work has been aimed at confirmation of significant effects of crowding on humans, and developing a conceptual model to explain the nature of crowding effects.

There is little research to date which provides the kind of fine grained level of analysis which would be needed to directly generate standards. The research does, however, provide a great deal of help in understanding how the design and management of an institution effects the level of stress and crowding experienced by inmates and staff.

One problem for both standards and research is that they tend to address those issues which lend themselves to easiest quantification and consideration (number per cell, square feet per person). Issues which are harder to formulate (e.g., quality of supervision, access to out of cell spaces), but which may be critical to the response to crowding, are often left out.

Our biggest challenge is not to modify and refine the numbers we have in current standards, but rather to find a way to deal with these subtler issues.

### ISSUES & DATA FROM RESEARCH ON CROWDING -

The non-institutional-based research has helped to develop conceptual frameworks which can explain and predict responses to crowding. These frameworks can help us understand the problem, and predict the impact the forthcoming changes. Some conceptual frameworks which are particularly useful here are:

1. Crowding can cause increases in the problems which come from other environmental stressors (i.e, noise, heat, etc.). Evidence from several sources suggests that

when these stressors are present, and in particular when there is little or no ability to regulate them, there are important negative effects. For example, when people experienced uncontrollable noise levels, they had, as an after effect, significantly less tolerance for frustrating situations than people who experienced the same level of noise, but had some ability to exercise control over the noise.

The two important points here are: A) the cause - uncontrollable stressors; and B) the effect - lowered frustration tolerance. In an institutional setting, the ability to regulate or adjust the level of a stressor might be obtained as easily as having a door to close to escape noise, or a vent/louvre to close to regulate air flow. Any situation which reduces the ability of inmates or staff to tolerate frustration should be considered critical in an institutional setting.

2. In human and animal research crowding effects can be related to the effects of competition over scarce resources. Competition tends to lead to the need to establish an ad hoc social order - a dominance hierarchy - often through aggressive behavior. The physically strongest get first claim on the most desirable resources. Crowding acts in two ways to increase aggression: 1) by increasing demand for resources, making them relatively more scarce; 2) by increasing the instability to social systems. These kinds of aggression-generated dominance hierarchies (pecking orders of the strongest and toughest) are not uncommon in institutions.
3. Lastly, and possibly most important from our perspective, has been the emphasis in the current research literature on the negative intra- and inter-personal effects of constant, unpredictable and uncontrollable social contact. This is related to the notion of uncontrollable physical stressors, noted above, but has special consequences because of the complexity and saliency of people as a source of stress.

This model of crowding effects, known as the social overload model, posits that people need to have some level of order over their social environment, in terms of being to predict social contact, and control their degree of involvement with others. Privacy has been defined as an attempt to regulate social interaction. People use a variety of means to regulate social contact, including maintenance of personal space and territoriality, and social norms and customs. When that

level of prediction and control is unavailable, they suffer stress and may become less socially cooperative.

One important illustrative study was conducted in university dormitories (Baum and Valins). Students living in dormitories identical in density, but varying in design, were studied. The primary design differences had to do with the number people with which any student came into contact. In the one dormitory in which students had little control over the frequency of unwanted interaction, students showed significantly more tendency to avoid others, be less cooperative and more competitive, and to be less tolerant of frustration.

The ability to control interactions can also be significant in correctional facilities. For example, Paulus, McCain and Cox found that the use of low wall cubicles in dormitories significantly reduced stress for some inmates, in some cases to levels equal to single rooms. These low walls provide inmates with an ability to reduce contact with others, and form an informal, but often powerful, barrier against unwanted intrusion.

#### Literature on Crowding within Correctional Settings

In general we agree with Toch (1985), that the key problems of crowding come from related effects such as:

1. Social instability. The high turnover rates in crowded facilities generate much of the kinds of problems noted above, such as reduced predictability and control, less ability to regulate privacy, and disruption of social hierarchies.
2. Changes in institution routine. There is a tendency to increase the amount of "warehousing", as time in cell increases, and program utilization decreases.
3. Staff-inmate interaction. The quantity and quality of staff-inmate interaction is reduced, as staff become preoccupied to the maintenance of order and basic living needs in crowded facilities.

## The Results of Crowding Research in Institutions.<sup>2</sup>

Spatial Density. Spatial density refers to the effects of spatial changes and constriction, usually measured by square feet (or meters) per person. In the non-institutional literature, spatial density changes have been found to affect perceived crowding, but not as powerfully as changes in numbers of people. In correctional setting there has been little affect found for differences in cell sizes on most measures of stress or behavior change, in single celled environments. Several studies have found some impact of changes in partial density on multiple celled settings.

This fits our conceptual models. If the primary source of stress comes from inability to have control over social and environmental conditions, single room size (except in the extreme), is not likely to be especially powerful.

The significance of room size, for single rooms, may be in the range of behaviors allowed. For example, is there room for movement, exercise, reading/writing, etc.? The required room space may be best generated by spatial and ergonomic studies of sizes and configurations needed to to meet required functions.

Room size is of more psychological importance, however, in multiple person spaces. In these settings, size, along with configuration, plays a significant role in determining the ability of inmates to keep minimum interpersonal distances from others and maintain a modicum of privacy.

### Social Density

Social density has been the subject of a great deal of attention, especially since numbers of inmates per room has been a concern of standards and court rulings. Research to date has mostly been along the lines of validating where there has (or has not) been a measurable effect of crowding on behavior, and how strong that affect is. There has been relatively little research yet which had addressed the mediating factors influencing these effects.

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<sup>2</sup> For a good review of this literature, see Paulus, P., McCain, G., & Cox, V. (1985) The effects of crowding in prisons and jails. In D.P. Farrington & J. Quinn (eds) Reactions to crime: The public, the polic, the courts and prisons. London: Wiley.



The results to date have not been surprising - for the most part - but they have been important in clarifying effects and issues. In general, these studies have looked at the effects of singles v. doubles v multiple cells (3 or more) v dorms (including open and cubicle dorms). The various measures used have included the perceptions of inmates, illness complaints, incident reports, suicides, psychiatric commitments and assessments of physiological stress (including blood pressure and various stress related chemicals which can be measured in urine samples).

The results have consistently shown single cells to be superior to most other arrangements on most of these measures. In general (and greatly oversimplified) it is probably fair to say that the greater number of persons per room, the greater likelihood of significant negative effects (2 per room, for example, is likely to be worse than 4 or 5 per room). Dormitories have consistently shown to be the most stressful situations for inmates.

Some research has suggested that the use of cubicles in dormitories, which provide partial partitions for inmate bed areas, significantly mitigates some of the negative effects of open dormitories. This seems to be a partial amelioration and more true for some measures than for others (it may ameliorate physiological stress responses more than illness complaints, for example).

These results relate in a fairly straightforward way to our conceptual models. When inmates must share space with others, they have less ability to regulate contact - to shut others out when they desire, and be only with those they wish to see. The greater the number, the greater the amount of unwanted contacts.

Cubicles partially relieve this stress by shielding out intrusions, as well as some noise. The control of cubicles on contact depends on others recognizing the boundary as a personal territorial threshold. Those who do not respect social norms and conventions may violate these norms also, reducing the usefulness of cubicles to regulate contact.

Unit size. Issues in considering unit size are similar to room social density. The relevance of unit size has grown as so-called podular designs have proliferated. A key issue for planners of direct or indirect podular facilities has been the number of inmates per living unit. In direct supervision

facilities, unit sizes range from 35 to 65. Indirect units are typically somewhat smaller, suggesting that planners and managers feel less able to comfortably manage larger numbers of inmates in these settings. Unit size may be especially critical for direct supervision programs, since their success depends heavily on the ability of staff to remain in constant contact with inmates.

There has been almost no data which look at the effects of different unit sizes, although there is no shortage of opinion. One study did observe changes on several direct supervision units between 48, 56 and 63 persons in 48 bed units. These changes generated significant differences in perceived crowding, sick call rates, and the behavior of inmates on the unit.

Institution size. Institution size is critical for planners and has especially powerful affects upon the economics of a facility. Again there is considerable, usually unsupported, opinion on appropriate institution size. There is in this case some relevant data from crowding research. Several studies have shown that as institutions increased in size (from 800 to 1600) measures such as psychiatric commitment and suicide rates increased from 4 to 10 times.

Unfortunately, these data are subject to several possible sources of confounding. For example, in the same years these population levels increased, states were "dumping" people out of mental hospitals. These ex-patients may have ended up in prisons, accounting for some of the reported changes.

Another issues which has been little addressed is the question of why size, in and of itself, should have an affect on individual behavior. The most common assumptions are that increased scale makes efficient management more difficult. Contact between top managers, middle managers and line staff may deteriorate.

Various strategies of decentralization (such as unit management, 'mini-jails') might mitigate such an effect.

Several number of studies have suggested that inmates who are younger and have more violent histories react more negatively (and with greater increases in violence) to overcrowding.

## Factors Other Than Population Density Which Relate to Crowding in Institutions

Design. The architectural design of a space may have a significant impact on the way in which population levels affect behavior (as in the dormitory studies noted above). In particular, we must ask about questions such as the amount and variety of private spaces available, access to those spaces, the quality of other facilities and elements (lighting, HVAC, control over physical settings elements (moveable chairs, switchable lights), and the amount of critical resources (tvs, telephones).<sup>3</sup> There is little available data, other than anecdotal on these variables.

Programs and Management. The operation of management and programs are critical to overall response to the setting. Is the facility managed through direct supervision? How well trained are the staff? What is the quantity and quality of staff-inmate contact? How good is management supervision of staff? What kinds of programs are available to inmates, and how much access to inmates have of these programs? Again, no formal studies have been reported which address these questions. Anecdotal experiences reported by several correctional managers suggest that direct supervision facilities are better able to cope with extreme overcrowding without catastrophic results. Several direct supervision facilities have enduring levels reported up to 200% of original capacity for long periods without major breakdowns in safety or security.<sup>4</sup>

Institution and Inmate Type. Is the facility a jail or prison (or juvenile facility, psychiatric facility, or other special designation). What is the security level of inmates? How old are the inmates? What is the nature of their charge?

### Implications

There are several broad summary statements which can be made of the research in crowding in correctional settings:

1. There is almost no empirical data which provides useful information on appropriate overall facility levels. Some data suggests that as facility sizes grow other problems may ensue (suicide rates, psychiatric

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<sup>3</sup> For a discussion of design factors and supervision styles see Wener, R., Frazier, W., and Farbstein, J. (1985) "Three generations of evaluation and design of correctional facilities". Environment & Behavior, 17,1,71-97.

<sup>4</sup> AJA 2nd Annual Symposium on Direct Supervision, 1987.

commitments, death rates), but these data confuse overall size and population rates beyond intended capacity.

2. There is considerable information supporting the notion that multiple bed rooms are detrimental to inmate health, stress, and other managerial and behavioral issues.
3. Multiple bed rooms (2 person through dormitories) seem to be more problematic for younger, more violent inmates and those with higher security classifications.
4. For minimum security inmates, low-wall cubicles seem to relieve some of the stresses of dormitories.
5. Except at extreme sizes, room area of single bed rooms does not seem to relate to important indices of inmate stress.
6. Area may be an important factor in double and multiple bed rooms.

### Summary Statement

The clearest overall summary statement of the results of our survey of the standards is that the standards are seen as fundamentally sound, useful, and leading the field to more positive correctional environments.

There is also clear sentiment that incremental improvements are possible and needed. Changes are seen as needed because:

- their complexity means that some fine-tuning is inevitable

- the complexity of the standards is a problem in and of itself, and attempts at simplifying and clarifying would be appreciated

- experience has shown where standards can be reasonably tightened or loosened without damaging environmental quality

- the reality of operating correctional settings has changed, because of severe overcrowding and/or budgetary problems

There is also some sentiment for a conservative approach, suggesting that frequent radical change will lead to a loss of credibility for and confidence in the standards.

It may be most apt to characterize the situation by saying that evolutionary change is critical to maintain the usefulness and timeliness of the standards, but that changes should be justifiable and made with care. Special attention should be given to providing standards which are clear, intelligible, accessible, and consistent across facility types and situations.

## Tables and Figures

TABLE 1 - SURVEY SAMPLE

CODE #	SAMPLE GROUP	TOTAL # IN	% SENT	# SENT	# UNDELIV.	NET DELIV.
01	AIA COMM	278.00	1.00	278.00	3.00	275.00
02	JAILS	3,147.00	0.10	314.00		314.00
03	STATE DIR-ADULT	59.00	1.00	59.00	2.00	57.00
04	STATE DIR-JUV	28.00	1.00	28.00	1.00	27.00
--						
05	MAX-ADULT	.			6.00	
06	MAX-JUV	.			0.00	
07	MED-ADULT	(05-16			1.00	
08	MED-JUV	TREATED			0.00	
09	MIN-ADULT	AS 1.			3.00	
10	MIN-JUV	SAMPLE			5.00	
11	CLOSE-ADULT	GROUP)			0.00	
12	CLOSE-JUV	.			0.00	
13	COMM-ADULT	.			1.00	
14	COMM-JUV	.			2.00	
15	ER/WR-ADULT	.			0.00	
16	ER/WR-JUV	.			0.00	
--						
	TOT 05-16	1,884.00	0.50	942.00	15.00	927.00
99	OTHER	5.00	1.00	5.00	0.00	5.00
<hr/>						
TOTALS		5,401.00	0.68	1,626.00	21.00	1,605.00

TABLE 2 SURVEY SAMPLE RESPONSE

TOTAL N = 356

CODE #	SAMPLE GROUP	# RETURNED	% OF TOTAL
01	AIA COMM	48	13.48
02	JAILS	44	12.36
03	STATE DIR-ADU	33	9.27
04	STATE DIR-JUV	16	4.49
05	MAX-ADULT	67	18.82
06	MAX-JUV	12	3.37
07	MED-ADULT	53	14.89
08	MED-JUV	5	1.40
09	MIN-ADULT	40	11.24
10	MIN-JUV	23	6.46
11	CLOSE-ADULT	4	1.12
12	CLOSE-JUV	0	0.0
13	COMM-ADULT	2	.56
14	COMM-JUV	0	0.0
15	ER/WR-ADULT	5	1.40
16	ER/WR-JUV	1	.28
99	OTHER	2	.56

TABLE 3 CURRENT PROFESSION

N = 116

RESPONDENT PROFESSION	#
CORRECTIONS MANAGEMENT	247
CORRECTIONS OPERATIONS	132
CORRECTIONS PROGRAMS	114
CORRECTIONS PLANNING	105
DESIGN	67
LAW ENFORCEMENT	44
RESEARCH	16
LAW	7
OTHER	10

TABLE 4 JOB TITLES

JOB TITLE	#	%
SUPERINTENDENT*	59.00	0.22
WARDEN*	29.00	0.11
ARCHITECT	27.00	0.10
JAIL SUPER.*	17.00	0.06
ACCRED COORDINATOR	16.00	0.06
ASST. TO DIRECTOR	14.00	0.05
JAIL ADMIN.*	11.00	0.04
SHERIFF*	11.00	0.04
CHIEF DEPUTY	10.00	0.04
PROGRAM DIRECTOR	10.00	0.04
COMMUN. CORRECTIONS	7.00	0.03
TEAM MANAGER	7.00	0.03
DIRECTOR*	4.00	0.02
SUPER. OF SECURITY	3.00	0.01
COUNSELOR	3.00	0.01
CORRECTIONS OFFICER	2.00	0.01
DIR OF DESIGN	2.00	0.01
ARCH. PROGRAMMER	1.00	0.00
DIV. COMMANDER	1.00	0.00
ARMY INTELL.	1.00	0.00
SECRETARY	1.00	0.00
OTHER ADMIN.	27.00	0.10

\* TOTAL HEAD ADMINISTRATORS = 131

TABLE 5 CURRENT CORRECTIONAL SETTING

TYPE SETTING	#	%
ADULT CORRECTIONAL INSTITUTION	216	.61
ADULT COMM. SERVICE FACIL.	52	.15
ADULT LOCAL DETEN. FACIL.	101	.29
PAROLE AUTHORITIES	22	.06
JUVENILE TRAINING SCHOOL	51	.14
JUVENILE DETENTION FACILITY	48	.14
JUVENILE COMMUN. RES. SERVICES	22	.06
OTHER	24	.06

TABLE 6 EXPERIENCE IN CORRECTIONS OF SAMPLE

A-26

N OF CASES	346
MINIMUM	0.130
MAXIMUM	36.000
MEAN	14.836
STANDARD DEV	7.544

TABLE 7 AMOUNT OF CONTACT WITH STANDARDS

	VALUE	COUNT	PERCENT
USE...			
VERY OFTEN (WEEKLY)	1.000	106	30.37
REGULARLY (MONTHLY)	2.000	86	24.64
OCCASIONALLY (SEV/YR)	3.000	105	30.09
RARELY (1/YR)	4.000	31	8.88
NEVER	5.000	20	5.73

N OF CASES	349
MINIMUM	1.000
MAXIMUM	9.000
MEAN	2.367
STANDARD DEV	1.219

TABLE 8 KNOWLEDGE OF STANDARD CONTENTS

	VALUE	COUNT	PERCENT
"I KNOW THE STANDARDS...			
VERY WELL	1.000	85	24.08
WELL	2.000	133	37.68
SOMEWHAT	3.000	95	26.91
LITTLE	4.000	29	8.22
NOT AT ALL	5.000	11	3.12

N OF CASES	353
MINIMUM	1.000
MAXIMUM	5.000
MEAN	2.286
STANDARD DEV	1.020



TABLE 9 HOW STANDARDS HAVE BEEN USED

MANAGING FACILITY	183
HELP PLAN/DESIGN	172
OPERATING FACIL	164
DEVEL/USE LOCAL STANDARDS	126
REVIEWING/ACCRED FACIL.	100
BRING/DEFEND COND OF CONFIN. SUIT	63
NO USE	35
OTHER	13

TABLE 10 RATING OF CURRENT STANDARDS

	VALUE	COUNT	PERCENT
"THE STANDARDS...			
SHOULD BE LEFT ALONE	1.000	56	16.57
SHOULD HAVE MINOR REVISIONS	2.000	203	60.06
SHOULD HAVE SOME MAJOR REVISIONS	3.000	60	17.75
HAVE SERIOUS PROBLEMS	4.000	4	1.18
SHOULD BE REPEALED	5.000	0	
OTHER COMMENTS	6.000	15	4.44
N OF CASES		338	
MINIMUM		1.000	
MAXIMUM		6.000	
MEAN		2.213	
STANDARD DEV		1.029	

TABLE 11 RATING OF STANDARDS BY RESPONDENT GROUP

	RATING OF CURRENT STANDARDS					MEAN	TOTAL N
	1	2	3	4	5		
1	3	27	13	0	-	2.48	48
2	12	22	4	0	-	1.90	44
3	6	22	4	1	-	2.00	33
4	4	8	3	0	-	2.18	16
5	11	36	12	1	-	2.18	67
6	2	5	4	0	-	2.50	12
G 7	6	34	9	1	-	2.25	53
R 8	2	2	1	0	-	1.80	5
O 9	4	27	4	1	-	2.26	40
U10	2	14	3	0	-	2.25	23
P11	2	2	0	0	-	1.50	4
12	-	-	-	-	-	-	-
13	0	2	0	0	-	2.00	2
14	-	-	-	-	-	-	-
15	1	1	2	0	-	3.00	5
16	0	0	0	0	-	6.00	1
99	1	1	0	0	-	1.5	2
TOT	56	3	60	4		15	376

TABLE 12 CHART OF COMMENTS ON STANDARDS

TABLE 12 COMMENTS ON STANDARDS  
(X=2-6 comments, XX=7 or more)

	THIS STANDARD IS...			
	EXCESSIVE	RESTRICTIVE	EXPENSIVE	UNREALIST
FACILITY CAPACITY		XX	X	X
CELL SIZE	XX	X	XX	
CELL AMENITIES		X		
DORMITORIES	X	XX		X
SEGREGATION	XX	X		
DAYROOM	X	XX		X
IN/OUTDOOR EXERCISE	X	XX	X	



**A SURVEY OF  
PHYSICAL CONDITIONS OF CONFINEMENT**

**A COMMITTEE REPORT ON  
THE COST EFFECTIVE  
CONDITIONS OF CONFINEMENT**

**STEPHEN A. CARTER, AICP  
CARTER GOBLE ASSOCIATES, INC.**

**JUNE 1988**

## PURPOSE OF THE REPORT

In an attempt to guide the decisions of correctional administrators, public officials, facility planners, and architects, the American Corrections Association (ACA) developed minimal standards for the physical plants of correctional facilities. Since the 1982 dissemination of the Second Edition of these standards, the renovation of many existing and construction of practically all new correctional facilities has involved the use of these minimum standards as a guideline for design. Even though the standards were expansive in establishing square footage allocations in inmate living areas and a few other selected facility components, the minimum physical plant standards left open for interpretation spatial allocations and physical conditions of confinement for large portions of a correctional facility.

The purpose of this document is to evaluate the experience of several correctional facilities constructed since 1982 that have followed the ACA physical plant minimum standards; been subjected to substantial overcrowding; and are considered generally representative of new prison design approaches. Based upon the experience drawn from these selected examples, some of the physical plant standards included in the 1982 edition (and subsequent revisions) should be redefined. Although a large portion of the nation's facilities involve existing institutions of all sizes, for the purpose of this evaluation, the focus has been upon the minimum standards impacting new construction.

The following points summarize the purpose of evaluating facilities constructed since 1982 as a part of the reconsideration of the physical plant standards of ACA.

1. The design experience of existing institutions can be analyzed as to how well they have:
  - a. satisfied the 1982 physical plant standards;
  - b. withstood overcrowding; and
  - c. provided for the expansion of the facility to accommodate growth.

2. The operational uses of spaces that influence the size requirements have been evaluated in light of:
  - a. the inmate living unit (cells and dayrooms);
  - b. central core functions, such as food and medical services; and
  - c. critical program areas, such as indoor and outdoor recreation.
3. The design experience of existing institutions constructed since 1982 in providing support spaces for a variety of inmate uses according to ACA standards and guidelines presented in the ACA-sponsored document, Design Guidelines for Secure Adult Facilities.
4. Define in spatial terms how well new facilities are designed to support the overcrowded population.
5. Use the results of the selected survey to offer new spatial guidelines for:
  - a. sleeping areas;
  - b. multiple-occupancy criteria;
  - c. facility size; and
  - d. support area sizes.

By using information drawn from actual operating and design experience of selected institutions, an overall test of how well the existing minimum standards for physical plant have fared and appropriate space guidelines for new areas can be offered based upon practical operating and design experience. The remainder of this report presents a summary of the data that was used to make recommendations regarding possible changes in the physical plant standards.

## SURVEY APPROACH AND DEVELOPMENT

In order to test how well the existing minimum standards have fared, a survey instrument was developed. A variety of facilities constructed since the second edition of the 1982 standards were targeted to receive the questionnaire. Several of the facilities had actually been designed prior to publication of the 1982 standards, yet were considered representative of well designed, state-of-the-art contemporary correctional facilities.

These facilities, a total of 28, included eleven local and county pre-trial detention facilities, fifteen State correctional institutions, and two Federal correctional institutions. The facilities surveyed ranged in capacity from 55 to 1,260 inmates.

The questionnaire was structured to request information from both the facility's manager and the architects of the facility. The facility managers were to respond to operational questions, such as length of time allocated to inmate dining and maximum number of inmates allowed in an area at one time. The architect was asked to respond to design-related questions, such as net square footage assignments, etc. The questions did not seek "quality of life," but rather factual and quantifiable information.

In order for the survey to be useful in analysis, responses from both the facility manager and architect needed to be received. As necessary, telephone follow-up calls were made to gain complete responses. Also, any responses needing clarification were addressed in these calls. In a few cases, the facility manager called for explanation or clarification of a question.

Of the 28 facilities and architects solicited, ten facilities and their architects responded, as well as one additional facility manager. The responses included four local or county level facilities, five State institutions, and one Federal institution. Attempts to gather additional responses by telephone were unsuccessful.

The response rate of 36 percent included the entire range of facilities surveyed, in terms of size and jurisdiction. However, seven of the responding facilities were designed for 450 inmates and over. The three remaining facilities were so diversified, in terms of size alone, that no correlation between these facilities could be achieved. Therefore, the reported results of the survey are based on seven responses, or a 25 percent response rate. While this response rate is somewhat disappointing, it is felt that, generally, the findings from the seven selected facilities are typical of contemporary correctional facility design and operation.

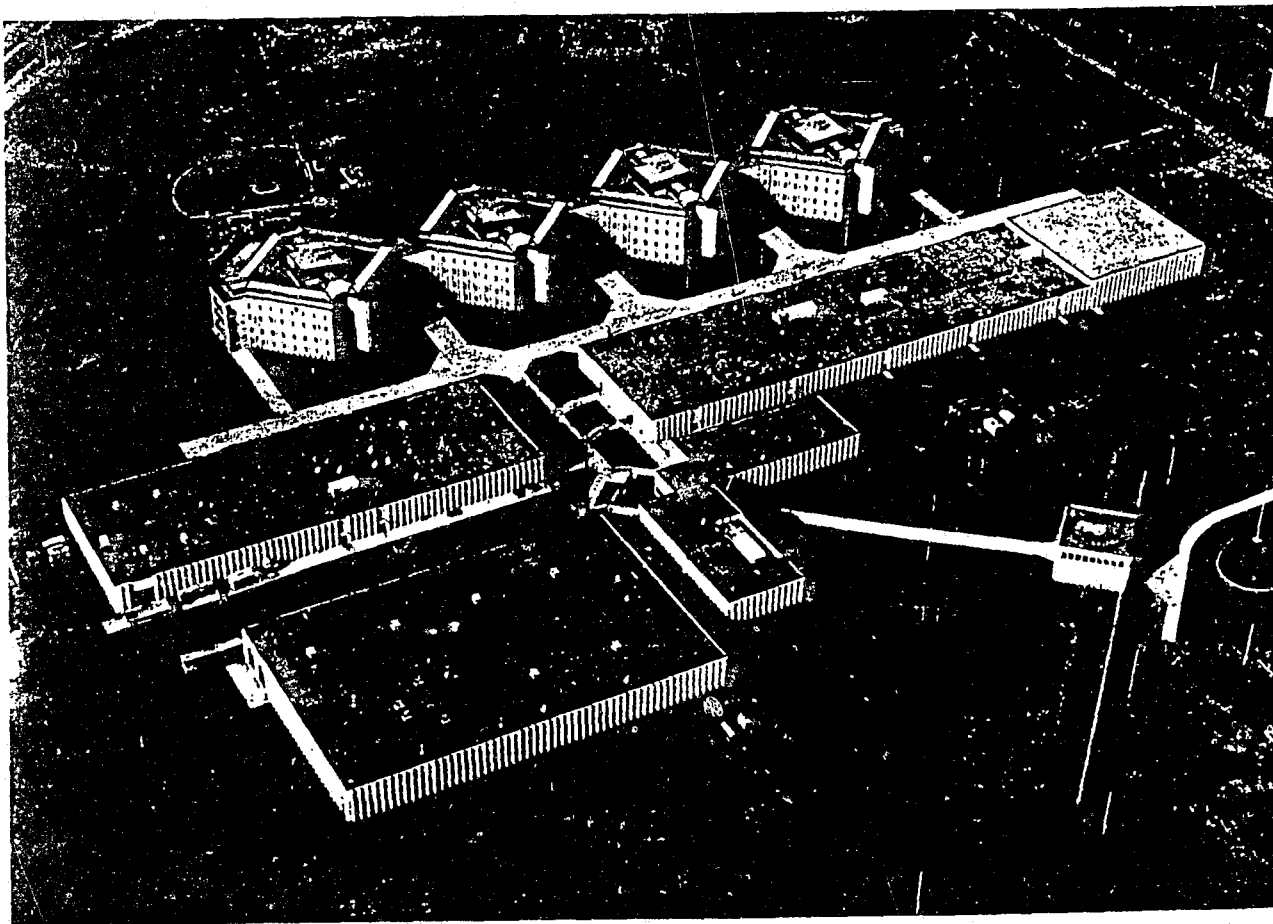
The following section presents brief descriptions of the facilities which responded to the survey.

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- An aerial architectural rendering of a proposed new hospital building. The main structure is a large, multi-winged complex with a central courtyard. It is surrounded by extensive parking lots and landscaped areas with trees. A road or highway runs along the bottom and right sides of the site. The drawing is in a high-contrast, black-and-white style, typical of early 20th-century architectural plans.

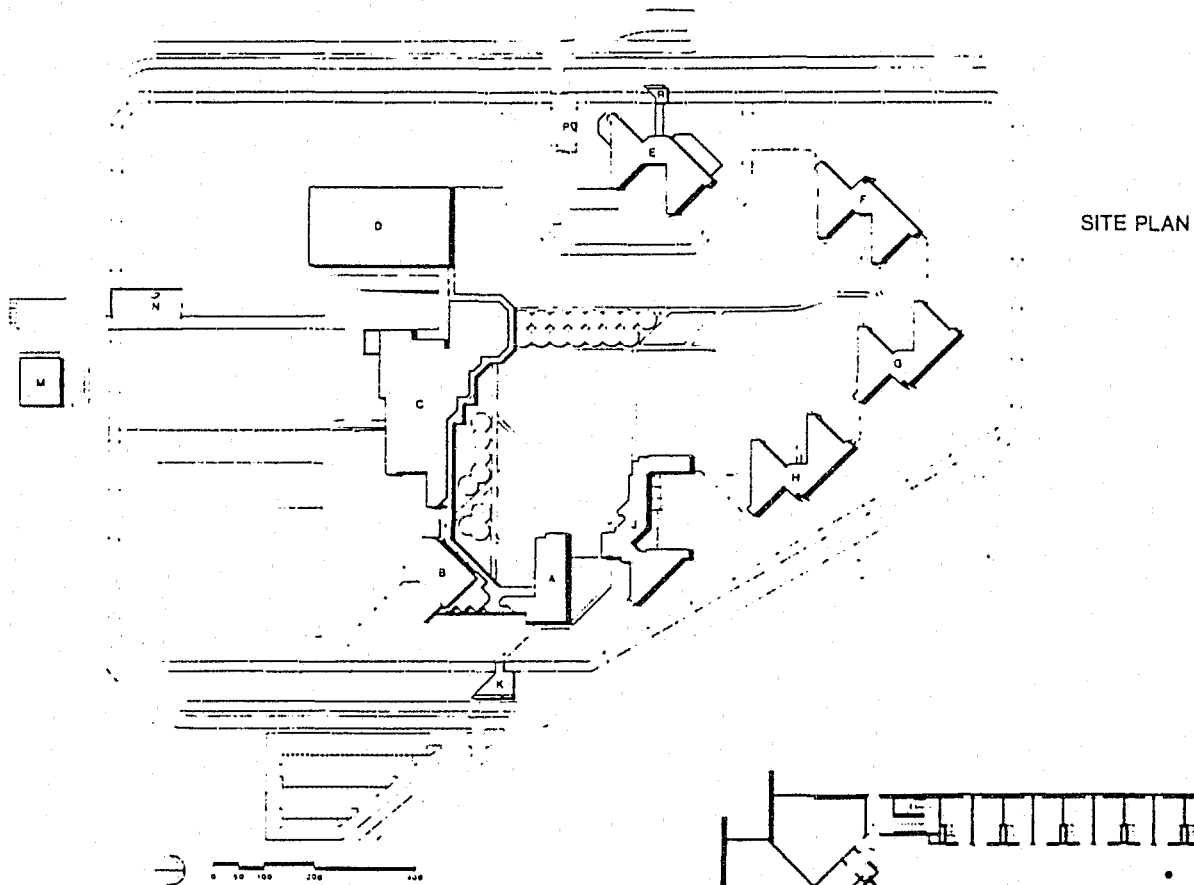




- Buckingham Correctional Center, is a 512-bed Virginia Department of Corrections facility located in Dillwyn. The facility opened in 1982 as the first of VaDOC's rapid development prototype facilities. The facility employs 370 staff and housed an average daily population of 712 inmates in 1987. The housing units consist of 32-cell units in four-level buildings of four housing units.

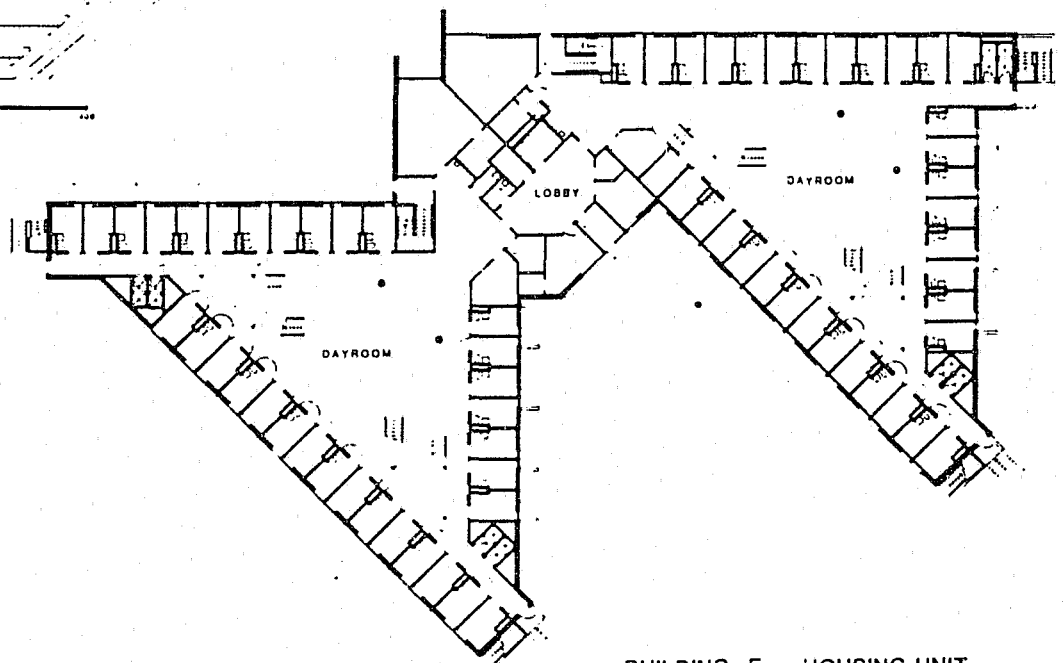


- o Federal Correctional Institution, in Phoenix, Arizona, opened in 1985 providing 518 cells. The institution operates under the direct supervision and unit management approach with 258 staff. In 1987, the facility had an average daily population of 950 inmates, consisting of both sentenced and pre-sentenced offenders.

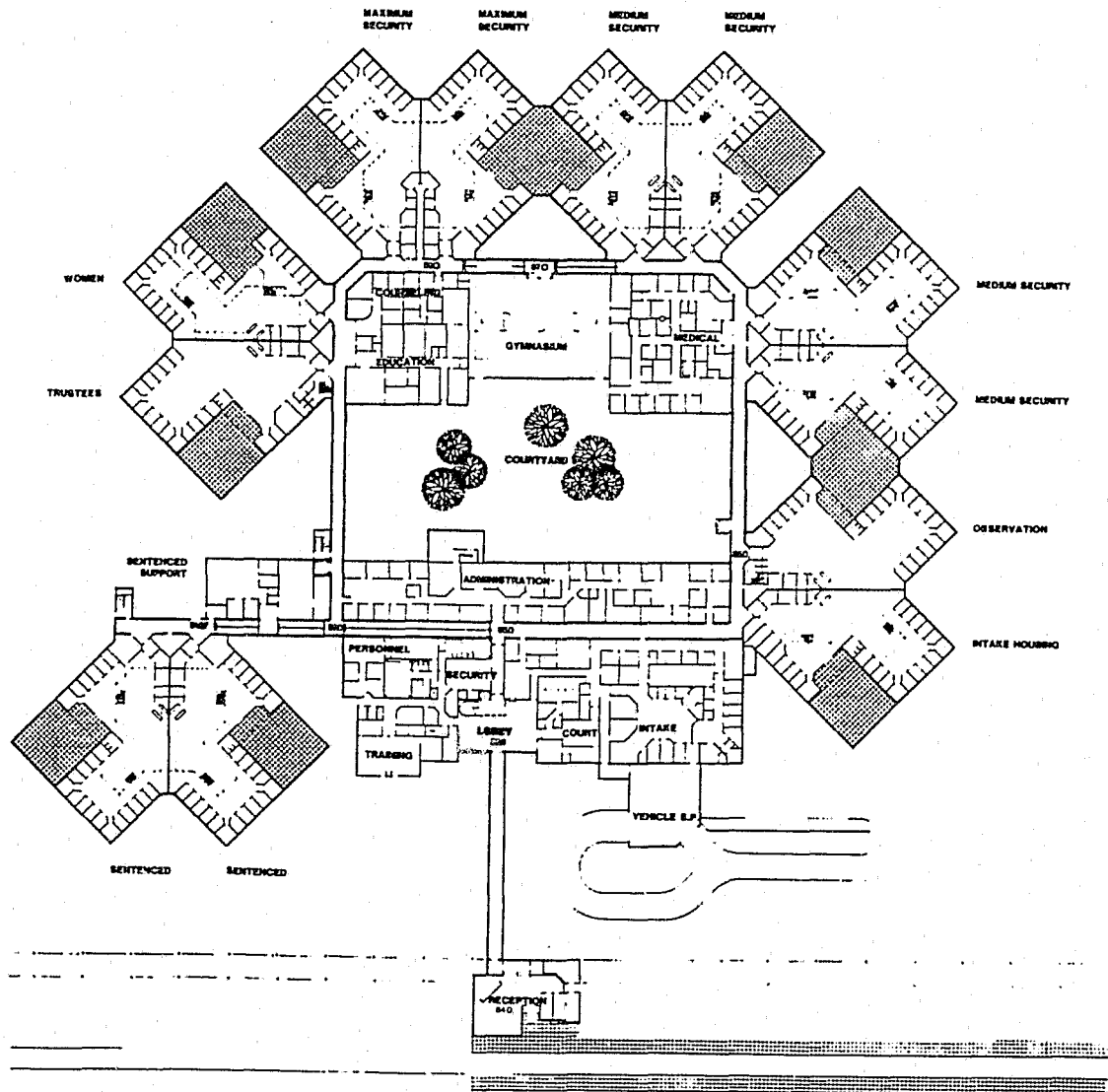


**KEY**

- A: ADMINISTRATION INMATE PROCESSING MEDICAL
- B: VISITING
- C: EDUCATION RECREATION DINING
- D: PRISON INDUSTRIES BUILDING
- E: SPECIAL HOUSING UNIT
- F: HOUSING UNIT
- G: HOUSING UNIT
- H: HOUSING UNIT
- I: RECEPTION / DETENTION UNIT JAIL UNIT
- J: RECEPTION
- K: WAREHOUSE
- L: VEHICULAR TALLY PORT / GUARDHOUSE
- M: VEHICULAR TALLY PORT / GUARDHOUSE
- N: SPECIAL HOUSING UNIT CONTROL BUILDING

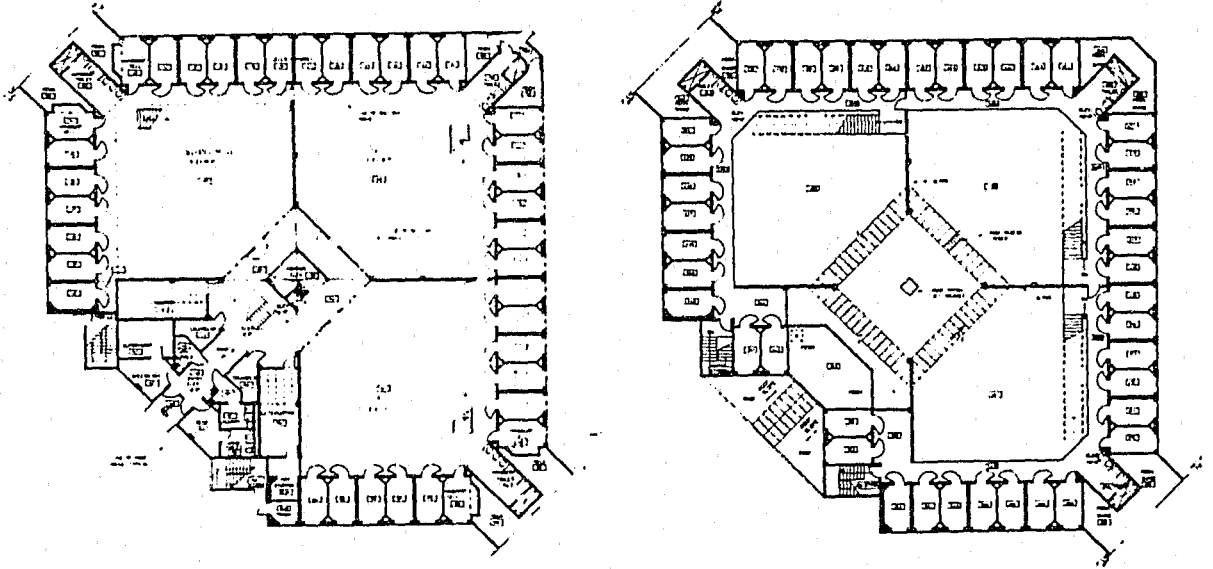


- Prince George's County Correctional Center, located in Upper Marlboro, Maryland, is a 594-bed pre-trial facility which opened in 1986. The facility operates under a direct supervision concept and consists of twelve 48-bed housing modules of multiple inmate classifications. The facility operates with 318 staff, and had an average 1987 daily population of 829 detainees. This number has increased to more than 1,000 thus far in 1988.

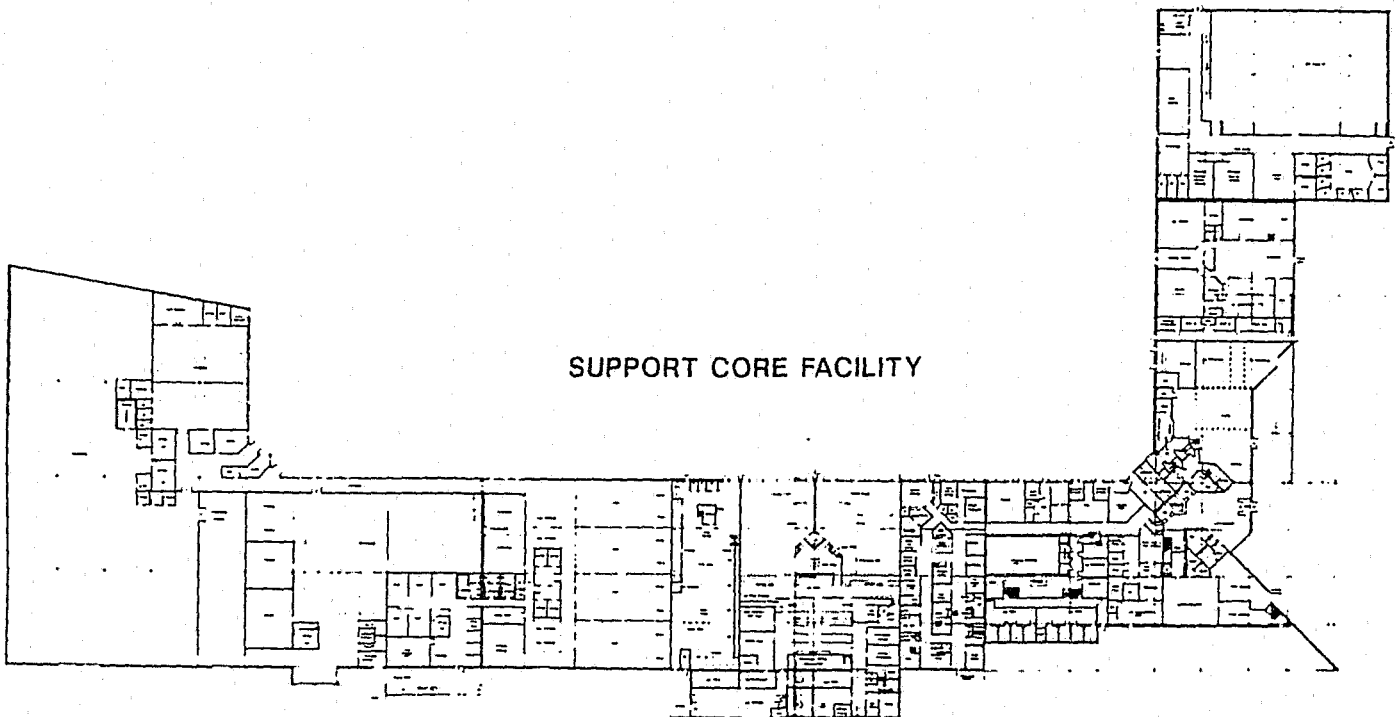


FIRST FLOOR PLAN

- Arkansas Valley Correctional Facility is a 740-bed medium security facility operated by the Colorado Department of Corrections, located in Ordway. The facility opened in 1987 and employs 291 staff. The housing units consist of 36-cell modules on three levels sharing a common dayroom. The facility currently has an average daily population of 800 inmates.



HOUSING LEVELS

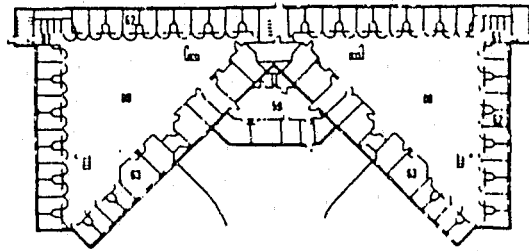


SUPPORT CORE FACILITY

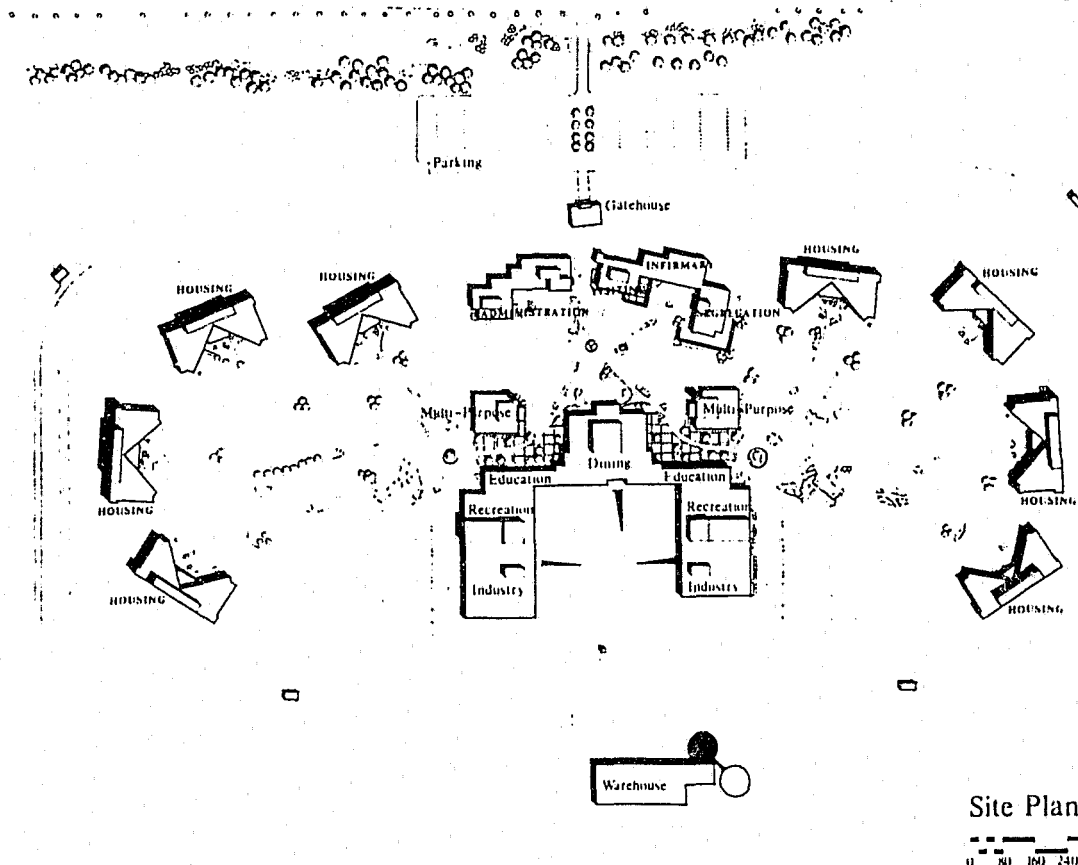
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- Chillicothe Correctional Institution 2, operated by the State of Ohio Department of Rehabilitation and Corrections, is a 1,260-bed medium security facility which opened in 1986. The facility operates under a unit management approach and is functionally divided into two sub-institutions sharing common core support services. The housing units consist of 63 cells on two levels and are direct supervised. The facility reported a 1987 average daily population of 1,077 inmates and employs 359 staff.



HOUSING UNIT



- ° The three remaining responses came from Belknap County Correction Center in New Hampshire, Stearns County Law Enforcement Center in Minnesota, and Cochise County Jail in Arizona. Due to the size of these facilities and the lack of responses from other county facilities, information regarding the design and operation has not been included in this report.

## INMATE LIVING AREAS

The results of the survey of selected facilities were compiled according to inmate living, program services, support services, and administrative components. Seven of the facilities surveyed were used to analyze spatial and operating data as a basis of testing the existing ACA standards and making recommendations for possible refinements.

In this section of the report on physical conditions, data regarding the design and operation of the inmate living areas, including cells and the dayroom is presented. This information was drawn from the completed surveys of the seven selected facilities, of which all but one are State sentenced institutions. One facility, Prince George's County, was included in the analysis since it consists of approximately 600 cells and is constructed and operated much like a State institution.

### General Characteristics

Of the seven surveyed facilities, three were designed to specifically meet the "500 inmate" recommended standard for facility size. However, as of the 1988 survey, only one of the seven facilities was operating under this standard. Two of the facilities, Shawnee and Chillicothe, were designed for approximately 1,000 inmates. At the present time, four of the seven facilities are operating with an excess of 1,000 inmates.

The average net square footage of the surveyed facilities is approximately 230,000, which increases to approximately 315,000 gross square feet (including circulation, wall thicknesses, and other non-assignable areas). The average design capacity is approximately 700, while the operating capacity for these facilities has been defined on average as 960. This is an indication that the correctional administrators have confidence in the area available to accommodate a more than 30 percent increase in the operating capacity above the design capacity of the institution.

In Table 1, a summary of some of the pertinent general data drawn from the survey is presented. On average, the facilities are currently approximately 118 percent over the design capacity. This was generated by dividing the 1987 average daily population of the facilities by the stated design capacity. Thus far, the 1988 population in all the facilities has exceeded the 1987 ADP.

For the most part, the facilities are efficiently designed, as reflected in the ratio of net assignable square feet to the total gross square feet in the facility of 73 percent. Some of the facilities, such as Phoenix FCI have a very high net-to-gross space ratio (85.3 percent) which reflects a high percentage of outdoor, rather than indoor, circulation.



Table 1

## GENERAL SIZE CHARACTERISTICS OF SURVEYED FACILITIES

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
DESIGN CAPACITY	450	500	518	594	740	896	1,260	708.3
OPERATING CAPACITY	450	725	923	1,140	940	896	1,652	960.9
TOTAL GROSS SQUARE FEET	294,286	220,000	309,216	255,960	253,607	322,362	540,000	313,620.1
TOTAL NET SQUARE FEET	208,943	162,800	263,800	154,600	201,393	209,535	399,205	228,610.9
TOTAL STAFF	300	370	258	318	291	402	359	297.1
% OVERCROWDED	100%	142%	183%	140%	108%	118%	85%	118%
EFFICIENCY RATIO*	70.9%	74.0%	85.3%	60.4%	79.4%	64.9%	73.9%	72.8%
STAFF TO DESIGN RATIO	1:1.5	1:1.4	1:2.0	1:1.9	1:2.5	1:2.2	1:3.5	1:2.4
STAFF TO OPERATING RATIO	1:1.5	1:2.0	1:3.6	1:3.6	1:3.2	1:2.2	1:4.6	1:3.2

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1983

\* The efficiency ratio is the ratio of net square feet to total square feet.

In contrast, the Prince George's facility is approximately 60 percent efficient, due primarily to its reliance upon interior corridors for circulation.

On average, approximately 297 total staff have been assigned to the operation of these facilities. The ratio of total staff to design capacity ranges from one staff to 1.5 inmates in the Columbia facility to one staff person to 3.5 inmates in the Chillicothe facility.

Approximately 323 net square feet per inmate represents the area assigned to all functions. This increases to approximately 443 gross square feet per inmate when all non-assignable area is also included in the total space allocation.

In the remaining portions of this report, information drawn from the operation and design of these facilities will be used to analyze various facility components. Each of these facilities reflects a "state-of-the-art" approach to facility design and operation. All of the facilities are characterized by decentralized housing units, ranging in size from 32 to 66 cells around a single dayroom. While a number of these facilities currently are operating above these original design criteria, none are involved in any litigation regarding the conditions of confinement in living units.

### **The Housing Unit**

The housing unit is described as the cell, dayroom, and support spaces that are immediately associated with the inmate living area.

From the survey instrument, the average dayroom supported 50 cells, and the average institution was comprised of 14.3 individually identified dayroom clusters. While the original design was based on an average of 50 cells per dayroom, current operating experience reflects the assignment of approximately 68 inmates to these individual dayrooms. The greatest majority of cells are dedicated to inmates classified as medium custody.

The average size of a general population cell where the inmates are out of individual confinement units for more than ten hours per day is 75.7 net square feet. The average housing unit module for cell, dayroom, and immediate support areas is approximately 3,800 net square feet. Of this amount, approximately 2,750 net square feet (or an average of 55 net square feet per inmate) is dedicated to the dayroom areas. The living unit support areas, which generally include unit manager's office, counselors, storage, showers, and other related spaces average approximately 25 net square feet per inmate (or approximately 1,250 total net square feet within the housing unit).

Combining the area assigned to the inmate sleeping space, dayroom, and housing unit support areas, the average facility provides 155 net square feet per inmate in the inmate living unit. At this amount of area, the overcrowding that has occurred in practically all of the surveyed facilities has been more easy to tolerate from a spatial point of view.

Table 2 presents a summary of the living area characteristics for selected facilities. In this table, the average amount of out-of-cell and out of housing unit time is presented. In medium custody housing units, the average inmate spends at least 14 hours per day out of the cell. This is reduced to nine hours of out-of-cell time, on average, for inmates in housing units classified as maximum custody. Of the approximately 14 hours per day out-of-cell time in medium custody housing units, 9.3 of those hours were spent out of the cell and dayroom areas and in centralized support functions within the facility.

One of the most crowded facilities included in the survey is the Phoenix Federal Correctional Institution. In this institution, an average of 15 hours out-of-cell time, of which eight hours is out of the living unit, is provided the general population inmate each day. Having a large portion of centralized space available has helped to offset the crowded conditions in the living units. In contrast, another extremely overcrowded facility—Prince George's County—is currently operating at approximately twice the design capacity. This facility averages making available 11.5 hours per day of out-of-cell opportunities. However, very little out-of-housing unit opportunities are provided since the inmates are not yet adjudicated and movement within the facility is held to a minimum.

All of the facilities provide substantial centralized inmate program areas which has helped to meet the spatial demands during times of extreme overcrowding.

The one space that is the most frequent recipient of overcrowded activities is the dayroom. In Table 2, it was determined that, on average, 57.9 square feet per inmate was designed for those facilities within which inmate dining occurs in the dayroom. For those institutions that have central dining, the average dayroom size was 53.7 net square feet per inmate. Under the current overcrowding conditions, taking into account the average daily population in 1987, the average space available per inmate in dayrooms that include inmate dining is 39 square feet. This number, while reflecting the crowded condition that is occurring in dayrooms still exceeds the recommended 35 square feet per inmate through the ACA/ACI standards.

In Table 3, summary information is presented on the size and staffing responses of the selected facilities in the inmate living areas. All of the facilities surveyed have been based upon definable management units of 32 to 66 inmates grouped around a single dayroom. In most instances, two dayrooms are co-located, providing a total housing unit size of from 64 to 132 individual cells.

Table 2

## INMATE LIVING AREA CHARACTERISTICS FOR SELECTED FACILITIES

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
<u>HOUSING MODULE SIZE</u>	50	32	66	48	36	56	63	50.1
- # HOUSING MODULES	9	16	10	12	21	16	16	14.3
- # CELLS:								
. GENERAL MEDIUM CUSTODY	—	480	525	480	726	896	1,008	685.8
. MAXIMUM/MEDIUM CUSTODY	384	—	—	96	—	—	—	240.0
. SEGREGATION	50	32	81	48	16	30	40	42.4
. SPECIAL OBSERVATION	16	—	2	7	—	3	2	6.0
. FEMALE	—	—	—	48	—	—	—	48.0
. MINIMUM	—	—	—	24	—	—	252	138.0
<u>NET SQUARE FEET ALLOCATED</u>								
- GENERAL POPULATION MEDIUM CELL	80	84	84	70	72	70	70	75.7
- SEGREGATION OR SPECIAL OBSERVATION	80	84	115	70	90	30	—	76.5
- NSF CELLS/HOUSING MODULE	4,000	2,688	5,544	3,360	2,592	3,920	4,410	3,787.7
- DAYROOM	2,778	1,809	3,000	2,900	1,733	3,157	3,893	2,752.9
- OTHER HOUSING MODULE SPACE	1,467	—	1,532	766	897	1,297	1,530	1,248.2
<u>CUSTODY ASSIGNMENTS (# INMATES)</u>								
- MINIMUM	5	18	10	87	70	445	252	126.7
- MEDIUM	40	214	37	831	854	601	1,242	545.6
- CLOSE	—	—	856	4	16	—	—	292.0
- MAXIMUM	405	500	20	152	—	18	—	219.0
- ADP/LAST YEAR	450	712	950	829	800	1,055	1,077	839.0
<u>OUT-OF-CELL TIME (IN HOURS)</u>								
- GENERAL MEDIUM POPULATION	10	10	15	11.5	15	18	17.5	13.9
- MAXIMUM	10	10	15	1	—	—	—	9.0
- SEGREGATION	1	1	1	—	1	—	1	1.0
- SPECIAL OBSERVATION	—	0.25	1	11.5	—	—	1	3.4
- FEMALE	—	—	—	11.5	—	—	—	11.5
<u>OUT-OF-UNIT TIME (IN HOURS)</u>								
- GENERAL MEDIUM POPULATION	8	10	8	0.3	10	14	15	9.3
- MAXIMUM	8	10	—	0.3	—	1	—	4.8
- SEGREGATION	—	1	—	—	1	—	—	1.0
- SPECIAL OBSERVATION	—	0.25	—	—	—	1	—	0.6
- FEMALE	—	—	—	0.3	—	—	—	0.3
<u>DAYROOM ACTIVITIES PERMITTED</u>								
- TELEVISION	YES	YES	YES	YES	YES	YES	YES	—
- DINING	YES	NO	NO	YES	NO	NO	NO	—
- CARDS	YES	YES	YES	YES	YES	YES	YES	—
- AEROBICS/WEIGHT LIFTING	NO	NO	NO	YES	NO	NO	NO	—
- BILLIARDS	NO	NO	YES	NO	NO	NO	YES	—
- PING PONG	NO	NO	NO	NO	NO	NO	YES	—
- OUTDOOR RECREATION ADJACENT TO HOUSING UNIT	YES	YES	NO	YES	NO	NO	NO	—

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

Table 3

## SUMMARY OF SIZE AND STAFFING RESPONSES IN INMATE LIVING AREAS OF SURVEYED FACILITIES

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
<u>INMATE LIVING AREAS</u>								
- DESIGN CAPACITY	450	500	516	594	740	896	1,260	708.3
- OPERATING CAPACITY	450	725	923	1,140	940	896	1,652	960.9
- ADP - 1987	450	712	950	829	800	1,055	1,077	839.0
<u>CELL SIZE NSF</u>								
- GENERAL MEDIUM	80	84	84	70	72	70	70	75.7
- SEGREGATION/SPECIAL OBSERVATION	80	84	115	70	80	70	-	83.2
- DESIGN UNIT SIZE # CELLS	50	32	66	48	36	56	63	50.1
- OPERATION UNIT SIZE # CELLS	50	46	118	92	46	56	83	68.0
- DAYROOM SIZE	2,778	1,809	3,000	2,900	1,733	3,157	3,893	2,752.9
- DESIGN NSF PER INMATE	56	57	45	60	48	56	62	54.9
- OPERATIONS NSF PER INMATE	56	39	25	32	38	56	47	40.5
<u>STAFFING RESPONSE</u>								
- # OFFICERS 1ST SHIFT	2	5	1	2	2	4	2	2.6
- # OFFICERS 2ND SHIFT	2	6	2	2	3	4	2	3.0
- # OFFICERS 3RD SHIFT	1	4	1	1	2	3	1	1.9
- IN DAYROOM?	YES	YES	YES	YES	YES	YES	YES	
Four (4) of the facilities have correctional officers in the dayroom all three shifts, 24 hours. of the other three (3) facilities, three (3) have officer in dayroom second shift; one additional facility has officer in dayroom third shift.								

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

This approach assumes a decentralized approach to population management for security and program reasons. In addition to the square footage provided for the dayroom and individual cells, on average, an additional 1,250 net square feet per dayroom area has been provided for non-sleeping and non-dayroom type activities.

Using the information reflected in Table 3, the dayrooms of the surveyed facilities are 65 percent larger than those required under the ACA/ACI criteria. The individual cells average approximately 76 net square feet per inmate and, generally speaking, the housing units are operating at 118 percent of the original design capacity. For those approximately 12 cells within a typical 50-bed housing unit that are double-bunked under current operating conditions, the average net square feet per inmate in those double-occupied cells is 38.

One of the conditions that has allowed the new facilities to accommodate the overcrowding is the high percentage of out-of-cell opportunities. By making larger space available for inmate activities both at the housing unit and centrally, the overcrowding in the individual cells has been able to be accommodated thus far. Most of the facilities surveyed established an overcrowding level based upon an operating capacity which averages approximately 136 percent of the original design capacity.

### **Program Areas**

As has been stressed thus far, one of the unique differences in many of the facilities constructed during the 1980's as compared with those institutions of an earlier generation is the design and operational attention given to centralized program and support areas. Approximately 56 percent of the space provided in the facilities surveyed is dedicated to program and support areas. While many of the institutions have experienced severe overcrowding in the housing units, the availability of this high percentage of support space has helped reduce stress in the inmate living units.

In Table 4, the various components that comprise the program areas within an institution have been analyzed. These components include academic, vocational training, library, visiting, counseling, prison industries, and recreation spaces and activities. The following summarizes some of the findings taken from the survey regarding the responsiveness of the facilities to meeting program opportunities and requirements.

Table 4

## SUMMARY INFORMATION REGARDING PROGRAM AREAS IN SURVEYED FACILITIES

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
<b>ACADEMIC EDUCATION</b>								
- # CLASSROOMS	20	7	6	5	3	12	22	10.7
- NSF CLASSROOMS	8,000	2,064	2,140	1,928	1,676	9,268	11,660	5,248.0
- NSF OTHER ACADEMIC	2,400	991	1,298	414	1,056	2,706	4,862	1,961.0
- TOTAL NSF ACADEMIC	10,400	3,055	3,438	2,342	2,732	11,974	16,522	7,180.4
- # INMATES IN CLASSROOM	25	12	15	10	20	15	30	16.7
- HOURS CLASSROOMS OPERATE	6	6	11.5	4	9	5.5	6.5	6.9
- NSF/CLASSROOMS	400	295	357	386	559	772	530	490
<b>VOCATIONAL TRAINING</b>								
- # VOCATIONAL CLASSROOMS/LABS	5	7	4	3	6	7	2	4.9
- NSF VOCATIONAL TRAINING	13,680	4,414	5,632	1,148	12,420	24,320	18,426	11,434.3
- # INMATES IN VT CLASS	20	12	15	10	15	14	15	14.4
- HOURS CLASSROOMS OPERATE	6.2	6	11.5	7	6	5.5	6.5	7.0
- NSF/VOC. LAB	2,736	631	1,408	383	2,070	3,474	9,213	2,333.0
<b>LIBRARY</b>								
- NSF LIBRARY/LAW-LIBRARY	3,840	1,893	1,962	1,100	2,460	3,582	2,358	2,456.4
- # HOURS OPEN WEEKLY	6	5	11.5	4	7	5.5	10	7.0
- # HOURS OPEN ON WEEKEND	6	—	8.5	—	—	3	10	6.9
- # INMATES IN LIBRARY	25	40	25	20	15	30	80	33.6
<b>VISITATION</b>								
- NSF CONTACT VISIT	7,056	3,100	3,115	1,200	4,748	2,301	7,208	4,104.0
- NSF NON-CONTACT VISIT	576	225	—	1,320	102	220	321	460.7
- NSF VISITOR PROCESSING	980	575	900	1,364	704	3,493	1,998	1,430.6
- NSF INMATE PROCESSING/VISIT	348	270	80	1,400	586	1,192	244	445.7
- NSF VISITATION SUPPORT	13,440	6,275	593	756	619	1,927	945	3,507.9
- MAX# VISITORS IN NON-CONTACT	—	5	—	3	4	1	4	3.4
- MAX # INMATES IN NON-CONTACT	—	5	—	3	4	1	1	2.8
- MAX # VISITORS IN CONTACT	60	240	60	12	225	100	275	138.9
- MAX # INMATES IN CONTACT	30	80	60	12	75	28	55	48.6
- % INMATES WHO RECEIVE A VISIT	5	8	6	23	23	5	4	10.9
- # VISITING HOURS	6	6.5	7.5	10	5.5	9	6	7.2
<b>COUNSELING</b>								
- NSF COUNSELING	2,784	7,520	1,180	182	728	4,467	9,828	3,812.7
- # INMATES @ RELIGIOUS SERVC.	60	250	150	15	300	50	200	146.4
- # INMATES @ GROUP COUNSELING SESSIONS	10	15	12	15	20	25	20	16.7
<b>INDUSTRIES</b>								
- NSF INMATE INDUSTRIES	24,750	39,224	45,418	2,280	28,597	29,631	43,008	30,415.4
- # INMATES @ PRISON INDUSTRIES	22	65	400	10	—	21	280	133.0
- # HRS INDUSTRY PRODUCTION	36.25	35	40	40	—	37.5	30	36.5
<b>RECREATION</b>								
- SF OUTDOOR RECREATION	409,464	422,532	130,000	23,040	72,464	392,040	413,820	266,194.3
- ACRES IN OUTDOOR REC.	9.4	9.7	3.0	0.5	1.7	9.0	9.5	6.1
- # INMATES IN OUTDOOR REC.	100	309	400	120	500	200	150	254.1
- NSF INDOOR RECREATION	9,400	4,328	8,376	6,585	15,180	11,350	26,970	11,741.3
- # INMATES IN INDOOR REC.	75	—	40	40	250	125	100	105.0
- HRS. INDOOR REC. AVAILABLE	6	8	3	7.5	8	5.5	10.5	6.9

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

**Academic Education.** On average, assuming a single operating shift for use of the classroom areas, 21 percent of the average daily population participated in academic education activities. Many of the institutions offered multiple shifts for academic education and, therefore, an even higher percentage of the average daily population had access to academic training.

The individual classrooms represent approximately 73 percent of the total space dedicated to academic education. The remaining 27 percent is dedicated to support spaces, such as teachers' offices, storage, and conferencing areas. On average, the institutions provided 10.7 classrooms for academic education. This ranged from three classrooms in the Arkansas Valley facility to 22 at the new Chillicothe institution. The average size of a classroom was 490 net square feet, which is slightly smaller than a typical classroom for a high school environment. However, the average number of inmates in the classroom was less than 20, while a typical high school environment generally accommodates 30 or more students.

On average, the classrooms were available to inmates for educational training approximately seven hours per day. In institutions like the Phoenix FCI and the Arkansas Valley facility, longer hours of operation for academic training have been made available. Both of these institutions are experiencing overcrowding levels in excess of 110 percent.

**Vocational Training.** The typical vocational training laboratory exceeds 2,000 net square feet. Based upon the average number of inmates that participated in vocational training (14.4 per classroom), and the average hours of operation per day (7), approximately 8.4 percent of the average daily population participate in vocational training. This percentage could be substantially higher if two shifts of vocational training are offered, as is the case in several of the institutions. From the survey, it is obvious that the number of inmates per vocational training laboratory is held to a relatively low number to offer higher levels of instruction. On average, approximately five vocational labs are provided for each facility. This ranged from two very large vocational training laboratories at Chillicothe to seven classroom size type laboratories at the Buckingham, Virginia facility.

**Library.** On average, the libraries are open approximately 2,200 hours per year. Based upon the 1987 average daily population of these institutions, and the average number of inmates allowed in the library at one time, each inmate would have available approximately 90 hours of access to the library space each year. This translates to slightly less than two hours access time per inmate each week.

The average size of the general and law libraries is approximately 2,500 net square feet. With only two exceptions, all of the institutions



provided inmate access to the libraries on weekends as well as weekdays. During both weekends and weekdays, the libraries averaged being open approximately seven hours per day. In both the Phoenix and Chillicothe facilities, the hours of opening of the library have been extended to 11.5 and 10.0 hours per day, respectively.

**Visitation.** On average, approximately 10,000 square feet has been dedicated to all of the visitation functions in the new correctional facilities. This includes the visit room, visitor processing, and visitation support spaces. Approximately 370 inmate hours per day have been made available for visitation for the present average daily population. The ratio of visitors to inmates for contact visitation is approximately three to one. The average number of persons in a contact visitation room at one time is approximately 190, or 22 net square feet per person.

**Industries.** Approximately 16 percent of the average daily population participates in industry programs, but in medium custody institutions such as Phoenix FCI and Chillicothe, more than 34 percent of the inmate population participate in industries. Excluding the Prince George's County facility, which by virtue of its mission has very limited industry space, the average industry production area is approximately 35,000 square feet (or 225 net square feet per inmate participating in the industry program). The industries offered an average of 36.5 production hours per week.

**Recreational Services.** The institutions provide an average of 6.1 acres for outdoor recreation which are used by approximately 254 inmates at a given time. This ranged from 100 inmates at a single time at the Columbia facility, to an average of 500 in outdoor recreation at one time in the Arkansas Valley facility.

Each institution provided an average of approximately 11,700 net square feet for indoor recreation activities. This ranged from a low of approximately 4,300 square feet at the Buckingham facility, to the two gymnasium arrangement at Chillicothe of approximately 27,000 square feet. On average, the facilities reported having approximately seven hours per day available for indoor recreation, and 105 inmates participating in indoor recreation activities at a single time. The facilities reported a total of approximately 2,500 indoor recreation hours available per year and, given the present reported use of indoor recreation, approximately 60 hours of indoor recreation per inmate per year is available. This translates to slightly more than one hour of indoor recreation available per inmate per week.

## Support Services

While the ACA/ACI standards have provided insight into the operation of support functions (such as Dietary, Health Services, and Laundry), spatial guidelines have not been identified. In the survey, every attempt was made to determine the amount of space that is dedicated to support functions and to determine the extent to which this space has met the design and operating capacity of the facilities.

The ability of a facility to absorb population in excess of its design capacity, to a large extent, is dependent upon the adequacy of the support service areas. The following is a summary of the findings from the survey regarding the size and operational implications of support functions.

**Dietary.** The dietary functions generally consisted of the inmate dining rooms, food preparation, and food preparation support areas. On average, a total of approximately 20,000 net square feet is dedicated to these functional sub-components of the dietary service.

The average inmate dining room size is approximately 4,000 net square feet, and most of the facilities surveyed provided two inmate dining spaces. The time allotted for serving each meal is approximately 1.6 hours, or 96 minutes. This indicates that even under the crowded conditions, the space in the inmate dining area has been sufficient to allow the inmate population a reasonable amount of time to eat.

On average, the food preparation and support spaces represent twice the area dedicated to inmate dining. On average, each inmate dining room serves approximately 200 inmates during a single 96-minute timeframe.

The food preparation component provides substantial work opportunities for inmates with an average of approximately a 100 inmate cadre participating in the food service function. The average number of civilian food service personnel per institution was approximately eleven.

**Health Services.** In all of the facilities surveyed, health services was provided in a centralized function. The average combined clinic and infirmary areas represent approximately 7,400 net square feet. Based upon the survey information, 5.4 percent of the average daily population of the institution participate in sick call at a centralized function each weekday.

The average ward was eight beds, and an average of four individual rooms were provided. The total of 12 infirmary bedspaces represents 1.7 percent of the design capacity of the facility. These beds, on average, are 35 percent utilized, which may be a reflection of the benefits of single occupancy cells reducing the demand for infirmary bedspaces.

**Laundry.** The institutions reported that the average inmate requires approximately seven pounds of laundry per week. Based upon the square footage reported by the institutions, this converts to 1.8 pounds of laundry per square foot of laundry area. The survey also found that the average inmate worker in the laundry area is responsible for approximately 115 pounds of laundry per day. Using this information, one cadre worker can meet the laundry needs of 16 inmates each day.

**Maintenance.** The facilities provide, on average, three maintenance shops. A total of 12.6 civilians and a 29 inmate cadre form the average maintenance team of an institution. This translates to one civilian maintenance person per 25,000 gross square feet of space. When the inmate cadre are assigned to the civilian workforce, the average maintenance person has the responsibility for approximately 7,500 gross square feet of facility.

The maintenance shops generally were sized slightly in excess of 2,000 net square feet each.

**Warehouse.** The warehouse facilities averaged approximately 13.7 net square feet per inmate based upon the design capacity of the facility. The institutions provided slightly under 10,000 square feet for the central warehouse functions. This represents approximately 4.2 percent of the total net square feet in the facility.

Table 5 summarizes the information regarding the support functions of the facilities.

### **Administrative and Security Services**

While the ACA/ACI does not provide any spatial standards concerning the central and security administrative components of a facility, lack of adequate spaces in these areas can affect the efficient operation of a facility. The information reported in the survey instrument found that an average of approximately 6,500 net square feet is dedicated to the central administrative functions of the correctional facilities. Approximately 34 staff are required to carry out the central administrative functions of the facilities. The administrative staff to average daily population ratio is one to 24. This represents 9.7 percent of the total staff of the facility. The space dedicated to central administrative functions represents slightly less than three percent of the total net square feet in the facilities.

Table 5

## SUMMARY INFORMATION REGARDING SUPPORT FUNCTIONS IN SURVEYED FACILITIES

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
<b>DIETARY</b>								
- NSF FOOD PREPARATION	7,344	2,944	3,000	2,922	3,787	8,800	3,526	4,617.6
- NSF CENTRAL INMATE DINING	—	260	4,050	—	4,238	9,010	14,432	6,398.0
- # INMATE DINING ROOMS	—	2	1	—	2	1	2	1.6
- NSF FOOD PREP SUPPORT	14,544	10,126	7,200	4,854	4,429	14,450	7,300	8,986.1
- # HRS FOR DINING	0.3	3.5	0.75	3	0.3	1.5	1.5	1.6
- # CIVIL FOOD SERVICE PERSONNEL	7	8	12	5	14	15	15	10.9
- # INMATE CADRE IN FOOD SERV.	25	48	120	48	105	115	231	98.9
- # INMATES IN CENTRAL DINING	—	260	180	—	130	400	500	294.0
<b>HEALTH SERVICES</b>								
- NSF CLINIC	3,800	2,434	5,580	3,120	3,469	14,446	2,731	5,082.9
- # CONVALESCENT ROOMS	5	2	3	6	1	3	8	4.0
- # BEDS IN WARD	—	6	—	10	—	12	4	8.0
- NSF INFIRMARY	1,900	465	3,580	3,648	838	4,000	1,809	2,320.0
- # FTE MEDICAL PERSONNEL	8	13.5	14	13	14	30	15	15.4
- # SICK CALL INMATES	25	55	41	53	42	40	60	45.1
- # INMATES IN MEDICAL AREA/SINGLE TIME	10	10	25	20	25	20	40	21.4
- # INMATES IN INFIRMARY	—	—	0.74	10	—	5	1	4.2
<b>LAUNDRY</b>								
- NSF LAUNDRY (CENTRAL)	2,304	1,008	2,400	1,380	4,445	4,526	5,989	3,150.3
- # CIVIL LAUNDRY STAFF	—	—	1	—	2	1	3	1.8
- # INMATE CADRE IN LAUNDRY	9	15	10	5	12	3	15	9.9
- # LBS PER WEEK-LAUNDRY	6,250	8,000	7,375	25,920	4,824	3,000	4,429	8,542.6
- # LBS PER INMATE/WEEK	14	11	8	31	6	3	4	10.0
<b>MECHANICAL/MAINTENANCE</b>								
- NSF CENTRAL ENERGY	49,440	2,856	1,443	5,500	3,803	—	8,299	11,890.2
- # MAINTENANCE SHOPS	6	1	10	1	1	1	1	3.0
- NSF MAINTENANCE SHOPS	8,000	5,000	11,540	900	3,225	5,883	8,064	6,087.6
- # CIVIL STAFF IN MAINTENANCE	10	18	14	11	10	12	13	12.6
- # INMATE CADRE IN MAINTENANCE	22	23	75	10	28	18	23	29.1
<b>COMMISSARY</b>								
- NSF COMMISSARY, STORE, CANTEEN	2,300	640	1,268	1,036	832	2,415	3,456	1,706.7
- NSF CENTRALIZED/WAREHOUSE STORE	7,560	2,972	9,797	2,592	11,186	13,455	20,160	9,674.6

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1968

Table 6

## SUMMARY INFORMATION REGARDING CENTRAL ADMINISTRATION AND SECURITY SERVICES IN SURVEY FACILITIES

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
<u>CENTRAL ADMINISTRATION</u>								
- ADMINISTRATION NSF	5,866	3,394.6	6,392	4,148	2,970	5,265	17,522	6,508.2
- # ADMINISTRATION STAFF	10	85	34	61	16	12	23	34.4
<u>SECURITY SENTENCED</u>								
- NSF-CONTROL SALLY PORT	2,769	196	1,105	1,500	607	5,670	579	1,775.1
- MAXIMUM # STAFF IN CENTRAL CONTROL	3	2	3	2	6	5	4	3.6
- NSF SECURITY ADMINISTRATION	900	581	976	1,444	1,154	3,141	16,745	3,563.0
- # SECURITY ADMINISTRATION STAFF	14	7	124	7	6	9	6	24.7
- NSF STAFF SUPPORT	3,016	3,632	3,348	4,972	1,728	4,233	2,420	3,335.6
- NSF BOOKING/INTAKE	825	201.6	2,720	6,424	1,280	3,014	2,748	2,458.9
- NSF PAROLE HEARING	585	426.7	360	-	285	220	862	456.5
- MAXIMUM # STAFF IN MUSTER ROOM	40	80	16	35	60	60	52	49.0
- % OF TOTAL STAFF IN MUSTER ROOM	13	37	6	11	26	15	14	10.0
- MAXIMUM # STAFF IN TRAINING ROOM	25	20	1	50	45	25	40	29.4

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

Space dedicated to security administration averaged approximately 3,500 square feet. This includes the central control room and its related operational center, muster area, staff lockers, training rooms, and other types of spaces that are primarily dedicated to the security operation of the facility.

The staff muster room averaged being used by 49 persons at a time and represents approximately ten percent of the total staff in the facility.

The booking and intake functions varied widely between the various facilities. The one pre-trial facility—Prince George's County—provided the highest square footage for the intake function, since as a pre-trial facility this space will receive much higher utilization than a sentenced institution. Leaving this facility out of the total, the average amount of space dedicated to the inmate intake area in the sentenced institutions is approximately 1,800 net square feet.

#### Summary of Spatial Information

While it may not be feasible for ACA to provide specific space standards for each component of a correctional facility, guidelines based upon the design and operating experience of facilities constructed in recent years could be helpful to other jurisdictions in the planning of new facilities or substantial renovations to existing institutions. In Tables 7 through 10, each of the major components of the seven surveyed correctional facilities is presented according to the following:

1. Net square feet based upon design capacity;
2. Net square feet based upon operating capacity; and
3. Net square feet based upon actual identified use of a functional area.

In Table 7, the average net square feet provided in a new facility is 350 per inmate. As can be seen from Table 7, this ranges from a low of 228.5 net square feet in the pre-trial Prince George's facility, to a high of more than 417 net square feet per inmate in the recently opened Columbia facility in Wisconsin. Within each functional component, broad variations are apparent. However, for the most part, the range of net square feet per inmate in the design capacity of facilities has been relatively narrow. Some notable exceptions to this are prison industries, where the range is from four to 88 net square feet per inmate for the difference between a pre-trial county and large Federal facility.

Table 7

## NET SQUARE FEET PER INMATE BY FUNCTIONAL AREAS BASED ON DESIGN CAPACITY POPULATION

FUNCTIONAL AREA	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
DESIGN SITE	450 BEDS	500 BEDS	518 BEDS	594 BEDS	740 BEDS	896 BEDS	1,260 BEDS	
ADMINISTRATIVE	13	7	12	7	4	6	14	9.75
SECURITY SERVICES	18	10	16	24	7	18	16	17.0
INDOOR RECREATION	21	9	16	11	20	13	21	14.3
ACADEMIC	23	6	7	4	4	13	13	10.0
VOCATIONAL	30	9	11	2	17	27	15	13.0
LIBRARY	9	4	4	2	3	4	2	4.8
VISITING	16	21	9	11	9	10	9	14.3
COUNSELING	6	15	2	0.5	1	5	8	5.9
INDUSTRIES	55	78	88	4	39	33	34	56.3
FOOD PREPARATION	32	20	20	13	11	26	9	21.3
CENTRAL DINING	-	1	8	-	6	10	11	4.5
MEDICAL	13	6	18	11	6	21	4	12.0
LAUNDRY	5	2	5	2	5	5	5	3.5
MAINTENANCE\WAREHSE	35	16	41	6	19	22	22	24.5
CANTEEN\COMMISSARY	5	1	2	2	1	3	3	2.5
CELLS	80	84	84	70	72	70	70	79.5
DAYROOM	56	57	58	59	49	56	62	57.5
TOTALS	417	346	401	228.5	273	342	318	350.4

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

Table 8

## NET SQUARE FEET PER INMATE BY FUNCTIONAL AREAS BASED ON OPERATING CAPACITY POPULATION

FUNCTIONAL AREA	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
OPERATION SIZE	450 BEDS	725 BEDS	923 BEDS	1,140 BEDS	940 BEDS	896 BEDS	1,652 BEDS	
ADMINISTRATIVE	13	5	7	4	3	6	11	7.3
SECURITY SERVICES	18	7	9	13	5	18	12	11.8
INDOOR RECREATION	21	6	9	6	16	13	16	10.5
ACADEMIC	23	4	4	2	3	13	10	8.3
VOCATIONAL	30	6	6	1	13	27	11	10.8
LIBRARY	9	3	2	1	2	4	1.5	3.8
VISITING	16	15	5	4	7	10	7	10.0
COUNSELING	6	10	1	0.2	0.8	5	6	4.3
INDUSTRIES	55	54	49	2	31	33	26	40.0
FOOD PREPARATION	32	18	11	7	9	26	7	17.0
CENTRAL DINING	—	0.7	5	—	5	10	8	2.9
MEDICAL	13	4	10	6	5	21	3	8.3
LAUNDRY	5	1.5	3	1	4	5	4	2.6
MAINTENANCE\WAREHSE	35	11	23	3	15	22	17	18.0
CANTEEN\COMMISSARY	5	0.7	1	1	0.8	3	2	1.9
CELLS	80	58	47	36	57	70	53	55.3
DAYROOM	56	39	33	31	39	56	38	39.8
TOTALS	417	242.9	225	118.2	215.6	342	232.5	252.2

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988



Table 9

## NET SQUARE FEET PER INMATE BY FUNCTIONAL AREAS BASED ON INMATE/STAFF USAGE

FUNCTIONAL AREA	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
INDOOR RECREATION	125	14	209	165	61	91	270	128.3
ACADEMIC	21	36	38	39	46	67	37	33.5
VOCATIONAL	137	53	94	38	138	248	614	80.5
LIBRARY	154	47	78	55	164	119	29	83.5
VISITING	78	10	26	50	16	18	22	41.0
INDUSTRIES	1,125	603	114	228	-	1,411	154	517.5
FOOD PREPARATION	454	233	77	147	69	179	44	227.8
CENTRAL DINING	-	7	26	-	37	23	29	16.5
MEDICAL	380	243	223	225	139	722	68	267.8
LAUNDRY	256	67	240	276	318	1,132	100	209.8
MAINTENANCE\WAREHOUSE	250	122	130	43	85	196	197	136.3
CELLS	80	59	46	50	66	59	82	58.8
DAYROOM	56	40	32	42	45	48	58	42.5

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

Table 10

## COMPARISON OF NSF ALLOCATED TO MAJOR FACILITY COMPONENTS BY DESIGN, OPERATING, AND INMATE USE CRITERIA

	COLUMBIA	BUCKINGHAM	PHOENIX FCI	PRINCE GEORGE'S	ARKANSAS VALLEY	SHAWNEE	CHILLOCOTHE	AVERAGE
<u>INDUSTRIES</u>								
- DESIGN	55	78	88	4	39	33	34	56
- OPERATING	55	54	49	2	31	33	26	40
- INMATE USE CRITERIA	1,125	603	114	228	-	1,411	154	518
<u>EDUCATION</u>								
- DESIGN	23	6	7	4	4	13	13	10
- OPERATING	23	4	4	2	3	13	13	8
- INMATE USE CRITERIA	21	36	38	39	46	67	38	41
<u>VISITATION: CONTACT</u>								
- DESIGN	16	21	9	11	9	10	9	14
- OPERATING	16	15	5	4	7	10	7	10
- INMATE USE CRITERIA	78	10	26	50	16	18	22	41
<u>CENTRAL DINING</u>								
- DESIGN	-	1	8	-	6	10	11	7
- OPERATING	-	1	5	-	5	10	8	6
- INMATE USE CRITERIA	-	7	26	-	37	23	29	24
<u>INDOOR RECREATION</u>								
- DESIGN	21	9	16	11	21	13	21	16
- OPERATING	21	6	9	6	16	13	16	12
- INMATE USE CRITERIA	125	14	209	165	61	91	270	134
<u>OUTDOOR RECREATION</u>								
- DESIGN	910	845	251	39	98	438	328	415
- OPERATING	910	583	141	20	77	438	250	346
- INMATE USE CRITERIA	4,095	1,367	325	192	145	1,960	2,759	1,549

SOURCE: Carter Goble Associates, Inc. Survey of Selected Facilities; May 1988

Within the inmate living areas represented by the cells and dayroom components, the square footage range is relatively narrow. The average of the facilities surveyed is 79.5 net square feet per inmate in the individual cells. Similarly, the dayrooms surveyed provided a range from 49 to 62 net square feet per inmate in the design capacity.

Present operating conditions have placed substantial demands on both the support and living unit areas of a correctional facility. In Table 8, the same information presented earlier in Table 7 is outlined based upon the currently defined operating capacity of the seven institutions. In this instance, the average net square feet per inmate is decreased from 350 to 252.

Although the net square feet available per cell drops to less than the 60 required by ACA/ACI standards, the dayroom still remains slightly in excess of the minimum requirement of 35 net square feet per inmate. This would indicate, as noted earlier, that the contemporary dayrooms have been designed more to accommodate the natural light in the cells grouped along exterior walls than simply satisfying the 35 square foot per inmate minimum standard defined through the ACA/ACI standards.

In Table 9, survey information defined the number of inmates or staff that used a particular area at a given point in time in terms of average square footage dedicated to certain functional areas by use. For example, the average amount of square footage provided for academic functions is 33.5 per inmate using the space at a given point in time.

Similarly, in the visitation area, the average area provided during visiting hours was 41 net square feet. This number is largely due to a higher percentage of area dedicated to visiting at the Columbia facility. As was presented earlier, in most of the contact visit rooms, approximately 22 net square feet per individual in the space was found to be the average provided in the institutions.

Again, based upon information reported in the survey, slightly more than 500 net square feet per inmate has been provided in the industry production areas. This ranges from a low of approximately 115 square feet to a high of 1,400 square feet between the Phoenix and Shawnee facilities.

In the inmate living areas, and particularly the dayroom, based upon current operating population, the dayrooms are providing approximately 42.5 net square feet per inmate, even in the overcrowded conditions. This well exceeds the recommended minimum standard of 35 square feet.

Finally, in Table 10, a summary of the design, operating, and utilization space factors are presented for comparative purposes among the major support functions of the facilities.

Although it may not be appropriate to develop individual space standards for each component within a correctional facility, information gained from the survey should be useful to the administrators and planners of

new institutions in defining general space guidelines for certain facility functions. This should provide some assurance to the administrators, by providing functional area allocations along the general ranges presented in the previous tables, that even in overcrowded conditions, the facility will be able to withstand the increase in population without a substantial loss in the conditions of confinement.

## CONCLUSIONS

Changing a dimensional standard for any building type usually sends "shock waves" through the various user and interpreter groups. Therefore, a change in physical plant standards for correctional facilities can have a substantial impact upon capital and operating costs. None the less, to meet the continuing demand for living area and support spaces for an increasingly more complex inmate population group, certain components of the 1982 ACA standards do require increased area allocations. The following summarizes the major components of a facility that should be studied in light of existing standards and possible revisions.

### Facility Size

While the present standards refer to a maximum facility size of 500 beds, in light of improved disaggregated and decentralized management approaches, the ultimate size of the facility should be defined in terms of the number of groupings of definable management clusters (suggested 256 beds). Most of the facilities included in the survey were operating in excess of the recommended 500-bed maximum size, but decentralized the inmate population to smaller (64 to 132 cell) housing cluster that also decentralized the span of control.

The central core of most of the facilities surveyed was adequately sized to accommodate the increase in inmates above the 500 "standard," without a substantial loss of the effectiveness or efficiency of the programs. Therefore, recognizing the well-documented benefits of decentralized management; the acceptance of management clusters for up to 256 inmates; and the more "gracious" support spaces that are being provided in contemporary correctional facilities, it is recommended that the standards redefine a facility size in terms of manageable units up to 256 inmates and provide general spatial guidelines for constructing the core facilities to support several groupings of up to 256 inmates.

### Inmate Living Areas

As has always been the case, the inmate living areas provide the "form-giver" of the correctional institution. Through the research, it was observed that an individual requires a minimum of a six-foot by six-foot area to define personal space in terms of ability to exercise, maintain separation from another inmate, and carry out certain required daily activities. In addition to this "free space," a minimum of approximately 18 square feet should be provided for the inmate bed. An additional six

square feet should be provided for a writing desk and seat. The "free" space, bed, and desk areas should be provided for each individual in the inmate living area (1 to 50). All beds should be at least 12 inches above the finished floor.

If the cell contains a toilet and lavatory fixture, an additional 10 square feet should be provided to properly accommodate the fixtures and minimum circulation space. If the space is shared by another inmate, an additional two to five square feet is desirable to provide a screen around the toilet fixtures for sanitation and privacy purposes.

If an inmate is to be confined within a single space for more than 10 hours per day, an additional 10 square feet of "bonus area" within the cell environment should be provided. This will accommodate more strenuous physical exercise while confined within the cell for longer timeframes.

Within the dayroom environment, space should be provided for a range of inmate activities. The research found that very few of the new facilities constructed since 1982 actually provided the 35 square feet per inmate in the dayroom. The greater majority of the facilities provided between 40 and 60 square feet per inmate in the dayroom. This is due, in large part, to the area that is created when cells are placed along exterior walls to gain natural light.

Recognizing the recent experience in correctional facilities in providing more than the 35 square feet per inmate, and the extensive use that dayrooms are being subjected to during overcrowded conditions, it is recommended that the existing 35 square foot per inmate standard serve as the baseline in designing inmate dayrooms. This 35 foot standard would be increased by 15 square feet if all dining activities occur in the dayroom.

A minimum dayroom size would be 100 square feet. Above this number, 35 square feet per inmate should be allocated for the maximum number of inmates using the space at one time. For example, in a 24-bed disciplinary segregation unit that allows only one inmate out of the cell at one time during the day, a minimum dayroom requirement would be 135 net square feet. In contrast, a typical general population 48-bed dayroom within which inmates would receive their meals, the minimum net square footage requirement would be 2,400 square feet (48 inmates times 50 square feet each) if all 48 are to use the space at one time.

It is recommended that ACA revise the present standards to recognize the operational uses of dayrooms and the space requirements associated with this variety of uses.

## Program and Support Areas

A major factor in the design and operation of a new correctional facility is the ability to provide adequate space and staff to conduct centralized program activities. Even in the more contemporary approach of decentralizing much of the management and programs to the housing unit, the need for centralized and larger program areas remains.

Rather than providing a specific space standard for program components, it may be more appropriate for ACA to develop design guidelines on a per square foot per inmate basis that will give administrators and planners ranges to use in the allocation of space to selected functional areas. For example, the survey found that the facilities averaged providing approximately 16 square feet per inmate in indoor recreational areas. Further, the survey identified an average of 134 square feet per inmate using the indoor recreation areas at a given point in time. With this type of information, the facility planner can present the administrator a range of space allocations based upon operational conditions, such as the anticipated number of inmates that will be in an indoor recreational area at a given time. This information could be supported by findings presented in the Design Guidelines for Secure Adult Facilities that also offer the planner spatial criteria for certain key functional components of an institution.

Using the information from the survey, the following summarizes space use guidelines for some of the major components of a correctional facility. Again, it is difficult to apply a guideline of net square feet per inmate, since in many of the centralized functions, the total inmate population of a facility would never occupy these spaces at one time. Therefore, a use factor is a better indicator of operational and design conditions.

- Industries. 300 to 500 square feet per inmate in the production area at one time.
- Classrooms. 35 to 40 square feet per inmate in a classroom at one time.
- Visitation. 18 to 25 net square feet per individual in a contact visiting room at one time.
- Central Dining. 20 to 25 net square feet per inmate in the central dining room at one time.
- Indoor Recreation. 100 to 150 net square feet per inmate in indoor recreation areas at one time.
- Outdoor Recreation. 500 to 1,000 net square feet per inmate participating in outdoor recreation at one time.

Due to the extensive construction of correctional facilities that is occurring in every state, a substantially expanded body of knowledge is available on the design and operational implications of a variety of types of facilities. While this survey research has provided information concerning seven "state-of-the-art" facilities, most of which would qualify for or are currently accredited facilities by ACA standards, additional research is necessary to provide more specific spatial guidelines in the centralized program and support service components of the facility.

The information gained during the course of this study tends to corroborate the intuitive feelings of many correctional administrators and planners that space is one of the greatest friends an institutional manager may seek during times of overcrowded conditions. A combination of the creative use of space and innovative management approaches can work to improve not only the efficiency, but the effectiveness of correctional facilities and their programs.



## A SURVEY OF SPACE AND OPERATIONAL INFORMATION TO DEFINE THE CONDITIONS OF CONFINEMENT

The purpose of this survey instrument is to capture quantitative information from Architects and Correctional Managers regarding the allocation and use of space in correctional facilities that have been constructed since the promulgation of the ACA standards for adult correctional facilities in 1982. These standards provided some quantitative measures regarding the size of cells, dayrooms, and recreational areas. The information that you provide will help ACA to evaluate if the existing 1982 standards are appropriate in light of current facility management practices and design solutions.

In the survey instrument, information is requested from design architects and facility managers. In completing the questionnaire, information should be offered according to your specific involvement in the facility as a designer or manager. Please do not attempt to fill out the requested information for the architect if you are a facility manager or vice versa.

### TO BE COMPLETED BY THE FACILITY MANAGER

1. What is the "design" capacity of the facility? \_\_\_\_\_
2. What is the "operating" capacity of the facility? \_\_\_\_\_

### FACILITY SUPPORT COMPONENTS

The purpose of this portion of the survey instrument is to define the square footage allocated to support components of the correctional facility and to determine the rate or extent to which these components are utilized by inmates. With your assistance, ACA will develop space guidelines to be used in planning the support components of future correctional facilities. A series of questions are asked regarding each of the major support components of a typical correctional facility.

## I. FACILITY ADMINISTRATION

This component is defined as those spaces dedicated to the overall administration of the facility. Typically, this area would include the Warden's or Facility Manager's office, central records, data processing, among others.

### To Be Completed By The Architect

1. The total net square footage assigned to all of \_\_\_\_\_ the spaces included within the Facility Administrative component. (Please include all spaces such as offices, secretarial pools, storage rooms, supply rooms, and open landscape circulation areas. Exclude all internal corridors within the Facility Administration component.)

### To Be Completed By The Facility Manager

1. The number of administrative staff assigned to \_\_\_\_\_ the Facility Administrative component. (Identify all those persons who work in the facility administration component on a full first-shift basis.)

## II. SECURITY SERVICES

This component of the facility includes a variety of spaces such as the following:

- |                                 |                         |
|---------------------------------|-------------------------|
| - Central Control Room          | - Armory                |
| - Operations Room               | - Intake and Release    |
| - Staff Muster and Lockers Area | - Mail Room             |
| - Staff Training Rooms          | - Security Records Area |
| - Shift Commanders' Offices     | - Parole Hearing Room   |

Each facility will define Security Services differently. However, in defining space, identify the square footage assigned to all of the spaces which you believe constitute the Security Services component. The exception will be Officer's Control Rooms or Stations within the housing unit that perform a specific security function.

#### To Be Completed By The Architect

1. The total net square feet assigned to those areas that you identify as the Security Services component of the facility. Please provide a further identification of net square footage assigned to each of the areas that, in your opinion, comprise the following sub-components.
  - A. Control room, equipment room, central sallyport \_\_\_\_\_
  - B. Security administration area, such as offices \_\_\_\_\_
  - C. Staff support areas (include training room, muster room, exercise and locker areas, break rooms, etc.) \_\_\_\_\_
  - D. Intake, booking and release area \_\_\_\_\_
  - E. Parole hearing rooms \_\_\_\_\_

#### To Be Completed By The Facility Manager

1. The maximum number of staff in the muster room at the peak shift change \_\_\_\_\_
2. The maximum number of staff in the training room \_\_\_\_\_
3. The maximum number of officers allowed in the central control room \_\_\_\_\_
4. The number of security administrative personnel, including the Shift Supervisor \_\_\_\_\_

### III. PROGRAM SERVICES

This component of the facility consists of areas outside of the housing units most often frequented by the inmates. The intent is to identify the square footage of spaces that support programmatic activities and to determine the number of inmates that are generally allowed to use these spaces during peak and average operating times. The following identify the various sub-components of the Program Services area.

- |                           |                      |
|---------------------------|----------------------|
| - Outdoor recreation      | - Visitation         |
| - Indoor recreation       | - Central counseling |
| - Academic Education      | - Prison industries  |
| - Vocational training     |                      |
| - Learning resources      |                      |
| (general and law library) |                      |

To Be Completed By The Architect

1. The total square footage provided for outdoor recreation (For large facilities, this information can be reported as acreage. Please include large playing fields as well as outdoor recreation courtyards adjacent to Housing Units.) \_\_\_\_\_
2. Net square footage dedicated to indoor recreational activities, including gymnasiums, exercise rooms, lockers, and arts and crafts areas (exclude all inside recreation areas associated with the dayroom of the housing unit.) \_\_\_\_\_
3. The number of classrooms provided in the facility \_\_\_\_\_
4. Total net square footage assigned to the academic classrooms \_\_\_\_\_
5. Total net square footage assigned to academic activities other than the classrooms (Include in this calculation Principal's office, teacher's work room, supply rooms.) \_\_\_\_\_
6. Total net area assigned to the Academic Education component, including classrooms and support areas \_\_\_\_\_
7. Total number of vocational training classrooms or laboratories \_\_\_\_\_
8. Total square footage assigned to Vocational Training areas including classrooms, laboratories, and support areas \_\_\_\_\_
9. The total square footage allocated to the General Library, Law Library, Librarian's spaces, and support areas associated with the Learning Resources Center \_\_\_\_\_
10. Total net square footage assigned to the Contact Visit Room \_\_\_\_\_
11. Total net area assigned to Non-Contact Visiting \_\_\_\_\_
12. Total area, including Reception and General Lobby, assigned to Visitor Processing \_\_\_\_\_
13. Total area assigned to Inmate Processing for Visitation \_\_\_\_\_
14. Total support area assigned to the Visitation component, such as toilets, lockers, children's play area, etc. \_\_\_\_\_

15. Total net area assigned to centralized counseling, religious activities, and support areas (Include areas for Chaplain's office, sanctuaries, group meeting rooms, Psychologists' offices) \_\_\_\_\_
16. Total area assigned to the Inmate Industries component (This includes the production area, storage space, shipping and receiving, and administrative spaces included within the industrial component. Outside warehouse areas should not be included.) \_\_\_\_\_

To Be Completed By The Facility Manager

1. The average number of inmates participating in outdoor recreation activities at a single time \_\_\_\_\_
2. The average number of inmates participating in out-of-cell, out-of-dayroom, centralized indoor recreation at a single time \_\_\_\_\_
3. The hours during which centralized indoor recreation spaces are available for inmate use \_\_\_\_\_
4. The average number of inmates participating in a single classroom setting at one time \_\_\_\_\_
5. The hours of operation of the classrooms on a typical weekday \_\_\_\_\_
6. The average number of inmates participating in a single vocational training classroom at one time \_\_\_\_\_
7. The typical weekday operating hours for the Vocational Training Programs \_\_\_\_\_
8. The average number of hours the General Library is open to inmates on a typical weekday; typical weekend day \_\_\_\_\_
9. The average number of inmates allowed in the General Library at a single point in time \_\_\_\_\_
10. The maximum number of inmate visitors allowed in the Non-Contact Visitation Room during a peak day visit \_\_\_\_\_
11. The maximum number of inmates allowed in the Non-Contact Visitation Room at a peak day visitation period \_\_\_\_\_
12. The maximum number of inmate visitors allowed in the Contact Visitation Room during a peak day visit \_\_\_\_\_

13. The maximum number of inmates allowed in the Contact Visitation Room at a peak day visitation period \_\_\_\_\_
14. The average percentage of the inmate population that receive a visit on a given peak day \_\_\_\_\_
15. Total number of visiting hours on a typical peak weekend day \_\_\_\_\_
16. Maximum number of inmates allowed to attend a religious service at one time \_\_\_\_\_
17. Maximum number of inmates allowed to participate in a single group counseling session at one time \_\_\_\_\_
18. Total number of inmates participating in Prison Industries programs at the peak time during an average day \_\_\_\_\_
19. Average number of industrial production hours per week. (Please define the number of total production hours in terms of the time during which Prison Industries is operational during a week. For example, a single shift, 8-hours per day industry operation would be 40 hours per week.) \_\_\_\_\_

#### IV. SUPPORT SERVICES

This facility component includes a number of areas that support the operation of the correctional facility. Included in this component will be the spaces and activities associated with the following:

- Food Services (including food preparation, storage, and dining areas)
- Medical Services (including the infirmary and clinical components)
- Centralized Laundry
- Central Mechanical
- Maintenance Shops
- Commissary/Canteen
- General Storage/Warehouse

To Be Completed By The Architect

1. The amount of square footage dedicated to Food Preparation \_\_\_\_\_

2. The net assigned area for the inmate dining room(s) if centralized dining \_\_\_\_\_
3. The number of inmate dining rooms if centralized \_\_\_\_\_
4. The net area assigned to all support Food Preparation function (Areas should include bulk storage, freezer and refrigerated storage, dishwashing, administrative spaces, receiving areas, etc.) \_\_\_\_\_
5. The amount of time allocated for dining \_\_\_\_\_
6. The net assignable area to the Clinic spaces in the Medical Area (The Clinic area will include examination rooms, Physician's and Nurses' offices, medical records, emergency procedures room, storage areas, etc.) \_\_\_\_\_
7. The number of single rooms for sick or convalescing inmates \_\_\_\_\_
8. The number of beds in a dormitory or ward for ill or convalescing inmates \_\_\_\_\_
9. The net assignable area for the Infirmary portion of the Medical Area (Include all sleeping area spaces as well as support areas directly associated with the Infirmary function.) \_\_\_\_\_
10. The net assignable area for spaces dedicated to Centralized Laundry and dry cleaning services (Include washing and dry cleaning areas, clothing issue and storage, supplies, etc.) \_\_\_\_\_
11. The net assignable area for Central Energy Plant and power supply (Include only centralized spaces for mechanical rooms, emergency generator, electrical rooms, and support spaces.) \_\_\_\_\_
12. The number of separate Maintenance Shops \_\_\_\_\_
13. The net assignable square footage for the Maintenance Shops (Include both the shop and storage areas.) \_\_\_\_\_
14. The net assignable area to Commissary, storage, and Inmate Canteen (snack bar) \_\_\_\_\_
15. The net assignable area for Centralized Storage or Warehouse space \_\_\_\_\_

To Be Completed By The Correctional Facility Manager

1. The total number of civilian food service personnel \_\_\_\_\_
2. The total number of inmate cadre assigned to the Food Service function \_\_\_\_\_
3. The maximum number of inmates seated in a centralized dining room at one meal \_\_\_\_\_
4. The total number of full-time-equivalent medical personnel \_\_\_\_\_
5. The average number of sick-call inmates per day \_\_\_\_\_
6. The maximum number of inmates allowed in the medical area at one time \_\_\_\_\_
7. The average number of inmates incarcerated in the Infirmary component on a given day \_\_\_\_\_
8. The number of civilian personnel assigned to the Laundry function \_\_\_\_\_
9. The number of inmate cadre assigned to the Laundry function \_\_\_\_\_
10. The average pounds of laundry and dry cleaning finished per week \_\_\_\_\_
11. The number of civilian personnel assigned to the Maintenance Shops \_\_\_\_\_
12. The number of inmate cadre workers assigned to maintenance activities \_\_\_\_\_

INMATE HOUSING

Questions regarding inmate housing apply to those single cells that are grouped around a common dayroom space. The use of the term "Inmate Housing" includes the cell, dayroom, and all support spaces that are included within the secure housing module. For the purpose of this questionnaire, information will be sought concerning inmate housing in the following categories:

- General Medium Custody Housing
- Maximum/Close Custody Housing
- Segregation Housing



- Special Occupancy Housing (to include mental health, high risk, or other specialized inmate categories)
- Female Housing
- Minimum/Work Release, etc.

#### To Be Completed By The Architect

1. Identify the basic housing module size(s) (Define \_\_\_\_\_ the number of cells grouped around a single dayroom environment, such as 32, 48, 64, etc. The intent is to define the number of cells under the supervision of a single officer. If there are a variety of module sizes, please define.)
2. Identify the number of self-contained housing modules in the facility (The intent is to identify whether the facility contains two 48-bed modules or ten 64-bed modules. Again, the controlling factor is the number of cells grouped around a single dayroom.) \_\_\_\_\_
3. Identify the number of cells in the facility by the following categories:
  - General Medium Custody cells \_\_\_\_\_
  - Maximum/Close Custody cells \_\_\_\_\_
  - Segregation cells \_\_\_\_\_
  - Special Observation cells \_\_\_\_\_
  - Female cells \_\_\_\_\_
  - Minimum \_\_\_\_\_
4. The net assignable area for a General Population Medium Custody cell; \_\_\_\_\_  
a Segregation or Special Observation cell \_\_\_\_\_
5. The total net square footage in a housing module dedicated to single cells (This is computed by multiplying the number of single cells times the net area for a single cell.) \_\_\_\_\_
6. The net assignable area for the dayroom space (Do not include circulation areas, especially second level mezzanine circulation, unless it is used for dayroom space.) \_\_\_\_\_
7. Amount of net assignable space for all other functions included in the housing module (Includes spaces such as counseling office, storage, showers, janitor's closet, officer's station and toilet, etc.) \_\_\_\_\_

To Be Completed By The Correctional Facility Manager

1. Identify the number of inmates by custody level of the institution.

- Minimum
- Medium
- Close
- Maximum

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What was the average daily population of the facility the last 12 months?

\_\_\_\_\_

3. How many hours of out-of-cell time on an average day is spent by inmates in the following categories?

- General Population, Medium
- Maximum/Close Custody
- Segregation
- Special Observation
- Female Inmates

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Identify the average number of hours per day per inmate spent outside of the housing unit (cell, dayroom) for inmates in the following categories.

- General Population, Medium
- Maximum/Close Custody
- Segregation
- Special Observation
- Female

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Indicate the activities that are permitted in the dayroom on a typical day as follows:

- Watching Television
- Dining
- Card Playing
- Aerobic or weight lifting exercise
- Billiards
- Ping Pong

Yes

No

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Is an outdoor recreation area provided immediately adjacent to the housing unit and supervised by the Housing Unit Officer?

Yes \_\_\_\_\_

No \_\_\_\_\_

7. The number of full-time correctional officers assigned to a typical housing unit on a typical weekday.

- First shift (daytime)
- Second shift (evening)
- Third shift (night)

_____
_____
_____

8. Is a Correctional Officer assigned in the dayroom on a full-time (three shifts) basis?

Yes \_\_\_\_\_ (24 hrs)

No \_\_\_\_\_

If not full-time, three shift,

- 2 shifts?
- 1 shift?
- None

Yes	No
_____	_____
_____	_____
_____	_____



APPENDIX C

LEGAL PERSPECTIVES FOR THE REVISION OF  
CONDITIONS OF CONFINEMENT STANDARDS

Submitted to: American Correctional Association  
Cost Effective Conditions of Confinement Advisory Group

Prepared by: CRS Inc./Detention Reporter  
P.O. Box 234, Kents Hill, ME 04349

Rod Miller, President, CRS, Inc.  
Principal Author

Terri Nickerson, CRS, Inc.  
Senior Research Associate

William Collins, Olympia, Washington  
Consultant

Donald Walter, DeWitt, Michigan  
Consultant

Funded by: National Institute of Justice

July, 1988

APPENDIX CLEGAL PERSPECTIVES FOR THE REVISION OF  
CONDITIONS OF CONFINEMENT STANDARDS

Submitted to: American Correctional Association  
Cost Effective Conditions of Confinement Advisory Group

Prepared by: CRS Inc./Detention Reporter

I. INTRODUCTION

When the "Cost-Effective Conditions of Confinement" project began in 1986, CRS Inc. was asked to prepare an informal briefing for the Advisory Committee, describing the insights that court decisions could offer for the revision of corrections standards. Some of the initial questions posed by the American Correctional Association (ACA) included:

1. Is 500 the proper size for a correctional facility?
2. What do the courts have to say about multiple-occupancy cells?
3. What are appropriate sizes for cells?
4. Do standards need to vary based on the type of facility which they address?

Introductory materials prepared for the Committee by the ACA referred to "conflicting court opinions" and questioned the impact that court decisions have upon the formulation of correctional standards. In several subsequent meetings and discussions, CRS described the findings of judicial inquiries into corrections facilities and operations, setting the stage for a more in-depth analysis that quickly broadened the scope of research efforts.

Initial discussions suggested that an analysis of decisions by various federal and state courts concerning conditions of confinement revealed one common theme: in determining the constitutional adequacy of the physical conditions of confinement most courts view the broader context of prison or jail operations. The "totality" of conditions in a facility are usually weighed, and it is only in this context that court decisions about the size of cells, inmate occupancy, and other physical issues can be analyzed.

II. METHODOLOGY

CRS has already assembled hundreds of detention and corrections court decisions, publishing them in the monthly newsletter the Detention Reporter since 1983, and more recently assembling them into a comprehensive Detention and Corrections Caselaw Catalog (Miller and Walter, Second Edition, 1987). Analyzing physical plant decisions, as suggested above, demands a new approach.

The methodology was developed by the project team, which included the two editors of the Caselaw Catalog, Don Walter and Rod Miller, and the author of Collins Correctional Law, William Collins.

The first research step identified over 100 federal court decisions that addressed correctional facility deficiencies. These were reviewed and many were eliminated for one of several reasons (too narrow, too vague, etc.). The remaining 70 cases were analyzed in detail, and summaries were prepared for pertinent:

- \* findings-- conclusions of the courts with regard to physical plant issues, including specific orders and holdings; and
- \* "connected issues"-- specific references to non-physical considerations that the courts used to form the broader context (totality) of each case.

Findings were organized into several groupings:

1 FACILITY SIZE

2 CELLS

- Size
- Fixtures/Furnish
- Light
- # Occupants

3 DAY ROOMS

- Size
- Fixtures/Furnish
- Light

4 SUPPORT AREAS

- Exercise
- Recreation
- Education
- Programming (gen)
- Medical
- Visiting
- Work

5 ENVIRONMENTAL CONDITIONS

- Light
- Temperature
- Noise
- Ventilation
- Plumbing

6 OTHER

A preliminary review of the cases identified a broad range of non-physical issues that were "connected" by the courts to their facility findings:

**"Connected Issues"**

**A. Supervision**

- A1 Type (direct, inter., remote)
- A2 Frequency of Health and Welfare Checks
- A3 Use of CCTV
- A4 Other

**B. Staffing**

- B1 Staffing Levels
- B2 Training

**C. Circulation/Movement**

**D. Classification/Separation**

- D1 Classification
- D2 Separation

**E. Security**

- E1 Internal
- E2 External
- E3 Equipment

**F. Operations**

- F1 Sanitation
- F2 Classification
- F3 Safety
- F4 Security
- F5 Length of Confinement

**G. Inmate Activities/Programs**

- G1 Activities
- G2 Programs
- G3 Medical Services
- G4 Food Service
- G5 Idleness, Plan of Day
- G6 Out of Cell Time
- G7 Visiting
- G8 Recreation

**H. Prisoner Privacy**

**I. Other**

- I1 Solitary Confinement
- I2 Code for Connected Physical Plant Issue



### III. SUMMARY OF FINDINGS

First, and most important, the authors stress that the specific findings of courts should not be used as the foundation for the development of professional standards. When courts evaluate conditions of confinement, their yardstick measures the constitutionality of conditions. To pass court muster, a facility and operation must merely be found "not unconstitutional." This is a far cry from representing a professional practice. Rather, the authors suggest that court findings for each specific physical plant topic represent minimums, below which no professional standard should fall.

More important, an analysis of court decisions underscores the need to view physical plant standards in a broader context--to consider the "totality" of conditions of confinement. The summary chart on the following page displays the types of issues that are connected to physical plant findings, and suggests the frequency with which these connections are made. This chart provides an important foundation for developing a "totality test" as recommended in the consultants' report.

Section IV of this report presents specific court findings organized under each physical plant topic area. These are presented in chronological order, allowing readers to quickly identify older cases, and to understand trends. These summaries were used extensively in the development of recommendations for ACA standards revision. Following the topic summaries, complete case summaries are provided for all 70 decisions, in alphabetical order. These offer interested readers the opportunity to analyze individual cases in more detail.

Several summary charts provide readers with an overview of the research effort. The chart on the following page displays the types of connected issues associated with each physical plant topic, and the corresponding frequency. The charts that follow display the type of finding and the connected issues for each case.

Finally, court decisions offered the impetus to reconsider several current ACA standards, as indicated in the summary report from the consultants. These included:

- Access to Toilets
- Cell Occupancy, Size and Partitions
- Natural Light and Light Levels
- Noise Levels
- Ventilation, Temperature
- Exercise and Recreation (courts are clear that prisoners must be provided with specific levels of access to exercise)
- Visiting (courts are clear about requiring specific levels of access to visiting)

In summary, the legal research underscored the need to look past individual physical plant standards, and provided indications of the types of issues that are, and should be, connected to the evaluation of facility components.

SUMMARY CHARTS

Below, and on the following pages, several summary charts provide an overview of the findings from the legal research effort. Charts include:

- A. Physical Plant topics vs. Connected Issues (frequency)
- B. List of Cases vs. Connected Issues
- C. List of Cases vs. Findings with codes for connected issues

TABLE A:  
Physical Plant  
Topics vs.  
Connected  
Issues

Phys. Plant Topic	CONNECTED ISSUES											
	A1 Type of Supervision	A2 Freq Health/Welf Chks	A3 Use of CCTV	A4 Other	B1 Staffing Levels	B2 Training	C1 Circulation/Movement	D1 Classification	D2 Separation	E1 Internal Security	E2 External Security	E3 Equipment Security
	1	2	3	4	1	2	1	1	2	1	2	3
1. FACILITY SIZE												
2. CELLS												
- Size	2	1	1		3	1		7	2			2
- Fixtures/Furnishings	1				3	2		6	1	1		3
- Light	1				1	1		3			3	2
- # of Occupants	2	1			4	1		5	3		7	6
3. DAY ROOMS												
- Size												
- Fixtures/Furnishings												
- Light												
4. SUPPORT AREAS												
- Exercise	1	2			6	2		3	6	1	1	5
- Recreation	1	1			1			3	1		1	1
- Education					2	2		7	1	1		
- Programming								1			2	1
- Medical	1	2			5	3		4	3		1	4
- Visiting	1	1	1		4	2		7	3	1	3	2
- Work					1	2		5	2			1
5. ENVIRONMENTAL CONDITIONS												
- Light	1	1						5	1	1		1
- Temperature	1				1			1	1	1	1	3
- Noise	1				1			3	1	1	2	2
- Ventilation					1	1		4	3	1	5	2
- Plumbing	1							3	1		3	1
6. OTHER												
- Personal Sanitation	1	1			1			3	1		2	1
TOTALS	1	1			3	1		9	2		4	2
	1	3	3	0	4	7	0	9	9	0	3	7

## CONNECTED ISSUES

[illegible]

CONNECTED ISSUES

Table B: (Continued)

Table B: (Continued)	Type of Supervision Freq Health/Welf Chks Use of CCTV Other Staffing Levels Training Circulation/Movement Classification Separation Internal Security External Security Equipment Security Sanitation Classification Safety Security Length of Confinement Activities Programs Medical Services Food Service Idleness, Plan of Day Out of Cell Time Visiting Recreation Prisoner Privacy Solitary Confinement Connected Phys Plant																											
	A1 1	A2 2	A3 3	A4 4	B1 1	B2 2	C1 1	D1 1	D2 2	E1 1	E2 2	E3 3	F1 1	F2 2	F3 3	F4 4	F5 5	G1 1	G2 2	G3 3	G4 4	G5 5	G6 6	G7 7	G8 8	H1 1	I1 1	I2 2
	A	A	A	A	B	B	C	D	D	E	E	E	F	F	F	F	F	G	G	G	G	G	G	G	G	H	I	I
Feliciano v. Barcelo																					X							
Fisher v. Winter						X							X	X						X								
Forts v. Malcolm																												
Giampetruzzi v. Malcolm																					X							
Gillespie v. Crawford													X		X					X							X	
Goldsby v. Carnes							X						X		X						X							
Grubbs v. Bradley							X						X							X								
Hamilton v. Landrieu																												
Hamilton v. Love								X													X							
Hamilton v. Schiro													X	X						X								
Heitman v. Gabriel													X						X	X	X				X			
Hendrix v. Faulkner																												
Holt v. Sarver								X								X					X							
Hoptowit v. Ray																												
Hoptowit v. Spellman													X															
Howard v. Wheaton													X															
Hutchings v. Corum																												
Inmates of Occoquan v. Barry	X						X							X					X	X								
Inmates Suffolk Co. v. Eisenstadt							X																X					
Jackson v. Gardner	X													X						X	X							
Johnson v. Lark								X																				
Jones v. Diamond							X	X									X											
Jones v. Wittenberg					X																							
Lightfoot v. Walker													X										X					
Lock v. Jenkins																							X					
Lovell v. Brennan							X													X								
Lyons v. Powell														X									X					
McBride v. Ill. Dept. of Corr.																												
McMurry v. Phelps		X	X		X													X				X						
Miles v. Bell					X															X	X				X			

Table B: (Cont.)

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TABLE C: List of Cases  
vs. Findings, with  
codes for  
connected issues

TABLE C: List of Cases vs. Findngs, with codes for connected issues																						
Case Name	FINDINGS	1 FACILITY SIZE 2 CELLS - Size 2 - Fixtures/Furnish 2 - Light 2 - # Occupants 3 DAY ROOMS - Size 3 - Fixtures/Furnish 3 - Light 4 SUPPORT AREAS- Exercise 4 - Recreation 4 - Education 4 - Programming (gen) 4 - Medical 4 - Visiting 4 - Work 5 ENVIRON. COND.- Light 5 - Temperature 5 - Noise 5 - Ventilation 5 - Plumbing 6 OTHER																				
		1	2	2	2	2	3	3	3	4	4	4	4	4	4	4	5	5	5	5	5	6
Akao v. Shimoda						X																F3, G3
Alberti v. Sher. of Harris Co.									X	X	X											D1, G4, G7
Albro v. Co. of Onondaga					X																	G4, G5, G6
Albro v. Onondaga Co., N.Y.		X																				G6
Alston v. Coughlin							X	X	X	X	X	X				X	X					F1, G4, G6
Ambrose v. Malcolm					X																	
Anderson v. Redman				X																		D1
Barnes v. Gov. of Virgin Islands									X	X	X	X	X	X								B1, B2, D1, D2, G4
Beeson v. Johnson																	X					
Benjamin v. Malcolm			X		X																	F5
Benjamin v. Malcolm			X		X																	F5
Berch v. Stahl				X												X						
Block v. Rutherford													X									
Bowen v. State Comm. of Corr.					X																	
Brenneman v. Madigan				X								X										F1, G6, G7
Burks v. Walsh					X											X	X	X				F1, G4, G8
Campbell v. Cauthron					X			X														G6
Campbell v. McGruder			X	X	X			X			X	X				X						B1, D1, D2, G3, G4 G6, G7
Capps v. Atiyeh				X																		G6
Capps v. Atiyeh										X	X	X	X	X		X	X	X				D1, G4
Cody v. Hillard					X																	F3
Collins v. Schoonfield											X	X										I1
Dawson v. Kendrick					X			X	X		X					X		X	X			A2, D1, G6
Delgado v. Cady			X		X					X				X								D1, G6
Det. Brooklyn Hse Det v. Malcolm			X																			G4
Dillard v. Pitchess				X	X											X		X	X			G6
Dohner v. McCarthy					X								X				X	X				F3, G4, G6
Duran v. Elrod					X																	G5, G6, G7
Estelle v. Gamble												X										
Feliciano v. Barcelo				X								X							X			G4



Table C: (cont.)

FINDINGS		FACILITY SIZE																ENVIRON. COND.- Light						6 OTHER	Connected Issues
		1	2	2	2	2	3	3	3	3	4	4	4	4	4	4	5	5	5	5	5	6			
		CELLS - Size	- Fixtures/Furnish	- Light	- # Occupants	DAY ROOMS - Size	- Fixtures/Furnish	- Light	SUPPORT AREAS- Exercise	- Recreation	- Education	- Programming (gen)	- Medical	- Visiting	- Work	- Temperature	- Noise	- Ventilation	- Plumbing						
Mitchell v. Untreiner																				X	A1, D1, F1, G2, G3 G6, G7				
Mobile Co Jail Inmates v. Purvis	X																								
Monmouth Co Corr Inst v. Lanzaro	X	X								X		X				X	X	X			G6				
Moore v. Janing			X	X	X				X	X			X						X		G4				
Nelson v. Collins						X																			
N.Y. St. Assoc. v. Carey		X																							
Padgett v. Stein													X								D1, G4				
Palmigiano v. Garrahy											X	X	X	X							G3, G6				
Peterkin v. Jeffes			X						X	X			X			X	X	X	X	X	E1, G4				
Pugh v. Locke			X	X	X				X	X		X	X	X							B2, D1, G4, G8				
Ramos v. Lamm			X						X	X	X		X			X	X	X	X		D1, G3, G5, G6				
Reece v. Gragg									X							X		X	X		D2, G1, G4, G5, G6				
Rhem v. Malcolm									X				X												
Rhem v. Malcolm									X	X			X								G1, G5				
Rhem v. Malcolm									X								X								
Rhodes v. Chapman					X																B1, F1, F5, G1, G2 G3, G4, G6				
Ruiz v. Estelle					X				X		X	X													
Rutherford v. Pitchess													X								F4				
Shelby Jail Inmates v. Westlake									X							X		X			D1, D2, G6				
Smith v. Fairman					X																D1, F1, F5				
Smith v. Sullivan									X			X				X					A2, B1, E3, G4				
Suzuki v. Yuen					X																				
Taylor v. Sterrett			X	X					X	X		X									B1, D1				
Toussaint v. Yockey			X	X	X				X												G6				
Union Co Jail Inmates v. Di Buono	X																								
Vazquez v. Gray			X	X		X																			
Vest v. Lubbock Co. Comm. Court									X			X	X								D1, G1, G7, G8				
West v. Lamb			X									X					X				B2, G2, G4				
Wilson v. Beame										X															



#### IV. REVIEW OF FINDINGS BY TOPIC AREA

The following pages present the abbreviated findings or conclusions from each case, organized under appropriate topic headings. Following each summary, the case citation is provided, and the name/type of facility is described. Where there are "connected issues" that influenced the court's finding on the physical plant issue, they are indicated by the corresponding code.

##### 1. FACILITY SIZE

The population caps established in 1980 and 1981 are still proper and necessary to afford inmates constitutionally adequate conditions of confinement. (1200 inmates at HDM, and 50 detainees per dormitory in AMKC). Benjamin v. Malcolm, 564 F.Supp. 668 (S.D. New York, 1983). (New York City House of Detention for Men). F5

Population will not be permitted to exceed 344 inmates. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

Maximum rated capacity shall not exceed 212, effective March 15, 1988. County will be subject to fines for any period of four or more days that the population exceeds the maximum rated capacity. Albro v. Onondaga County, N.Y., 677 F.Supp. 697 (N.D.N.Y. 1988). (Onondaga County Public Safety Building). G6

##### 2. CELLS- Size

Cells measure seven feet by seven feet, not constitutional. Brenneman v. Madigan, 343 F.Supp. 128 (N.D. California, 1972). (Santa Rita Rehabilitation Center, Alameda County Jail). F1, G6, G7

Any cell of less than forty square feet must not be used. Cells and tanks can only house the number of inmates that they were designed to accommodate. Solitary cells will not be less than forty square feet. Taylor v. Sterrett, 344 F.Supp. 411 (N.D. Texas, 1972). (Dallas County Jail). B1, D1

The court affirms that each pretrial detainee will be accorded at least 48 square feet of space. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7

Facilities that consisted of five by eight foot cells in which two individuals were confined for fourteen to sixteen hours per day for an average of sixteen weeks, created an unconstitutional deprivation of detainees due process and equal protection rights. Detainees of Brooklyn House of Detention for Men v. Malcolm, 520 F.2d 592, (2nd Cir., 1975). (Brooklyn House of Detention). G4

Minimum of sixty square feet per cell ordered. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

Dormitories and converted areas need to provide a minimum of 75 square feet of living space per inmate. Anderson v. Redman, 429 F.Supp. 1105 (D. Delaware, 1977). (Delaware Correctional Center). D1

Provide no less than seventy square feet per individually celled inmate and fifty-five square feet for inmates housed in dormitories provided that said space limitations be accompanied by detailed plans for time out of cells by the inmates in restricted dormitories. The space provided (twenty square feet) in the dormitories, when considered together with the poor sanitary facilities and the insufficient light and ventilation and lack of privacy, are all unconstitutional. The individual cells are ample for single cell occupancy provided the toilets work and the inmates are provided beds, bedding and drinking water. Feliciano v. Barcelo, 497 F.Supp. 14 (D. Puerto Rico, 1979). (Administration of Corrections of the Commonwealth of Puerto Rico). G4

A cell of eighty square feet is the constitutional minimum for any prisoner confined in his cell for twenty or more hours a day. Most cells provide for barely one half the square footage of space required by modern correctional standards. No prisoner, including those in the Diagnostic Unit, may be housed in less than eighty square feet for twenty or more hours a day. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Double cells provided, at best, thirty-four square feet per person, found unconstitutional. Capps v. Atiyeh, 495 F.Supp. 802 (D. Oregon, 1980). (Oregon State Penitentiary, the Farm Annex and the Oregon State Correctional Institution). G6

Double-celling of inmates allowing only 18 to 32 square feet of space for each resident is unconstitutional. Lightfoot v. Walker, 486 F.Supp. 504 (E.D. Wisconsin, 1980). (Menard Correctional Center). F1, G6

Eight feet by 4 feet, eight inches for one pretrial detainee. unconstitutional. Ordered to increase space if inmate spends 22 hours in cell, or to reduce time in cell. Lock v. Jenkins, 641 F.2d 488 (7th Cir., 1981). (Indiana State Prison at Michigan City). G6

Each has approximately twenty-two square feet of space in a total lock-down situation. Not adequate. McMurry v. Phelps, 533 F.Supp. 742 (W.D. Louisiana, 1982). (Ouachita Parish Jail). A2, A3, B1, G1, G6

Court order requires approximately 46 square feet per occupant. Mobile County Jail Inmates vs. Purvis, 551 F.Supp. 92 (S.D. Ala., 1982). (Mobile County Jail).

Ten to seventeen square feet available to each inmate subject to double ceiling in a cell designed for single occupancy was not constitutionally inadequate. Delgado v. Cady, 576 F.Supp. 1446 (E.D. Wisconsin, 1983). (Waupun Correctional Institution). D1, G6

Five foot by seven foot cell for two inmates is constitutional, but mattress placed on the floor was unconstitutional. Union County Jail Inmates v. Di Buono, 713 F.2d 934 (3rd Cir., 1983). (New Jersey County Jail).

Double-ceiling only in cells over fifty square feet. Toussaint v. Yockey, 722 F.2d 1490 (9th Cir., 1984). (Federal Metropolitan Correctional Center, California). G6

Court orders the need to provide each inmate a total of ninety-five square feet of floor space for sleeping and dayroom purposes. If each inmate is provided meaningful programs to eliminate enforced idleness, the court will entertain a motion to modify the square foot formula to eighty-five square feet per inmate. Inmates of Occoquan v. Barry, 650 F.Supp. 619 (U.S.D.C., 1986). (Lorton Correctional Complex). A1, D1, F3, G3, G5

The state requires the provision of at least 25 square feet per inmate. ACA minimum is 60 square feet per inmate assuming that the inmate spends no more than ten hours per day locked in area. Majority of those confined in Sullivan County live in cells which average little more than 20 square feet per inmate. Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail). A1, F3, G4, G6

City of New York sought additional temporary relief from court order imposing 60 square feet limitations on dormitories in city correctional facilities. The District Court held that relief would be granted, but, that after November 30, 1987, no further request for modification would be granted regardless of foreseeable or unforeseeable problems which could arise. Benjamin v. Malcolm, 659 F.Supp. 1006 (S.D.N.Y. 1987). (Brooklyn House of Detention for Men, Queens House of Detention for Men). F5

## 2. CELLS- Fixtures/Furnishings

Solitary cells must be furnished with a bunk, water closet and a combination drinking fountain and lavatory. Taylor v. Sterrett, 344 F.Supp. 411 (N.D. Texas, 1972). (Dallas County Jail). B1, D1

Punitive confinement in a barred-door single cell for periods in excess of thirty days is unconstitutional. Punitive confinement in a solid-door single cell for periods in excess of fifteen days is unconstitutional. Berch v. Stahl, 373 F.Supp. 412 (W.D. North Carolina, 1974). (Mecklenburg County Jail).

- Each cell contains an uncovered toilet, a sink, a small table and a bench attached to the wall. A single or bunk bed is acceptable. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7
- Cold water basin and toilet, upper and lower bunk type bed, a thin mattress, washable mattress cover, and two blankets not adequate. Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975). (Los Angeles County Jail). G6
- Each cell must contain a toilet that can be flushed from inside cell, a sink with hot and cold running water, clean linen, and a bed off the floor. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8
- Inadequate--two iron-slatted cots, toilet, a metal quarter-circular slab for writing, a sink with cold running water, a few wall pegs for hanging clothes. Inmates of Suffolk County Jail v. Eisenstadt, 360 F.Supp. 676 (D. Massachusetts, 1978). (Suffolk County Jail). D1, G6
- Number of cells, toilets, showers, beds, linens, clothing, and shoes are insufficient. West v. Lamb, 497 F.Supp. 989 (D. Nevada, 1980). (Las Vegas Metropolitan Police Department jail system). B2, G2, G4
- Use of floor mattresses constitutes punishment regardless of the number of days for which a prisoner is so confined. Vazquez v. Gray, 523 F.Supp. 1359 (S.D. New York, 1981). (Westchester County Jail).
- Confinement of any inmate for more than one week's duration in a cell not equipped with hot water amounts to cruel and unusual punishment. Grubbs v. Bradley, 552 F.Supp. 1052 (M.D. Tennessee, 1982). (Tennessee Department of Corrections). D1, F1, G3
- Bed, mattress, folding chair, writing table, footlocker, toilet, wash basin with hot and cold running water, electrical outlet for television and radio. Found adequate. Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison). D1, G4
- All inmates shall be given a bed, a mattress and bedding. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6
- A bed of some sort, a thin mattress, a pillow, blanket, coverless toilet and a sink. Toussaint v. Yockey, 722 F.2d 1490 (9th Cir., 1984). (Federal Metropolitan Correctional Center, California). G6
- Failure to provide adequate cell cleaning supplies amounts to a violation of the 8th Admendment. Hoptowit v. Spellman, 753 F.2d 779 (9th Cir., 1985). (Department of Corrections). F1

Failure of prison to meet standards of public health association and correctional association as to number of toilets and showers that should have been available to prisoners did not of itself constitute violation of Eighth Amendment. Miles v. Bell, 621 F.Supp. 51 (D.C. Connecticut, 1985). (Federal Correctional Institution at Danbury). B1, G4, G6, H

An inmate may not be housed on the floor of a corridor; he/she must be on a cot. Albro v. County of Onondaga, N.Y., 627 F.Supp. 1280 (N.D. New York, 1986). (Public Safety Building). G4, G5, G6

Inadequate---three or four bunk areas side by side (which open into a common "day room"), a toilet and sink. Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail). A1, F3, G4, G6

Inmate stated Eighth Amendment claim against correctional officers and superintendent for confining him to a cell without functioning toilet and hot running water for 13 days. Depriving the inmate of a functioning toilet for 13 days could not be de minimis for Eighth Amendment purposes as a matter of law. The inmate was exposed to unsanitary and possibly unhealthful conditions in his cell because he was forced to urinate and defecate in one broken toilet for six days and in another for the next seven days. Those conditions were exacerbated by the unavailability of hot water with which to cleanse himself. If the inmate could prove that the defendants were deliberately indifferent towards his health, this would support liability. Howard v. Wheaton, 668 F.Supp. 1140 (N.D. Ill. 1987). (Stateville Correctional Center). F1

Cells and fixtures of state prison facilities housing capital inmates were functional and sanitation/maintenance provisions therein did not violate prohibition against cruel and unusual punishment, since conditions were not shown to threaten well-being of inmates and were attributable, to large extent, to inmates refusal to cooperate in routine maintenance and housekeeping. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

The Court recognized that overcrowded prison conditions did not justify forcing pretrial detainees to sleep on floor mattresses for more than a few days. Subjecting pretrial detainees to use of floor mattresses for anything other than emergency circumstances may constitute impermissible imposition of punishment, thereby violating due process rights of such detainees. Lyons v. Powell, 838 F.2d 28 (1st Cir. 1988). (New Hampshire State Prison). F3, G6

## 2. CELLS- Light

No interior light is unconstitutional. Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison). F1, F3, G3

One ceiling type light fixture for every habitable room ordered; providing sufficient illumination to permit reading of newspaper. Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). B1

Unshaded 60-watt incandescent lamp screwed into the single electrical outlet in the ceiling of the cell (inadequate for sustained reading) not adequate. Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975). (Los Angeles County Jail). G6

Must meet minimum standards of the U.S. Public Health Service. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

Unshaded 60-watt light bulb built into wall and controlled from outside the cell is inadequate. Inmates of Suffolk County Jail v. Eisenstadt, 360 F.Supp. 676 (D. Massachusetts, 1978). (Suffolk County Jail). D1, G6

Light-meter readings in segregation cells found only 5 foot-candles of light in the cells, found inadequate. Lightfoot v. Walker, 486 F.Supp. 504 (E.D. Wisconsin, 1980). (Menard Correctional Center). F1, G6

Light in cell supplemented by lighting in the stairwells and by windows. Found adequate. Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison). D1, G4

Inadequate lighting seriously threatens the safety and security of inmates and creates an unconstitutional infliction of pain. Hoptowit v. Spellman, 753 F.2d 779 (9th Cir., 1985). (Department of Corrections). F1

No direct in-cell lighting. Lighting did not meet the minimum state requirements. Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail). A1, F3, G4, G6

## 2. CELLS- # Occupants

Unconstitutional use of cells. Designed to accommodate four inmates, but six to eight inmates are usually confined in each cell (thirteen by eight and one-half by seven and one-half). Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison). F1, F3, G3

Due to overcrowding, confinement in the isolation cells was unconstitutional. Holt v. Sarver, 309 F.Supp. 362 (E.D. Arkansas, 1970). (State Penitentiary). D2, F4, G4

There will never be more than two persons per cell confined in the jail (this limit on jail population may be exceeded for a period of not more than twenty-four hours only in an extreme emergency). Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). B1

No pre-trial detainee will be double celled for more than 30 days. No inmate shall be double celled for more than 12 hours per day. A detainee may be confined in his cell for more than 12 hours per day, but only if his cellmate is removed from the cell for a sufficient length of time to reduce the total hours of joint confinement to less than 12 hours in any day. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7

Maximum number of detainees that can be held in dormitories is 29.

Seventy-five square feet per inmate is acceptable. Ambrose v. Malcolm, 414 F.Supp. 485 (S.D. New York, 1976). (Bronx House of Detention).

Triple celling of inmates in 59.2 square foot cells in the diagnostic center, in 65 square foot cells in the administrative segregation unit, and in 66 square foot cells in the adjustment unit, as well as double celling of inmates in 47.18 square foot cells in the special treatment unit, constituted cruel and unusual punishment in violation of the Eighth Amendment. Burks v. Walsh, 461 F.Supp. 454 (W.D. Missouri, 1978). (Missouri State Penitentiary). Fl, G4, G8

Confinement of three men in tiny two-man cell violate the Eighth Amendment rights. Enjoined from permitting more than two federal prisoners to be confined in any of the five by eight foot cells in the jail. Johnson v. Lark, 365 F.Supp. 289 (E.D. Missouri, 1978). (St. Louis County Jail). D1

For inmates who are confined to their cells for more than sixteen hours per day, the maximum number of inmates and bunks in each of the 130 to 154 square foot cells shall be four. For those who are held in their cells for more than sixteen hours per day for more than one week, the maximum number of inmates shall be three. Up to six inmates who are released from their cells for eight hours per day or more may be housed in the 130 to 154 square foot cells. Campbell v. Cauthron, 623 F.2d 503 (8th Cir., 1980). (Sebastian County Jail). G6

Holding more than one prisoner in the sweat cells, more than two in the juvenile cells and more than three in the side cells is punitive and violative (cell size was eight feet by twelve feet). Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

May assign only one inmate to each cell, with no inmate assigned to a cell used as a communal toilet facility. Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981). (Buchanan County Jail). Fl, G2, G3, G4, G8

Court found unconstitutional overcrowding and ordered, by way of relief, the elimination of double celling. The cells were "designed, built and rated to house one man". Nelson v. Collins, 659 F.2d 420 (4th Cir., 1981). (Maryland State Prison System).

Two occupants in sixty-three square foot cell upheld. "Everyone is in agreement that double celling is undesirable." "At most, these considerations amount to a theory that double-celling inflicts pain." Rhodes v. Chapman, 101 S.Ct. 2392 (1981). (Maximum Security Prison, Ohio). B1, Fl, F5, G1, G2, G3, G4, G6

District Court ruled that double celling conditions constituted cruel and unusual punishment and violated the Eighth Amendment ordering the Pontiac Correctional Center to, at the earliest date possible, move to single occupancy celling. On appeal, the Circuit Court ruled that double celling does not violate the Eighth Amendment. Smith v. Fairman, 528 F.Supp. 186 (C.D. Illinois, 1981). Smith v. Fairman, 690 F.2d 122 (7th Cir., 1982). (Pontiac Correctional Center). D1, Fl, F5

The housing of four minors in the "civil cells" amounts to punishment (104 square foot cells). Vazquez v. Gray, 523 F.Supp. 1359 (S.D. New York, 1981). (Westchester County Jail).

The number of inmates in the jail shall not exceed ninety on a normal daily basis. No cells or cellblocks shall contain more inmates than the number of bunks available. McMurry v. Phelps, 533 F.Supp. 742 (W.D. Louisiana, 1982). (Ouachita Parish Jail). A2, A3, B1, G1, G6

No inmate may be assigned with another inmate to a cell containing sixty square feet or less. Ruiz v. Estelle, 679 F.2d 1115 (5th Cir., 1982). (Texas Department of Corrections).

Double celling of prison inmates in 120 square foot cells did not, by itself, constitute cruel and unusual punishment. Suzuki v. Yuen, 678 F.2d 761 (8th Cir., 1982). (Iowa State Men's Reformatory).

Inmates may be double celled for a period of up to fifteen days. Benjamin v. Malcolm, 564 F.Supp. 668 (S.D. New York, 1983). (New York City House of Detention for Men). F5

Variance granted which allows double celling at jail for ninety days provided that the only time sentenced inmates would occupy the double bunk cells would be when sleeping from 10:00 p.m. to 6:30 a.m. Bowen v. State Commission of Corrections, 461 N.Y.S.2d 668 (Sup. Ct. Albany County, 1983). (Saratoga County Jail).

Triple celling cannot be constitutionally approved except in a very temporary holding procedure after a disturbance. The coerced double celling of inmates with suicidal cellmates is unconstitutional. Delgado v. Cady, 576 F.Supp. 1446 (E.D. Wisconsin, 1983). (Waupun Correctional Institution). D1, G6

Double bunking inmates was unconstitutional based on the fact that the rooms were designed to house only one inmate, and the court's judgment that confining two persons in a cell containing seventy-five square feet was a "fundamental denial of decency, privacy, personal security, and simply, civilized humanity". Fisher v. Winter, 564 F.Supp. 281 (N.D. California, 1983). (Women's Detention Facility, Santa Clara County). B2, F1, F3, G3

Each inmate has his own cell. Found adequate. Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison). D1, G4

Prohibits involuntary double celling for more than thirty days in any twelve month period. Also limits double celling to cells larger than fifty square feet in which a second bed, cot or bunk is provided. Toussaint v. Yockey, 722 F.2d 1490 (9th Cir., 1984). (Federal Metropolitan Correctional Center, California). G6



Cells housing two inmates despite design for one inmate which contained about 11.5 square feet per person, but which was adequately cleaned and ventilated, which had windows, desk and storage area and noise within tolerable levels, - cell itself satisfied requirements of prohibition against cruel and unusual punishment. Dohner v. McCarthy, 635 F.Supp. 408 (C.D. California, 1985). (California Men's Colony). F3, G4, G6

Prohibiting double bunking for a period of seven weeks is reversed given the circumstances of actual in-cell time. Cell used mainly for sleeping only. (40 square foot cells are shared by two men; Twenty-one feet by thirty-one feet must be shared by 100 men.) Duran v. Elrod, 760 F.2d 758 (7th Cir., 1985). (Cook County Jail). G5, G6, G7

District court had ruled that double-celling violated eighth amendment. On appeal, order to cease double-celling was upheld and the appeals court held that use of ACA standards to determine prisoner capacity was appropriate. On rehearing, the appeals court overturned the ban on double-celling. Cody v. Hillard, 799 F.2d 447 (8th Cir. 1986) and 830 F.2d 912 (8th Cir. 1987). (S. Dakota State Penitentiary). F3

An allegation of overcrowding, without more, does not state a claim for cruel and unusual punishment, however prisoners had alleged more. They had complained that the overcrowding had given rise to "an increase in stress, tension, communicable diseases, and a high increase in confrontations between inmates," and thus should not have been dismissed without permitting prisoners opportunity to file amendment. Akao v. Shimoda, 832 F.2d 119 (9th Cir. 1987). (Oahu Community Correctional Center). F3, G3,

City of New York sought additional temporary relief from court order imposing fifty person limitations on dormitories in city correctional facilities. The District Court held that relief would be granted, but, that after November 30, 1987, no further request for modification would be granted regardless of foreseeable or unforeseeable problems which could arise. Benjamin v. Malcolm, 659 F.Supp. 1006 (S.D.N.Y. 1987). (Brooklyn House of Detention for Men, Queens House of Detention for Men). F5

Allegations by inmates that their cell block was overcrowded were sufficient to state a claim for damages under Section 1983 for violations of the Eight Amendment. Gillespie v. Crawford, 833 F.2d 47 (5th Cir. 1987). (Texas Department of Corrections). F1, F4, G3, I2

The Supreme Court has held the "double-bunking", that is, placing two inmates in a cell presumably intended for a single inmate, does not constitute punishment. This practice, then, does not constitute a per se violation of a pretrial detainee's due process rights. The Court left open the possibility, however, that "confining a given number of people in a given amount of space in such a manner as to cause them to endure genuine privations and hardship over an extended period of time might raise serious questions under the Due Process Clause as to whether those conditions amounted to punishment." Lyons v. Powell, 838 F.2d 28 (1st Cir. 1988). (New Hampshire State Prison). F3, G6

### 3. DAY ROOMS- Size

No entries.

### 3. DAY ROOMS- Fixtures/Furnishings

No bunks shall be placed in the day rooms of the cellblocks. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Dayrooms contain chairs, tables and cable color television. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

### 3. DAY ROOMS- Light

No entries.

### 4. SUPPORT AREAS- Exercise

Inmates receive outdoor exercise only once every twenty to thirty days for two or three hours, depending on weather conditions. Unconstitutional. Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison). F1, F3, G3

Provide outdoor and indoor exercise programs. Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). B1

A permanent year-round recreation program shall be maintained in the prison. One hour of recreation off the tier at least five days a week. An indoor recreation area shall be provided in the prison. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

An outdoor area for exercise must be provided. Taylor v. Sterrett, 344 F.Supp. 411 (N.D. Texas, 1972). (Dallas County Jail). B1, D1

Inmates shall be allowed to exercise for at least two hours a week, one hour of which shall be outdoors, weather permitting. Goldsby v. Carnes, 365 F.Supp. 395 (W.D. Missouri, 1973). 429 F.Supp. 370 (W.D. Missouri, 1977). (Jackson County Jail). D1, F1, F4, G4

Must develop a recreation program aimed at one hour of recreation daily. All prisoners should receive one hour of physical outdoor exercise three times per week, weather permitting. Alberti v. Sheriff of Harris County, TX, 406 F.Supp. 649 (S.D. Texas, 1975). (Harris County Jail) D1, G4, G7

Provide at least one hour of outdoor recreation daily for each inmate. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7

Five 50-minute periods of exercise weekly to inmate population. Giampetruzzi v. Malcolm, 406 F.Supp. 836 (S.D. New York, 1975). (New York City House of Detention). G4

Detainees should be afforded a minimum of one hour of exercise daily. Fifty minute per week winter-time exercise period did not meet constitutional standards. Rhem v. Malcolm, 389 F.Supp. 964 (S.D. New York, 1975). (Manhattan House of Corrections).

Exercise program of five periods per week met constitutional standard (one hour outdoor exercise Monday-Friday). Rhem v. Malcolm, 396 F.Supp. 1195 (S.D. New York, 1975). (Tombs, City of New York). G1, G5

Each inmate shall be given an opportunity to participate in recreational activities at least one hour per day, five days per week. Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility). B1, B2, D1, D2, G4

No place for exercise- must submit plan for exercise program. Moore v. Janing, 427 F.Supp. 567 (D. Nebraska, 1976). (Douglas County Jail). G4

Allowed at least 30 minutes outdoor exercise per day. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

Pretrial detainees are entitled to one hour of outdoor physical exercise daily (five days a week). Rhem v. Malcolm, 432 F.Supp. 769 (S.D. New York, 1977). (Manhattan House of Detention).

Adequately supervised program of regular exercise should be available indoors. Smith v. Sullivan, 553 F.2d 373 (5th Cir., 1977). (El Paso County Jail). A2, B1, E3, G4

Recreational facilities shall be installed to insure all inmates of at least three separate one-hour sessions of outdoor exercise, weather permitting. Vest v. Lubbock County Commissioner's Court, 444 F.Supp. 824 (N.D. Texas, 1977). (Lubbock County Jail). D1, G1, G7, G8

No organized programs of physical exercise is inadequate. Inmates of Suffolk County Jail v. Eisenstadt, 360 F.Supp. 676 (D. Massachusetts, 1978). (Suffolk County Jail). D1, G6

Absence of outside exercise areas violate the Eighth Amendment rights of inmates. Johnson v. Lark, 365 F.Supp. 289 (E.D. Missouri, 1978). (St. Louis County Jail). D1

Where the totality of the circumstances in the jail did not amount to cruel and unusual punishment, lack of outdoor exercise did not, standing alone, constitute unconstitutional punishment. No reasonably available facility for outdoor exercise. Jones v. Diamond, 594 F.2d 997 (5th Cir., 1979). (Jackson County Jail). D1, D2, F5

The right to reasonable opportunities for exercise is fundamental, especially where prison life for most inmates is characterized by idleness and prolonged daily confinement in their cells. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Each inmate that is confined to his cell for more than sixteen hours per day shall ordinarily be given the opportunity to exercise for at least one hour per day outside the cell. Merely allowing the inmates to walk around in the narrow corridor between cells does not provide adequate exercise. Campbell v. Cauthron, 623 F.2d 503 (8th Cir., 1980). (Sebastian County Jail). G6

Failing to provide one hour per day of outside exercise was a constitutionally intolerable condition. Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Missouri, 1980). (Clay County Jail).

Not providing prisoners with an opportunity for exercise violates the Eighth and Fourteenth Amendments. Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

Cannot restrict any inmate to less than seven hours per week of physical exercise outside the tier on which he or she is confined. Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981). (Buchanan County Jail). F1, G2, G3, G4, G8

Outdoor exercise must be available at the option of the inmates for one of the three hours allowed per day out of cell. Hendrix v. Faulkner, 525 F.Supp. 435 (N.D. Indiana, 1981). (Indiana State Prison).

Defendants are permanently enjoined from confining inmates in segregation status for more than one week without the opportunity to engage in physical exercise. Grubbs v. Bradley, 552 F.Supp. 1052 (M.D. Tennessee, 1982). (Tennessee Department of Corrections). D1, F1, G3

Each inmate must be afforded the opportunity for at least one hour of exercise a day if he is in administrative segregation for more than three consecutive days. Of particular importance in determining an inmate's need for regular exercise are the size of his cell, the amount of time the inmate spends locked in his cell each day, and the overall duration of his confinement. Ruiz v. Estelle, 679 F.2d 1115 (5th Cir., 1982). (Texas Department of Corrections).

Denial of outdoor exercise was probably unconstitutional. Toussaint v. Yockey, 722 F.2d 1490 (9th Cir., 1984). (Federal Metropolitan Correctional Center, California). G6

No unconstitutional deprivation of the inmates rights to physical exercise. The inmates have enough forms of exercise and equipment available with regularity. Miles v. Bell, 621 F.Supp. 51 (D.C. Connecticut, 1985). (Federal Correctional Institution at Danbury). B1, G4, G6, H

Regular out-of-cell recreation must be provided. One hour of out-of-cell exercise/recreation shall be provided for every inmate at least five times per week. Never exposed to fresh air and sunlight. Have no chance for exercise or recreation. Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail). A1, F3, G4, G6

Lack of area for exercise violated due process clauses of Fifth and Fourteenth Amendments. No area (space) outside of the inmates' cells exists for activity of any type at all. Reece v. Gragg, 650 F.Supp. 1297 (D. Kansas, 1986). (Sedgwick County Jail). D2, G1, G4, G5, G6

Inmates were not so deprived of exercise as to suffer violations of their constitutional rights. Shelby County Jail Inmates v. Westlake, 798 F.2d 1085 (7th Cir., 1986). (Shelby County Jail). D1, D2, G6

Opportunities for exercise must be afforded to prisoners. This facility has nine major outdoor recreational and exercise yards. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

Exercise regimen of state prison facilities for capital inmates, permitting exercise individually or in pairs, two hours a day, seven days a week, were correlated with necessity for institutional security and did not constitute cruel and unusual punishment. Absence of indoor exercise facilities for capital inmates in state prison facilities did not violate prohibition against cruel and unusual punishment. State prison facilities prohibition on group exercise for capital inmates was adequately supported by institutional security concerns and did not constitute cruel and unusual punishment. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

#### 4. SUPPORT AREAS- Recreation

Establishment of a recreation program. Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). B1

Plaintiffs entitled to the use of a day room for reasonable use during the period in which they are entitled to be outside of their cells. Giampetruzzi v. Malcolm, 406 F.Supp. 836 (S.D. New York, 1975). (New York City House of Detention). G4

Combined recreational and dining areas should be created on each floor of the jail. Implement a program of daily outdoor recreation. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Increase in recreational opportunities to five- fifty minute periods per week. Rhem v. Malcolm, 396 F.Supp. 1195 (S.D. New York, 1975). (Tombs, City of New York). G1, G5

No place for recreation- must submit plan for recreational programs. Moore v. Janing, 427 F.Supp. 567 (D. Nebraska, 1976). (Douglas County Jail). G4

Absence of recreational facilities violates the Eighth Amendment rights of inmates. Johnson v. Lark, 365 F.Supp. 289 (E.D. Missouri, 1978). (St. Louis County Jail). D1

Each inmate must be involved in some kind of productive activity at least eight out of every twenty-four hours. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Prisoners shall be provided reading materials. Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

A variety of recreational facilities are available to inmates. The typical day of an inmate consists of one half day of work and one half day of recreation. Found adequate. Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison). D1, G4

Inmates will be given one hour of meaningful recreation per day. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

No television. Inmates may have radios, but only with headphones. Lack of opportunity for regular outdoor recreation alone has been held to violate the Eighth Amendment. Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail). A1, F3, G4, G6

Inmate can play cards, checkers and chess. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

#### 4. SUPPORT AREAS- Education

An education program for inmates shall be developed and maintained. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

Quarters shall be provided for educational programs. Taylor v. Sterrett, 344 F.Supp. 411 (N.D. Texas, 1972). (Dallas County Jail). B1, D1

Pretrial detainees placed in administrative segregation and denied opportunity to participate in educational programs available to other inmates did not constitute cruel and unusual punishment. Wilson v. Beame, 380 F.Supp. 1232 (E.D. New York, 1974). (Brooklyn House of Corrections for Men).

Formal, regularly scheduled, adequately staffed and properly funded classes should be conducted on a regular basis. Alberti v. Sheriff of Harris County, TX, 406 F.Supp. 649 (S.D. Texas, 1975). (Harris County Jail) D1, G4, G7

Each inmate shall have the opportunity to participate in basic educational programs. Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility). B1, B2, D1, D2, G4

Each inmate shall have an opportunity to participate in basic educational programs. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

Totally inadequate. Hardly any inmates given the opportunity to participate in educational programs. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Idleness caused by lack of educational opportunities in prison is not Eighth Amendment violation. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). D1, G4

Though prison overcrowding had contributed to reduction in access to prison educational programs, such reduction was not unconstitutional. Delgado v. Cady, 576 F.Supp. 1446 (E.D. Wisconsin, 1983). (Waupun Correctional Institution). D1, G6

Required to establish sufficient educational, vocational and meaningful job opportunities. Palmigiano v. Garrahy, 639 F.Supp. 244 (D. Rhode Island, 1986). (Adult Correctional Institution). G3, G6

4. SUPPORT AREAS, Education. The Eighth Amendment does not require that prison officials provide educational programs. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

#### 4. SUPPORT AREAS- Programming (general)

All inmates shall be eligible to participate in rehabilitation programs. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

All programs provided shall be open equally to pretrial detainees. Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981). (Buchanan County Jail). F1, G2, G3, G4, G8

Prisons have no enforceable constitutional right to rehabilitative programs. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). D1, G4

District Court erred in ordering state to implement adequate vocational, recreational and educational programs at penitentiary and in ordering state to develop programs so that each prisoner had an opportunity to participate in transitional program designed to aid prisoner's reentry into society, since lack of programs did not violate the Eighth Amendment. Idleness and lack of programs are not Eighth Amendment violations, since lack of these programs does not amount to infliction of pain. Hoptowit v. Ray, 682 F.2d 1237 (9th Cir., 1982)(Washington State Penitentiary).

No prisoner shall be denied access to work, recreation, education or other programs or opportunities because of health status unless required for medical reasons as determined by a licensed physician. Ruiz v. Estelle, 679 F.2d 1115 (5th Cir., 1982). (Texas Department of Corrections).

Provide meaningful programming for pre-trial detainees, especially for those whose stay at the detention facility exceeds forty-six days. Provide meaningful vocational programming opportunities. Palmigiano v. Garrahy, 639 F.Supp. 244 (D. Rhode Island, 1986). (Adult Correctional Institution). G3, G6

It takes two or three weeks for an inmate to receive program assignments. He is assigned an appropriate program based on his needs, skills and interests. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

Pretrial detainee was not denied access to court; detainee was given periodic access to law library, and was not constitutionally entitled to also receive assistance from "persons trained in the law." Having been given access to the library, appellant was not constitutionally entitled to assistance from "persons trained in the law" as well. Lyons v. Powell, 838 F.2d 28 (1st Cir. 1988). (New Hampshire State Prison). F3, G6

#### 4. SUPPORT AREAS- Medical

A physician must be available on call at all times. Every entering prisoner must receive a medical examination before being assigned to a regular cell. Must be daily sick call. Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). B1

Jail is constitutionally required "to provide reasonable medical assistance to inmates," including a reasonable medical examination; access to sick call; treatment for special medical problems; proper dental attention; and adequate suicide prevention techniques. Collins v. Schoonfield, 344 F.Supp. 257 (D. Md., 1972). (Baltimore City Jail). I11



Prison shall provide basic medical services and screening physicals under a contract with Charity Hospital. A new prison hospital-infirmiry shall be constructed immediately. A medical aide shall be on the premises during the evening hours when no other medical personnel are present. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

The capacity of the hospital ward shall be increased and bunks provided for all patients confined therein. Taylor v. Sterrett, 344 F.Supp. 411 (N.D. Texas, 1972). (Dallas County Jail). B1, D1

A uniform system of medical records shall be maintained on each inmate who enters the jail. Each inmate upon entering the jail shall have his medical history taken and then given a physical examination. Goldsby v. Carnes, 365 F.Supp. 395 (W.D. Missouri, 1973). 429 F.Supp. 370 (W.D. Missouri, 1977). (Jackson County Jail). D1, F1, F4, G4

A regular medical "intake" screening process shall be established in order to maintain an appropriate level of physical hygiene in the jail. Alberti v. Sheriff of Harris County, TX, 406 F.Supp. 649 (S.D. Texas, 1975). (Harris County Jail) D1, G4, G7

There is a lack of medical care. Must provide prompt medical care. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7

Any inmate requiring medical isolation shall not be housed in the jail until appropriate facilities are available. There needs to be a physician or licensed physician's assistant on call at the jail twenty-four hours a day. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Medical care must be comparable in quality and availability to that obtainable by the general public. The physician should maintain regular hours which are known to the inmates. A physician must be available on call at all times. Emergency medical treatment should be available on a 24-hour basis. As part of each prisoner's intake and classification a thorough medical examination should be given. Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility). B1, B2, D1, D2, G4

Deliberate indifference to serious needs of prisoners constitutes the 'unnecessary and wanton infliction of pain' proscribed by the eighth amendment. This is true whether the indifference is manifested by prison doctors in their response to the prisoner's needs or by prison guards in intentionally denying or delaying access to medical care or intentionally interfering with the treatment once prescribed. Regardless of how evidenced, deliberate indifference to a prisoner's serious illness or injury states a cause of action under Section 1983." Estelle v. Gamble, 429 U.S. 97 (1976), cert. denied, 429 U.S. 1066 (1976).

Court orders reasonable medical care be provided. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

Violation of required standard of adequate medical services. Each incoming prisoner shall be given a medical examination within thirty-six hours. Smith v. Sullivan, 553 F.2d 373 (5th Cir., 1977). (El Paso County Jail). A2, B1, E3, G4

A doctor possessing a medical degree and certificate shall visit on a regular basis of at least twice weekly and shall be furnished facilities or place to actually examine the patients. Vest v. Lubbock County Commissioner's Court, 444 F.Supp. 824 (N.D. Texas, 1977). (Lubbock County Jail). D1, G1, G7, G8

Lack of medical program violates the Constitution. Inmates who require special medications or special diets are being cruelly punished when such medication or special diet is withheld. Every incoming inmate whether pretrial detainee or convicted prisoner must have a complete screening medical examination within one week from the date of his admission. No inmate or pretrial detainee shall be denied any medication prescribed by a qualified physician. Feliciano v. Barcelo, 497 F.Supp. 14 (D. Puerto Rico, 1979). (Administration of Corrections of the Commonwealth of Puerto Rico). G4

Under Mississippi law, all persons held in county jails have a right to medical attention. Jones v. Diamond, 594 F.2d 997 (5th Cir., 1979). (Jackson County Jail). D1, D2, F5

Inmates have a fundamental right to receive needed health care. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

The delay from admission to a physical examination ranged from 13 to 162 days. Medical services are inadequate. Lightfoot v. Walker, 486 F.Supp. 504 (E.D. Wisconsin, 1980). (Menard Correctional Center). F1, G6

The medical care is inadequate. There is inadequate opportunity for inmates to be examined on sick call; a doctor is not available on a daily basis. There is too much diagnostic responsibility placed on nurses. There is no supervision of correctional officers' decisions as to whether inmates should be allowed to report for sick call. There is no medical examination given to new inmates upon being received into the jail. West v. Lamb, 497 F.Supp. 989 (D. Nevada, 1980). (Las Vegas Metropolitan Police Department jail system). B2, G2, G4

Denial of adequate medical screening, classification, record keeping, sick call procedures and timely access to care at the Mercer County Jail constitutes deliberate indifference to the potentially serious medical needs of the pretrial detainees and convicted prisoners alike in violation of the Eighth Amendment. Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

Any remedial plan must include provisions for medical screening. Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981). (Buchanan County Jail). Fl, G2, G3, G4, G8

Prison officials must provide inmates with system of ready access to adequate medical care and denial of medical care, whether intentionally or through deliberate indifference, is cruel and unusual punishment. Inmates have failed to prove their care, or lack of it, amounts to cruel and unusual punishment. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). Dl, G4

Failure to provide minimally adequate medical care for inmates amounts to cruel and unusual punishment. Medical care provided in prisons must be reasonably sufficient to prevent needless human suffering. Requirement of Eighth Amendment that states furnished health care in prisons includes necessary dental services. Grubbs v. Bradley, 552 F.Supp. 1052 (M.D. Tennessee, 1982). (Tennessee Department of Corrections). Dl, Fl, G3

Prisoners need full access to health care, regardless of segregation status. Ruiz v. Estelle, 679 F.2d 1115 (5th Cir., 1982). (Texas Department of Corrections).

There is no credible evidence that serious medical, dental or psychological problems are neglected. Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison). Dl, G4

An additional nurse shall be hired and a medical screening will be done on all inmates prior to release into general population. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

Deficiencies in the medical care delivery system exist which are likely to cause harm to the inmates. No medical staff during midnight shift. Twenty-four hour on-site medical coverage is needed for adequate care. Prison officials are obligated to provide all inmates ready access to adequate medical care. Inmates of Occoquan v. Barry, 650 F.Supp. 619 (U.S.D.C., 1986). (Lorton Correctional Complex). Al, Dl, F3, G3, G5

Shall address needs and ensure adequacy in medical and mental health care areas. Palmigiano v. Garrahy, 639 F.Supp. 244 (D. Rhode Island, 1986). (Adult Correctional Institution). G3, G6

#### 4. SUPPORT AREAS-- Visiting

Establishment of visiting programs which shall include daily visiting hours both in the daytime and in the evening. Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). Bl

A pretrial detainee should be able to visit with whomever he pleases, especially his children, for substantial periods of time each week. Brenneman v. Madigan, 343 F.Supp. 128 (N.D. California, 1972). (Santa Rita Rehabilitation Center, Alameda County Jail). Fl, G6, G7

Inmates are allowed two twenty-minute visits per week. However, visits are denied inmates on isolation and at times denied other inmates as a form of discipline. Fact that such visits are conducted with a window in between to serve as a conduit for sight and as a barrier to body contact, and with a telephone connection for voice transmission, does not rise to the level of cruel and unusual punishment. Collins v. Schoonfield, 344 F.Supp. 257 (D. Md., 1972). (Baltimore City Jail). III

Inmates shall be allowed at least two phone calls per week of which will be at least for a period of three minutes each. Visits shall be allowed on a weekly basis. Children, accompanied by an adult, shall be allowed entry for visitation. Every effort shall be made to increase visitation privileges to at least twice a week. Private consultation rooms for attorney visits shall be maintained. These rooms shall be free of both auditory and visual intrusion, except for one small look-through glass panel. Goldsby v. Carnes, 365 F.Supp. 395 (W.D. Missouri, 1973). 429 F.Supp. 370 (W.D. Missouri, 1977). (Jackson County Jail). D1, F1, F4, G4

Must devise a scheme for classification and contact visits where the security of the facility will not be jeopardized. Establish classification system which will make it possible to determine which inmates can enjoy contact visits without jeopardizing the security of the facility. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7

Must extend visitation rights to detainees in punitive segregation. Giampetruzzi v. Malcolm, 406 F.Supp. 836 (S.D. New York, 1975). (New York City House of Detention). G4

Need to establish a program of contact visitation. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Ninety minutes per week. Visiting list of eight people. This shall be guaranteed. Padgett v. Stein, 406 F.Supp. 287 (M.D. Pennsylvania, 1975). (York County Prison). D1, G4

Thirty minute visitation period per week not constitutionally inadequate. Rhem v. Malcolm, 389 F.Supp. 964 (S.D. New York, 1975). (Manhattan House of Corrections).

Pretrial detainees did not have constitutional right to a minimum number and length of visits or number of visits but the visiting schedule shall be arranged to assure each inmate a minimum of one weekly visit at night or on a Saturday or Sunday. Every visit shall last a minimum of one-half hour. All personal visits accorded plaintiffs shall be contact visits except where defendants can establish, based upon said classification system, that contact visits would jeopardize security. Rhem v. Malcolm, 396 F.Supp. 1195 (S.D. New York, 1975). (Tombs, City of New York). G1, G5

Visiting shall be extended to three afternoons a week for a two-hour period and one evening a week for a two-hour period. More chairs should be provided in the visitation area. Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility). B1, B2, D1, D2, G4

Rule which limited frequency of visits for pretrial detainees, denied physical contact visits, and restricted persons who were allowed to visit pretrial detainees was not unconstitutionally restrictive. Must provide private facilities for attorney-client visits. Moore v. Janing, 427 F.Supp. 567 (D. Nebraska, 1976). (Douglas County Jail). G4

Any restrictions imposed by the prisons visitation policies must be reasonably related to a legitimate governmental interest. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

All visits to detainees at the Institution must be contact visits except where the defendants can demonstrate through the use of an established classification system that institutional security would be jeopardized by a particular visit. Forts v. Malcolm, 426 F.Supp. 464 (S.D. New York, 1977). (New York City Correctional Institution for Women).

Inmates shall be permitted access to telephone facilities housed in the jail. The inmates shall be permitted to make outgoing calls in a reasonable number, and for a reasonable length of time, without monitoring or censorship. Visitation periods shall be established for both convicted inmates and pretrial detainees. Convicted inmates shall be allowed visitation rights between two to four times regularly each week. Pretrial detainees shall be allowed visitation daily. Children and pregnant women shall be permitted to visit. Vest v. Lubbock County Commissioner's Court, 444 F.Supp. 824 (N.D. Texas, 1977). (Lubbock County Jail). D1, G1, G7, G8

In view of extremely limited facilities of jail for visitation, it was not practical to order that visitation privileges for pretrial detainees be contact visitation. Convicted criminals do not have a constitutional right to such visitation, except for their legal counsel. Jones v. Diamond, 594 F.2d 997 (5th Cir., 1979). (Jackson County Jail). D1, D2, F5

Must allow open visitation or constructed modern visitation booths, with clear eye level partitions and an effective device for vocal communication. The booths should also provide privacy. The visiting hours shall be sufficient for each inmate who so desires to have thirty minutes of visitation once a week. There is no constitutional deprivation in denying contact visitation (for security reasons) to convicted prisoners. McMurry v. Phelps, 533 F.Supp. 742 (W.D. Louisiana, 1982). (Ouachita Parish Jail). A2, A3, B1, G1, G6

A limited number of contact visits are granted for only those who have been held for more than thirty days and who do not constitute security risks. Rutherford v. Pitchess, 710 F.2d 572 (9th Cir., 1983). (Los Angeles County Central Jail). F4

Pretrial detainees in Los Angeles Central Jail will not have contact visits and will not be allowed to be present when cells are searched. Block v. Rutherford, 104 S.Ct. 3227 (1984). (Los Angeles County Central Jail).

Facilities for visitation include a large indoor room with adjacent patio, a large outside area, and a trailer for overnight visits with family. Defendants need to provide additional family visiting trailers and additional staff to expand CMC visiting hours. Dohner v. McCarthy, 635 F.Supp. 408 (C.D. California, 1985). (California Men's Colony). F3, G4, G6

Allowed only one non-contact visit per week for fifteen minutes. Limited to blood relatives. Visitation must be increased to eight hours per week. Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail). A1, F3, G4, G6

Inmates have an unrestricted number of visits. Inmates can receive visitors on any day or on successive days, including Saturdays and Sundays, seven days a week. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

Prohibition on contact visits for capital inmates in state prison facilities did not constitute cruel and unusual punishment, in view of rational connection of prohibition to internal security of institution. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

#### 4. SUPPORT AREAS- Work

Forced uncompensated labor of state convicts did not violate the 13th Amendment. Holt v. Sarver, 309 F.Supp. 362 (E.D. Arkansas, 1970). (State Penitentiary). D2, F4, G4

Each inmate will be assigned a meaningful job based on his abilities and interests and according to institutional needs. Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility). B1, B2, D1, D2, G4

Openings must be assigned on a reasonable and rational basis. Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions). B2, D1, G4, G8

Idleness caused by lack of jobs in prison is not Eighth Amendment violation. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). D1, G4

Though prison overcrowding had contributed to reduction in access to prison employment programs, such reduction was not unconstitutional. Delgado v. Cady, 576 F.Supp. 1446 (E.D. Wisconsin, 1983). (Waupun Correctional Institution). D1, G6

An industries program which consists of a woodshop, printshop, upholstery and finishing shop and craftroom. In addition to the industries program, inmates hold a variety of other jobs maintaining or operating the prison. Found adequate. Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison). D1, G4

Required to maintain sufficient meaningful job opportunities for every prisoner. Palmigiano v. Garrahy, 639 F.Supp. 244 (D. Rhode Island, 1986). (Adult Correctional Institution). G3, G6

## 5. ENVIRON. CONDITIONS- Light

The lighting system on the tiers shall be modified to allow the amount of light to be reduced during the night, or supplemented by a system of night lights which would be adequate for security but less intrusive in the sleeping areas, in order to allow the main lighting system to be turned off. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

The lighting in all prisoner areas of the jail is extremely dim. Failure to provide adequate lighting in inmate living quarters is unconstitutional. Lighting should be adequate for comfortable reading. Berch v. Stahl, 373 F.Supp. 412 (W.D. North Carolina, 1974). (Mecklenburg County Jail).

Except for the relatively small amount of light from the remote windows and the occasional ceiling fixtures along the walkways and corridors, a cell is illuminated only by an unshaded 60-watt incandescent lamp screwed into the single electrical outlet in the ceiling of the cell. The lighting conditions are inadequate for any sustained reading. Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975). (Los Angeles County Jail). G6

Lighting throughout the inmate housing areas are inadequate. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Lighting is inadequate for prisoners to read safely in their cells. Minimum standards require thirty foot candles (readings showed lighting was only ten foot candles). Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Lights left on all night was not per se unconstitutional condition. Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Missouri, 1980). (Clay County Jail).

The inadequacy of the lighting of the jail constitutes a denial of a basic necessity of life, violative of the Eighth and Fourteenth Amendments. Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

State denies no basic need for lighting. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). D1, G4

Shall take all necessary steps to renovate the lighting of MCCI. Lighting in all cells and in most areas of the dormitories is inadequate and subjects inmates to a risk of accident or injury as well as creating a hindrance to recreational reading. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

Lighting is inadequate throughout the facility. Facility has no adequate emergency lighting. Inmates of Occoquan v. Barry, 650 F.Supp. 619 (U.S.D.C., 1986). (Lorton Correctional Complex). A1, D1, F3, G3, G5

Less than twenty footcandles of illumination which existed after installation of new lights in jail did not violate constitutional rights of inmates. Shelby County Jail Inmates v. Westlake, 798 F.2d 1085 (7th Cir., 1986). (Shelby County Jail). D1, D2, G6

Allegations by inmates that their cell block was overcrowded, had inadequate ventilation and lighting, and was dirt and insect infested, that they repeatedly complained about conditions without results, and that conditions caused inmates to contract tuberculosis were sufficient to state a claim for damages under Section 1983 for violations of the Eight Amendment. Gillespie v. Crawford, 833 F.2d 47 (5th Cir. 1987). (Texas Department of Corrections). F1, F4, G3, I2

Lighting conditions in state prison facilities housing capital inmates did not amount to wanton and unnecessary infliction of pain and did not constitute cruel and unusual punishment absent any evidence that lighting caused eye damage. Light levels less than the ACA standard of 20 footcandles is not unconstitutional. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

## 5. ENVIRON. CONDITIONS- Temperature

Unconstitutional to subject inmates are subjected to extreme temperatures in summer and winter. Inmates are subjected to extreme temperatures in the summer and winter, with the temperature reaching over 100 degrees during the summer months. Pipe decay and boiler malfunctions cause heating to be quite inconsistent and uneven. During the winter, the inmates are subjected to very cold dampness, as a result of the roof and side walls leaking. Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison). F1, F3, G3

Not air conditioned. Temperature as high as 93 degrees. Hand regulated steam heaters. Temperature in winter is between 62 and 82 degrees. Not adequate. Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975). (Los Angeles County Jail). G6



The temperature shall be maintained to stay between sixty-five and eighty-five degrees. Smith v. Sullivan, 553 F.2d 373 (5th Cir., 1977). (El Paso County Jail). A2, B1, E3, G4

While the structure of the cell blocks causes the temperatures in the winter to be higher on the upper tiers than on the lower tiers, and while this temperature differential makes the interiors of the cell blocks not as comfortable in the winter as they might otherwise be, the winter temperatures within the cells are not so uncomfortable as to be totally unreasonable or to shock the conscience. Burks v. Walsh, 461 F.Supp. 454 (W.D. Missouri, 1978). (Missouri State Penitentiary). F1, G4, G8

The heating system is incapable of providing minimally adequate heat. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Shall take all necessary steps to renovate the temperature of MCCI. The jail is not properly heated and temperature and humidity levels in summer and winter result in great discomfort, and increased tension and hostility among inmates and between officers and inmates. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

Inadequate temperature control exists. Usually hot and fetid in the winter. Oppressive heat problems during the summer as well. The jail is not air conditioned and the limited number of fans available simply blow the hot air around. Reece v. Gragg, 650 F.Supp. 1297 (D. Kansas, 1986). (Sedgwick County Jail). D2, G1, G4, G5, G6

Present state of heating system has flaws and problems but is generally adequate and does not threaten the health of the inmates. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

Airflow and temperature conditions in cells housing capital inmates at state prisons, while legitimate concerns, did not constitute cruel and unusual punishment absent any showing of impairment of inmates' health by such conditions, despite testimony that some cells were "very hot," with minimal airflow. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

## 5. ENVIRON. CONDITIONS- Noise

Constantly noisy from 5:30 a.m. - 10:00 or 11:00 p.m. Noise comes from radios and television as well as from the prisoners themselves. Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail). B1, D1, D2, G3, G4, G6, G7

Noise levels at eighty dba or more pose a real danger of hearing loss for those exposed to it over long periods of time, and that to eliminate risk, average noise levels should remain below sixty-five dba. Found to have noise levels constituting a threat to hearing and mental health. Rhem v. Malcolm, 432 F.Supp. 769 (S.D. New York, 1977). (Manhattan House of Detention).

Noise level is low during most of the day and night. Although it rises between 8:00 p.m. and 10:00 p.m., it does not rise to such a volume or for such a length of time as to be totally unreasonable. Burks v. Walsh, 461 F.Supp. 454 (W.D. Missouri, 1978). (Missouri State Penitentiary). F1, G4, G8

The noise levels are intolerable. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

High noise levels at night was not per se unconstitutional condition. Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Missouri, 1980). (Clay County Jail).

Noise is by no means intolerable, but it is a problem. Defendants need to enforce procedures to control noise in overcrowded cellblocks. Dohner v. McCarthy, 635 F.Supp. 408 (C.D. California, 1985). (California Men's Colony). F3, G4, G6

Noise levels in the dormitories often exceeded the ACA daytime standard of 70 decibels. Inmates of Occoquan v. Barry, 650 F.Supp. 619 (U.S.D.C., 1986). (Lorton Correctional Complex). A1, D1, F3, G3, G5

Higher noise levels in the recreational dayrooms are natural and do not appear to interfere unreasonably with inmates' competing leisure activities. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment. Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility). F1, G4, G6

Level of noise in state prison facilities housing capital inmates was not intolerable and did not inflict cruel and unusual punishment, despite claim of inmates that noise level deprived them of their psychological privacy. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

## 5. ENVIRON. CONDITIONS- Ventilation

Ventilation is very poor. Unconstitutional. It is worsened by the boarding up of windows to prevent inmates from simply pulling the bars out of the decaying windows and rotting plaster walls. Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison). F1, F3, G3

Court is not convinced that the present ventilation system is adequate for the extreme summer conditions. Five window fans were purchased in an attempt to remedy the very serious ventilation problems at the facility. Improvements will be made that are necessary to provide and utilize an adequate, healthy ventilation system for the jail. Hamilton v. Love, 358 F.Supp. 338 (E.D. Arkansas, 1973). (Pulaski County Jail). D1, G4

Ventilation is a serious problem. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Ventilation, while not particularly desirable by today's standards, is adequate. It is provided through large blowers which are situated at various points throughout the housing units. Burks v. Walsh, 461 F.Supp. 454 (W.D. Missouri, 1978). (Missouri State Penitentiary). F1, G4, G8

Inadequate ventilation violates the Eighth Amendment rights of inmates. Ventilation was accomplished by means of windows opening on to a central air shaft with a large ventilator fan to exhaust air to the outside. Johnson v. Lark, 365 F.Supp. 289 (E.D. Missouri, 1978). (St. Louis County Jail). D1

The ventilation system is incapable of providing minimally adequate ventilation. Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility). D1, G3, G5, G6

Inadequate ventilation system constituted a constitutionally intolerable living condition. Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Missouri, 1980). (Clay County Jail).

Ventilation in kitchen insufficient to remove odors and excess heat. Shower room has no ventilation. Ventilation system in the segregation unit cannot provide adequate ventilation to the unit. Lightfoot v. Walker, 486 F.Supp. 504 (E.D. Wisconsin, 1980). (Menard Correctional Center). F1, G6

Ventilation is inadequate. There is a foul odor throughout the jail. West v. Lamb, 497 F.Supp. 989 (D. Nevada, 1980). (Las Vegas Metropolitan Police Department jail system). B2, G2, G4

State denies no basic need for ventilation. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). D1, G4

Shall take all necessary steps to renovate the ventilation of MCCI. The jail is not properly ventilated and temperature and humidity levels in summer and winter result in great discomfort and increased tension and hostility among inmates and between officers and inmates. Because windows at the jail do not close properly or are broken, plastic has been placed over some windows and that practice prevents proper ventilation and makes the air stale and foul-smelling. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

Each cell is connected to an air ventilation system. Supplies fresh air and withdraws stale air from unit. The system provides 105 cubic feet per minute of outside air to each cell, which meets or exceeds applicable standards. Dohner v. McCarthy, 635 F.Supp. 408 (C.D. California, 1985). (California Men's Colony). F3, G4, G6

Lack of adequate ventilation and air flow violated minimum requirements of the Eighth Amendment. Hoptowit v. Spellman, 753 F.2d 779 (9th Cir., 1985). (Department of Corrections). F1

Claim of inadequate ventilation in dormitories was moot due to installation of cubicles. Installation of cubicles provides an inmate with control over his own environment. Ventilation in the dorms were tested and the figures for cubic feet per minute per person in the dorms proved to be within the standards set by the American Society of Heating, Refrigeration and Air Conditioning Engineers. Miles v. Bell, 621 F.Supp. 51 (D.C. Connecticut, 1985). (Federal Correctional Institution at Danbury). B1, G4, G6, H

Adequate ventilation to provide sufficient fresh air is lacking. Reece v. Gragg, 650 F.Supp. 1297 (D. Kansas, 1986). (Sedgwick County Jail). D2, G1, G4, G5, G6

Ventilation in county jail was adequate and did not constitute punishment of pretrial detainees or cruel and unusual punishment of convicted inmates. Shelby County Jail Inmates v. Westlake, 798 F.2d 1085 (7th Cir., 1986). (Shelby County Jail). D1, D2, G6

Genuine issues of material fact, as to whether inmate had serious medical condition which required that he be in smoke-free environment and whether prison officials had been deliberately indifferent to that condition, precluded summary judgment or dismissal. Mentioning current scientific knowledge of probable hazards to health from tobacco smoke, the court allowed the inmate to proceed with his claim, while declining to hold that there is a separate constitutional right to be housed in a smoke-free environment. Beeson v. Johnson, 668 F.Supp. 498 (E.D.N.C. 1987). (North Carolina Central Prison).

Allegations by inmates that their cell block was overcrowded, had inadequate ventilation and lighting, and was dirt and insect infested, that they repeatedly complained about conditions without results, and that conditions caused inmates to contract tuberculosis were sufficient to state a claim for damages under Section 1983 for violations of the Eighth Amendment. Gillespie v. Crawford, 833 F.2d 47 (5th Cir. 1987). (Texas Department of Corrections). F1, F4, G3, I2

Odors in correctional facility, including odors from cellmate, odors from toilet, and odors from spray used to control roach infestation, did not constitute constitutionally prohibited cruel and unusual punishment. McBride v. Illinois Department of Corrections, 677 F.Supp. 537 (N.D. Ill., E.D. 1987). (Stateville Correctional Center).

Airflow and temperature conditions in cells housing capital inmates at state prisons, while legitimate concerns, did not constitute cruel and unusual punishment absent any showing of impairment of inmates' health by such conditions, despite testimony that some cell were "very hot," with minimal airflow. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

## 5. ENVIRON. CONDITIONS- Plumbing

Forty-five to sixty men use one shower which results in low water pressure and no hot water. Unconstitutional. Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison). F1, F3, G3

All plumbing fixtures, toilets, showers, sink, etc. shall be put and kept in good order. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

Antiquated, inadequate and impossible to repair is constitutionally inadequate. Inmates of Suffolk County Jail v. Eisenstadt, 360 F.Supp. 676 (D. Massachusetts, 1978). (Suffolk County Jail). D1, G6

The antiquated, neglected and unsanitary state of the plumbing and the plumbing fixtures is both punitive and violative of the Fourteenth Amendment rights of pretrial detainees and of the Eighth Amendment rights of convicted inmates. Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

May not confine any inmate for longer than one hour in any locked cell which does not have working plumbing. Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981). (Buchanan County Jail). F1, G2, G3, G4, G8

No constitutional violation of plumbing. Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons). D1, G4

Shall take all necessary steps to renovate the plumbing of MCCI. Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution). G6

Plumbing amounted to cruel and unusual punishment. It deprived inmates of basic elements of hygiene and seriously threaten their physical and mental well-being. Hoptowit v. Spellman, 753 F.2d 779 (9th Cir., 1985). (Department of Corrections). F1

Antiquated and unsanitary plumbing system. Stools and sinks available to inmates in their cells are ancient, stained, unsanitary and repulsive. Reece v. Gragg, 650 F.Supp. 1297 (D. Kansas, 1986). (Sedgwick County Jail). D2, G1, G4, G5, G6

## 6. OTHER- Personal Sanitation

Inmates shall be provided with blankets, sheets, pillow, pillowcase, towel, and wash cloth (frequently washed). Prisoners will be dressed in jail clothing that is regularly laundered. Inmates who do not have such items will be furnished with soap, toothbrush, toothpaste and shaving gear. Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail). B1

Mattresses shall be replaced on an annual basis and linen laundered at least once a week. Every incoming inmate shall be issued a freshly laundered uniform upon his admission into the prison. Uniforms shall be laundered at least twice a week. Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

Each inmate will be provided with towel, sheets, soap, toothbrush, toothpaste, and shaving gear. Each inmate will be afforded an opportunity to shower at least every other day. Inmates friends or family are allowed to provide them with underwear. All jail clothing shall be laundered and exchanged at least once a week. Goldsby v. Carnes, 365 F.Supp. 395 (W.D. Missouri, 1973). 429 F.Supp. 370 (W.D. Missouri, 1977). (Jackson County Jail). D1, F1, F4, G4

Two or three buckets of hot water for fifteen cells. Other than this, only cold water is available for washing and shaving. Inmates are not allowed more than three shower per week. Not adequate. Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975). (Los Angeles County Jail). G6

Each inmate who does not have such items when he enters the jail, shall be furnished, within twenty-four hours of being booked, soap, toothpaste, toothbrush, and shaving gear to be able to maintain good personal hygiene. Toothpaste, razor blades, razor, soap and other health and comfort items are provided to the inmates through the jail commissary. Showers are provided on a weekly basis. Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail). G3, G4, G6, G8

Each inmate shall be issued, within eight hours of being booked, clean blankets, sheets, pillows, pillowcases, towels and washclothes. Each inmates who does not have sufficient money shall be furnished, without charge, soap, toothbrush, toothpaste, comb, and shaving gear within twenty-four hours of being booked. Mitchell v. Untreiner, 421 F.Supp. 886 (N.D. Florida, 1976). (Escambia County Jail). A1, D1, F1, G2, G3, G6, G7

Items supplied to inmates included one blanket, a mattress cover, sheet, pillow, pillowcase, towel, washcloth, bedspread, styrofoam cup, bar of soap, and foam mattress. Moore v. Janing, 427 F.Supp. 567 (D. Nebraska, 1976). (Douglas County Jail). G4

Provide each inmate, pretrial or convicted, presently confined or incoming with soap, towels, toothbrush and toothpaste. Feliciano v. Barcelo, 497 F.Supp. 14 (D. Puerto Rico, 1979). (Administration of Corrections of the Commonwealth of Puerto Rico). G4

The failure to provide prisoners with regularly washed bedding, towels and clothing, basic toilet articles and regularly sanitized mattresses, constitutes a denial of personal hygiene and sanitary living conditions. Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail). A2, D1, G6

State prisons' policy of showering capital inmates individually on alternate days and existence of mold and lime deposits in showers did not seriously threaten health of inmates and did not constitute cruel and unusual punishment. Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions). E1, G4

V. MASTER CASE LISTING AND SUMMARIES

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Akao v. Shimoda, 832 F.2d 119 (9th Cir. 1987). (Oahu Community Correctional Center).

FINDINGS:

2. CELLS- Number of Occupants. An allegation of overcrowding, without more, does not state a claim for cruel and unusual punishment, however prisoners had alleged more. They had complained that the overcrowding had given rise to "an increase in stress, tension, communicable diseases, and a high increase in confrontations between inmates," and thus should not have been dismissed without permitting prisoners opportunity to file amendment.

CONNECTED ISSUES:

F3 Safety. Plaintiffs alleged that crowding had given rise to an increase in confrontations between inmates.

G3 Medical Services. Plaintiffs alleged that crowding had given rise to an increase in stress, tension, and communicable diseases.

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Alberti v. Sheriff of Harris County, TX, 406 F.Supp. 649 (S.D. Texas, 1975).  
(Harris County Jail)

FINDINGS

4. SUPPORT AREAS, Exercise. Must develop a recreation program aimed at one hour of recreation daily. All prisoners should receive one hour of physical outdoor exercise three times per week, weather permitting.
4. SUPPORT AREAS, Education. Formal, regularly scheduled, adequately staffed and properly funded classes should be conducted on a regular basis.
4. SUPPORT AREAS, Medical. A regular medical "intake" screening process shall be established in order to maintain an appropriate level of physical hygiene in the jail.

CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Jail officials ordered to classify on the basis of status of inmate. Must house pretrial detainees separately from the convicted.



- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Meals served to inmates in county jail should be served in a common dining area for each cell block and, with the exception of inmates requiring maximum security segregation, no meals should be served in cells. Those handling food must be inspected for communicable diseases.
- G7. INMATE ACTIVITIES/PROGRAMS, Visiting. An inmate is allowed one telephone call per week.
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Albro v. County of Onondaga, N.Y., 627 F.Supp. 1280 (N.D. New York, 1986).  
(Public Safety Building).

#### FINDINGS

2. CELLS, Fixtures/Furnishings. An inmate may not be housed on the floor of a corridor; he/she must be on a cot.

#### CONNECTED ISSUES

- G4. INMATE ACTIVITIES/PROGRAMS, Food Services. Meals served to inmates in their cell or in the corridors.
- G5. INMATE ACTIVITIES/PROGRAMS, Idleness, Plan of Day. Passive recreation available to the inmates on the cell block consists of radio, television, cards, chess, checkers, letter writing and reading.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates are permitted to leave cell blocks to see visitors, attend religious services in the chapel, make telephone calls, appear in court, use the law library, attend A.A. meetings and G.E.D. classes and to visit the medical facility.
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Albro v. Onondaga County, N.Y., 677 F.Supp. 697 (N.D.N.Y. 1988). (Onondaga County Public Safety Building).

#### FINDINGS

1. FACILITY SIZE. Maximum rated capacity shall not exceed 212, effective March 15, 1988. County will be subject to fines for any period of four or more days that the population exceeds the maximum rated capacity.

#### CONNECTED ISSUES

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmate spend 23 hours per day in their cells. Their free hour is spent on the walkway.
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Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility).

#### FINDINGS

3. DAY ROOMS, Fixtures/Furnishings. Dayrooms contain chairs, tables and cable color television. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.
4. SUPPORT AREAS, Exercise. Opportunities for exercise must be afforded to prisoners. This facility has nine major outdoor recreational and exercise yards. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.
4. SUPPORT AREAS, Recreation. Inmate can play cards, checkers and chess. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.
4. SUPPORT AREAS, Visiting. Inmates have an unrestricted number of visits. Inmates can receive visitors on any day or on successive days, including Saturdays and Sundays, seven days a week. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.
4. SUPPORT AREAS, Programming. It takes two or three weeks for an inmate to receive program assignments. He is assigned an appropriate program based on his needs, skills and interests. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.
5. ENVIRONMENTAL CONDITIONS, Temperature. Present state of heating system has flaws and problems but is generally adequate and does not threaten the health of the inmates. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.
5. ENVIRONMENTAL CONDITIONS, Noise. Higher noise levels in the recreational dayrooms are natural and do not appear to interfere unreasonably with inmates' competing leisure activities. Taken separately or in combination, conditions of confinement at the facility did not constitute prohibitions against cruel and unusual punishment.

CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. On the whole, roaches and vermin are adequately controlled throughout the facility. Sanitation in the kitchen is adequate.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. The State must provide nutritionally adequate food that is prepared and served under conditions which do not present an immediate danger to the health and well-being of inmates who consume it.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. The inmates are required to spend relatively little time in their living units.
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Ambrose v. Malcolm, 414 F.Supp. 485 (S.D. New York, 1976). (Bronx House of Detention).

FINDINGS

1. CELLS, # Occupants. Maximum number of detainees that can be held in dormitories is 29. Seventy-five square feet per inmate is acceptable.
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Anderson v. Redman, 429 F.Supp. 1105 (D. Delaware, 1977). (Delaware Correctional Center).

FINDINGS

2. CELLS, Size. Dormitories and converted areas need to provide a minimum of 75 square feet of living space per inmate.

CONNECTED ISSUES

- D1 CLASSIFICATION. Some inmates are not classified, for example, those serving sentences of less than one year. Frequently, classification assignments are based solely on what space is available rather than a considered evaluation of the security needs of the institution and what best would facilitate the inmate's productive return to society.
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Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility).

#### FINDINGS

4. SUPPORT AREAS, Exercise. Each inmate shall be given an opportunity to participate in recreational activities at least one hour per day, five days per week.
4. SUPPORT AREAS, Education. Each inmate shall have the opportunity to participate in basic educational programs.
4. SUPPORT AREAS, Visiting. Visiting shall be extended to three afternoons a week for a two-hour period and one evening a week for a two-hour period. More chairs should be provided in the visitation area.
4. SUPPORT AREAS, Work. Each inmate will be assigned a meaningful job based on his abilities and interests and according to institutional needs.
4. SUPPORT AREAS, Medical. Medical care must be comparable in quality and availability to that obtainable by the general public. The physician should maintain regular hours which are known to the inmates. A physician must be available on call at all times. Emergency medical treatment should be available on a 24-hour basis. As part of each prisoner's intake and classification a thorough medical examination should be given.

#### CONNECTED ISSUES

- B1. STAFFING, Levels. Qualified staff sufficient to maintain institutional order and to administer programs should be employed.
  - B2. STAFFING, Training. Qualified staff sufficient to maintain institutional order and to administer programs should be employed.
  - D1. CLASSIFICATION/SEPARATION, Classification. Classification program shall be utilized to determine the vocational, educational, recreational, religious, and work needs of each new inmate.
  - D2. CLASSIFICATION/SEPARATION, Separation. Prisoners awaiting trial should be effectively separated from sentenced offenders.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Services. Each prison inmate is entitled to three wholesome and nutritious meals per day. Prison directed to obtain advice of dietician to assist in menu planning. Food to be handled under conditions meeting minimum public health standards, and reasonable efforts are to be made to accomodate special dietary needs of inmates required for reasons of health or religion.
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Beeson v. Johnson, 668 F.Supp. 498 (E.D.N.C. 1987). (North Carolina Central Prison).

FINDINGS

5. ENVIRONMENTAL CONDITIONS, Ventilation. Genuine issues of material fact, as to whether inmate had serious medical condition which required that he be in smoke-free environment and whether prison officials had been deliberately indifferent to that condition, precluded summary judgment or dismissal. Mentioning current scientific knowledge of probable hazards to health from tobacco smoke, the court allowed the inmate to proceed with his claim, while declining to hold that there is a separate constitutional right to be housed in a smoke-free environment.
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Benjamin v. Malcolm, 564 F.Supp. 668 (S.D. New York, 1983). (New York City House of Detention for Men).

FINDINGS

1. FACILITY SIZE. The population caps established in 1980 and 1981 are still proper and necessary to afford inmates constitutionally adequate conditions of confinement. (1200 inmates at HDM, and 50 detainees per dormitory in AMKC).
2. CELLS, # Occupants. Inmates may be double celled for a period of up to fifteen days.

CONNECTED ISSUES

- F5. OPERATIONS, Length of Confinement. The average length of confinement is twenty-six days.
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Benjamin v. Malcolm, 659 F.Supp. 1006 (S.D.N.Y. 1987). (Brooklyn House of Detention for Men, Queens House of Detention for Men).

FINDINGS

2. CELLS, Size. City of New York sought additional temporary relief from court order imposing 60 square feet limitations on dormitories in city correctional facilities. The District Court held that relief would be granted, but, that after November 30, 1987, no further request for modification would be granted regardless of foreseeable or unforeseeable problems which could arise.
2. CELLS, Number of Occupants. City of New York sought additional temporary relief from court order imposing fifty person limitations on dormitories in city correctional facilities. The District Court held that relief would be granted, but, that after November 30, 1987, no further request for modification would be granted regardless of foreseeable or unforeseeable problems which could arise.

CONNECTED ISSUES

F. OPERATIONS, Length of Confinement. Prisoners are housed in smaller cells for periods that do not exceed 15 days.

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Berch v. Stahl, 373 F.Supp. 412 (W.D. North Carolina, 1974). (Mecklenburg County Jail).

FINDINGS

2. CELLS, Fixtures/Furnishings. Punitive confinement in a barred-door single cell for periods in excess of thirty days is unconstitutional.
  2. CELLS, Fixtures/Furnishings. Punitive confinement in a solid-door single cell for periods in excess of fifteen days is unconstitutional.
  5. ENVIRONMENTAL CONDITIONS, Light. The lighting in all prisoner areas of the jail is extremely dim. Failure to provide adequate lighting in inmate living quarters is unconstitutional. Lighting should be adequate for comfortable reading.
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Block v. Rutherford, 104 S.Ct. 3227 (1984). (Los Angeles County Central Jail).

FINDINGS

4. SUPPORT AREAS, Visiting. Pretrial detainees in Los Angeles Central Jail will not have contact visits and will not be allowed to be present when cells are searched.
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Bowen v. State Commission of Corrections, 461 N.Y.S.2d 668 (Sup. Ct. Albany County, 1983). (Saratoga County Jail).

FINDINGS

2. CELLS, # Occupants. Variance granted which allows double celling at jail for ninety days provided that the only time sentenced inmates would occupy the double bunk cells would be when sleeping from 10:00 p.m. to 6:30 a.m.
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Brenneman v. Madigan, 343 F.Supp. 128 (N.D. California, 1972). (Santa Rita Rehabilitation Center, Alameda County Jail).

FINDINGS

2. CELLS, Size. Cells measure seven feet by seven feet, not constitutional.
4. SUPPORT AREAS, Visiting. A pretrial detainee should be able to visit with whomever he pleases, especially his children, for substantial periods of time each week.

CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Heating, ventilation, plumbing, and sanitation were obviously and grossly substandard.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Confined in cells virtually twenty-four hours a day. Released for a total of two hours per week to shower, shave or to visit with friends and relatives.
  - G7. INMATE ACTIVITIES/PROGRAMS, Visiting. Pretrial detainees should be able to visit with friends and relatives for more than fifteen minutes once a week.
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Burks v. Walsh, 461 F.Supp. 454 (W.D. Missouri, 1978). (Missouri State Penitentiary).

FINDINGS

2. CELLS, # Occupants. Triple celling of inmates in 59.2 square foot cells in the diagnostic center, in 65 square foot cells in the administrative segregation unit, and in 66 square foot cells in the adjustment unit, as well as double celling of inmates in 47.18 square foot cells in the special treatment unit, constituted cruel and unusual punishment in violation of the Eighth Amendment.
5. ENVIRONMENTAL CONDITIONS, Temperature. While the structure of the cell blocks causes the temperatures in the winter to be higher on the upper tiers than on the lower tiers, and while this temperature differential makes the interiors of the cell blocks not as comfortable in the winter as they might otherwise be, the winter temperatures within the cells are not so uncomfortable as to be totally unreasonable or to shock the conscience.

5. ENVIRONMENTAL CONDITIONS, Noise. Noise level is low during most of the day and night. Although it rises between 8:00 p.m. and 10:00 p.m., it does not rise to such a volume or for such a length of time as to be totally unreasonable.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Ventilation, while not particularly desirable by today's standards, is adequate. It is provided through large blowers which are situated at various points throughout the housing units.

#### CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Penitentiary is generally clean and sanitary. Shower areas are quite satisfactory. Individual cells are generally clean and sanitary.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. The food preparation and dining areas at the Penitentiary are reasonably clean and sanitary. The food served at the Penitentiary is varied, nutritional, wholesome, and appetizing.
  - G8. RECREATION. The recreational activities available to inmates are many and varied.
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Campbell v. Cauthron, 623 F.2d 503 (8th Cir., 1980). (Sebastian County Jail).

#### FINDINGS

2. CELLS, # Occupants. For inmates who are confined to their cells for more than sixteen hours per day, the maximum number of inmates and bunks in each of the 130 to 154 square foot cells shall be four. For those who are held in their cells for more than sixteen hours per day for more than one week, the maximum number of inmates shall be three. Up to six inmates who are released from their cells for eight hours per day or more may be housed in the 130 to 154 square foot cells.
4. SUPPORT AREAS, Exercise. Each inmate that is confined to his cell for more than sixteen hours per day shall ordinarily be given the opportunity to exercise for at least one hour per day outside the cell. Merely allowing the inmates to walk around in the narrow corridor between cells does not provide adequate exercise.

#### CONNECTED ISSUES

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Kept locked in cells 24 hours per day, including meal times. Released only three times per week for fifteen to thirty minutes for showers and exercise.
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Campbell v. McGruder, 416 F.Supp. 100 (Dist. of Columbia, 1975). 554 F.Supp. 562 (Dist. of Columbia, 1982). 580 F.2d 521 (Dist. of Columbia, 1978). (District of Columbia Jail).

#### FINDINGS

2. CELLS, Size. The court affirms that each pretrial detainee will be accorded at least 48 square feet of space.
2. CELLS, Fixtures/Furnishings. Each cell contains an uncovered toilet, a sink, a small table and a bench attached to the wall. A single or bunk bed is acceptable.
2. CELLS, # Occupants. No pre-trial detainee will be double celled for more than 30 days. No inmate shall be double celled for more than 12 hours per day. A detainee may be confined in his cell for more than 12 hours per day, but only if his cellmate is removed from the cell for a sufficient length of time to reduce the total hours of joint confinement to less than 12 hours in any day.
4. SUPPORT AREAS, Exercise. Provide at least one hour of outdoor recreation daily for each inmate.
4. SUPPORT AREAS, Medical. There is a lack of medical care. Must provide prompt medical care.
4. SUPPORT AREAS, Visiting. Must devise a scheme for classification and contact visits where the security of the facility will not be jeopardized. Establish classification system which will make it possible to determine which inmates can enjoy contact visits without jeopardizing the security of the facility.
5. ENVIRONMENTAL CONDITIONS, Noise. Constantly noisy from 5:30 a.m. - 10:00 or 11:00 p.m. Noise comes from radios and television as well as from the prisoners themselves.

#### CONNECTED ISSUES

- B1. STAFFING LEVELS. Additional guards will be placed in each cell block in which inmates are double-celled. These guards are to make frequent inspections of the inside of the individual cells.
- D1. CLASSIFICATION/SEPARATION, Classification. Establish a classification system for determining which residents require maximum security confinement. New arrivals were not being given security classifications.
- D2. CLASSIFICATION/SEPARATION, Separation. There is no segregation of sentenced from unsentenced residents except unsentenced juveniles.

- G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. Provide medical examination of all food handlers once every 30 days.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Inmate food handlers are given medical examination less than once a month. Civil food handlers are given no examination.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates were granted two hours of outdoor recreation six days a week.
  - G7. INMATE ACTIVITIES/PROGRAMS, Visiting. Most inmates allowed three half-hour social visits per week, conducted via telephone through plexiglass barriers, in addition to unlimited contact visits with their attorneys.
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Capps v. Atiyeh, 495 F.Supp. 802 (D. Oregon, 1980). (Oregon State Penitentiary, the Farm Annex and the Oregon State Correctional Institution).

- 2. CELLS, Size. Double cells providing, at best, thirty-four square feet per person, found unconstitutional.

#### CONNECTED ISSUES

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. The actual amount of time prisoners spend in their cells varies from inmate to inmate depending on the availability of employment, education, training, and other program activities. Inmates were required to spend from seven to twelve hours per day in their cells.
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Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982). (Oregon Prisons).

#### FINDINGS

- 4. SUPPORT AREAS, Education. Idleness caused by lack of educational opportunities in prison is not Eighth Amendment violation.
- 4. SUPPORT AREAS, Programming. Prisons have no enforceable constitutional right to rehabilitative programs.
- 4. SUPPORT AREAS, Medical. Prison officials must provide inmates with system of ready access to adequate medical care and denial of medical care, whether intentionally or through deliberate indifference, is cruel and unusual punishment. Inmates have failed to prove their care, or lack of it, amounts to cruel and unusual punishment.
- 4. SUPPORT AREAS, Work. Idleness caused by lack of jobs in prison is not Eighth Amendment violation.

- 5. ENVIRONMENTAL CONDITIONS, Light. State denies no basic need for lighting.
- 5. ENVIRONMENTAL CONDITIONS, Ventilation. State denies no basic need for ventilation.
- 5. ENVIRONMENTAL CONDITIONS, Plumbing. No constitutional violation of plumbing.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Any misclassification of prisoners did not, standing alone, violate the Eighth Amendment.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Inadequate pasteurization operation at prison dairy farm which supplied milk for inmates constituted cruel and unusual punishment.
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Cody v. Hillard, 830 F.2d 912 (8th Cir. 1987), and 799 F.2d 447 (8th Cir. 1986). (S. Dakota State Penitentiary).

#### FINDINGS

- 2. CELLS, Number of Occupants. The district court had ruled that double-celling violated Eighth Amendment. On appeal, the order to cease double-celling was initially upheld and the appeals court held that use of ACA standards to determine prisoner capacity was appropriate. On rehearing, the appeals court overturned the lower court order, holding that double-celling, by itself, is not cruel and unusual punishment.

#### CONNECTED ISSUES

- F3. OPERATIONS, Safety. Inadequate fire safety.
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Collins v. Schoonfield, 344 F.Supp. 257 (D. Md., 1972). (Baltimore City Jail).

#### FINDINGS

4. SUPPORT AREAS, Medical. Jail is constitutionally required "to provide reasonable medical assistance to inmates," including a reasonable medical examination; access to sick call; treatment for special medical problems; proper dental attention; and adequate suicide prevention techniques.
4. SUPPORT AREAS, Visiting. Inmates are allowed two twenty-minute visits per week. However, visits are denied inmates on isolation and at times denied other inmates as a form of discipline. Fact that such visits are conducted with a window in between to serve as a conduit for sight and as a barrier to body contact, and with a telephone connection for voice transmission, does not rise to the level of cruel and unusual punishment.

#### CONNECTED ISSUES

11. OTHER, Solitary Confinement. Inmates in solitary confinement whose immediate conduct presents no present threat to the property, life or safety of himself or others must not be denied as a means of discipline the following: toilet facilities, running water, a mattress, essentials of personal hygiene, the opportunity to bathe at regular intervals, regular meals of adequate nutritional value, attorney visits, clean clothing, and a periodic review of the necessity for continued solitary confinement. If it is reasonably necessary to place an inmate in any kind of isolation, he should be permitted to maintain contact with his family and to exercise, shower and enjoy other privileges except to the extent that he must be deprived of those opportunities so that his confinement and the order and security of the institution can be maintained. In addition, each inmate placed in isolation, whether he is in pretrial or posttrial confinement, must receive medical visits or attention to ensure that his physical and mental well-being is not being harmed.

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Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981). (Mercer County Jail).

2. CELLS, # Occupants. Holding more than one prisoner in the sweat cells, more than two in the juvenile cells and more than three in the side cells is punitive and violative (cell size was eight feet by twelve feet).
4. SUPPORT AREAS, Exercise. Not providing prisoners with an opportunity for exercise violates the Eighth and Fourteenth Amendments.
4. SUPPORT AREAS, Recreation. Prisoners shall be provided reading materials.

4. SUPPORT AREAS, Medical. Denial of adequate medical screening, classification, record keeping, sick call procedures and timely access to care at the Mercer County Jail constitutes deliberate indifference to the potentially serious medical needs of the pretrial detainees and convicted prisoners alike in violation of the Eighth Amendment.
5. ENVIRONMENTAL CONDITIONS, Light. The inadequacy of the lighting of the jail constitutes a denial of a basic necessity of life, violative of the Eighth and Fourteenth Amendments.
5. ENVIRONMENTAL CONDITIONS, Plumbing. The antiquated, neglected and unsanitary state of the plumbing and the plumbing fixtures is both punitive and violative of the Fourteenth Amendment rights of pretrial detainees and of the Eighth Amendment rights of convicted inmates.
6. OTHER, Personal Hygiene. The failure to provide prisoners with regularly washed bedding, towels and clothing, basic toilet articles and regularly sanitized mattresses, constitutes a denial of personal hygiene and sanitary living conditions.

#### CONNECTED ISSUES

- A2. SUPERVISION, Frequency of Checks. Visual surveillance of segregated inmates at least once every ten minutes.
- D1. CLASSIFICATION/SEPARATION, Classification. Staff must adopt a system of classifying and housing prisoners to assure that a prisoners propensity for violence as well as an inmate's emotional and physical health be accounted for.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Access to a dayroom for sixteen hours per day.

Delgado v. Cady, 576 F.Supp. 1446 (E.D. Wisconsin, 1983). (Waupun Correctional Institution).

#### FINDINGS

2. CELLS, Size. Ten to seventeen square feet available to each inmate subject to double celling in a cell designed for single occupancy was not constitutionally inadequate.
2. CELLS, # Occupants. Triple celling cannot be constitutionally approved except in a very temporary holding procedure after a disturbance. The coerced double celling of inmates with suicidal cellmates is unconstitutional.
4. SUPPORT AREAS, Education. Though prison overcrowding had contributed to reduction in access to prison educational programs, such reduction was not unconstitutional.

4. SUPPORT AREAS, Work. Though prison overcrowding had contributed to reduction in access to prison employment programs, such reduction was not unconstitutional.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. The present system for screening or identifying prisoners with serious psychological or psychiatric problems is inadequate to ensure that such individuals are single celled.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Time which double celled prisoners in segregation were permitted out of their cells each day, approximately one hour, was not unconstitutional inadequate.
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Detainees of Brooklyn House of Detention for Men v. Malcolm, 520 F.2d 592, (2nd Cir., 1975). (Brooklyn House of Detention).

#### FINDINGS

2. CELLS, Size. Facilities that consisted of five by eight foot cells in which two individuals were confined for fourteen to sixteen hours per day for an average of sixteen weeks, created an unconstitutional deprivation of detainees due process and equal protection rights.

#### CONNECTED ISSUES

- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Detainees are fed in their cells.
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Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975). (Los Angeles County Jail).

#### FINDINGS

2. CELLS, Fixtures/Furnishings. Cold water basin and toilet, upper and lower bunk type bed, a thin mattress, washable mattress cover, and two blankets not adequate.
2. CELLS, Light. Except for the relatively small amount of light from the remote windows and the occasional ceiling fixtures along the walkways and corridors, a cell is illuminated only by an unshaded 60-watt incandescent lamp screwed into the single electrical outlet in the ceiling of the cell. The lighting conditions are inadequate for any sustained reading.
5. ENVIRONMENTAL CONDITIONS, Light. Relatively small amount of light from remote windows and occasional ceiling fixtures along the walkways and corridors not adequate.

5. ENVIRONMENTAL CONDITIONS, Ventilation. Not air conditioned. Temperature as high as 93 degrees. Hand regulated steam heaters. Temperature in winter is between 62 and 82 degrees. Not adequate.
6. OTHER, Personal Hygiene. Two or three buckets of hot water for fifteen cells. Other than this, only cold water is available for washing and shaving. Inmates are not allowed more than three shower per week. Not adequate.

#### CONNECTED ISSUES

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. During infrequent trips to the roof, brief and occasional shower periods, visits, sick call, medical attention or appearance in court.
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Dohner v. McCarthy, 635 F.Supp. 408 (C.D. California, 1985). (California Men's Colony).

#### FINDINGS

2. CELLS, # Occupants. Cells housing two inmates despite design for one inmate which contained about 11.5 square feet per person, but which was adequately cleaned and ventilated, which had windows, desk and storage area and noise within tolerable levels,- cell itself satisfied requirements of prohibition against cruel and unusual punishment.
4. SUPPORT AREAS, Visiting. Facilities for visitation include a large indoor room with adjacent patio, a large outside area, and a trailer for overnight visits with family. Defendants need to provide additional family visiting trailers and additional staff to expand CMC visiting hours.
5. ENVIRONMENTAL CONDITIONS, Noise. Noise is by no means intolerable, but it is a problem. Defendants need to enforce procedures to control noise in overcrowded cellblocks.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Each cell is connected to an air ventilation system. Supplies fresh air and withdraws stale air from unit. The system provides 105 cubic feet per minute of outside air to each cell, which meets or exceeds applicable standards.

#### CONNECTED ISSUES

- F3. OPERATIONS, Safety. Automatic alarms and sprinklers should be installed in cell blocks.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. No evidence that food lacks appropriate quality or variety or that inmates are underfed or undernourished.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Amount of time spent away from cells is critical factor of cruel and unusual punishment clause. Required to stay in cell nine to eleven hours, generally closer to eleven hours per 24 hour period.
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Duran v. Elrod, 760 F.2d 758 (7th Cir., 1985). (Cook County Jail).

FINDINGS

2. CELLS, # Occupants. Prohibiting double bunking for a period of seven weeks is reversed given the circumstances of actual in-cell time. Cell used mainly for sleeping only. (40 square foot cells are shared by two men; Twenty-one feet by thirty-one feet must be shared by 100 men.)

CONNECTED ISSUES

- G5. INMATE ACTIVITIES/PROGRAMS, Idleness, Plan of Day. Can spend the day watching television or exercising or using the law library or the chapel.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates are allowed to be out of their cells from 6 or 7 a.m. until 11 p.m.
- G7. INMATE ACTIVITIES/PROGRAMS, Visiting. Pre-trial detainees have little or no access to telephones. There is no privacy while on the telephone. Jail inmates can see visitors only twice a month, and House inmates only once a week. Some visitors, including children, are not allowed at all; and no visitors are allowed during the evenings or on weekends, imposing a hardship on the visitors who have jobs. Each tier in the jail has a visiting day twice a month that is assigned without reference to the convenience of visitors.

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Estelle v. Gamble, 429 U.S. 97 (1976), cert. denied, 429 U.S. 1066 (1976).  
(Texas Department of Corrections).

FINDINGS

4. SUPPORT AREAS, Medical. Deliberate indifference to serious needs of prisoners constitutes the "unnecessary and wanton infliction of pain" proscribed by the eighth amendment. This is true whether the indifference is manifested by prison doctors in their response to the prisoner's needs or by prison guards in intentionally denying or delaying access to medical care or intentionally interfering with the treatment once prescribed. Regardless of how evidenced, deliberate indifference to a prisoner's serious illness or injury states a cause of action under Section 1983.
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Feliciano v. Barcelo, 497 F.Supp. 14 (D. Puerto Rico, 1979). (Administration of Corrections of the Commonwealth of Puerto Rico).

FINDINGS

2. CELLS, Size. Provide no less than seventy square feet per individually celled inmate and fifty-five square feet for inmates housed in dormitories provided that said space limitations be accompanied by detailed plans for time out of cells by the inmates in restricted dormitories. The space provided (twenty square feet) in the dormitories, when considered together with the poor sanitary facilities and the insufficient light and ventilation and lack of privacy, are all unconstitutional. The individual cells are ample for single cell occupancy provided the toilets work and the inmates are provided beds, bedding and drinking water.
4. SUPPORT AREAS, Medical. Lack of medical program violates the Constitution. Inmates who require special medications or special diets are being cruelly punished when such medication or special diet is withheld. Every incoming inmate whether pretrial detainee or convicted prisoner must have a complete screening medical examination within one week from the date of his admission. No inmate or pretrial detainee shall be denied any medication prescribed by a qualified physician.
6. OTHER, Personal Hygiene. Provide each inmate, pretrial or convicted, presently confined or incoming with soap, towels, toothbrush and toothpaste.

CONNECTED ISSUES

- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. All food handlers will be required to have a physical examination and tests for tuberculosis or venereal disease and shall be retested every six months.
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Fisher v. Winter, 564 F.Supp. 281 (N.D. California, 1983). (Women's Detention Facility, Santa Clara County).

FINDINGS

2. CELLS, # Occupants. Double bunking inmates was unconstitutional based on the fact that the rooms were designed to house only one inmate, and the court's judgement that confining two persons in a cell containing seventy-five square feet was a "fundamental denial of decency, privacy, personal security, and simply, civilized humanity".

CONNECTED ISSUES

- B2. STAFFING, Training. The staff is inadequately prepared for such an emergency (fire evacuation).
- F1. OPERATIONS, Sanitation. Failure adequately to provide for sanitation needs by increasing bathroom facilities while doubling celling was a constitutional violation.
- F3. OPERATIONS, Safety. Unable adequately to assure the safe evacuation of WDF in the event of a major fire. The facility houses an excessive population for its present existing capability. Further, the staff is inadequately prepared for such an emergency.
- G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. Defendants had not failed to meet obligations to provide adequately for health needs.

Forts v. Malcolm, 426 F.Supp. 464 (S.D. New York, 1977). (New York City Correctional Institution for Women).

FINDINGS

4. SUPPORT AREAS, Visiting. All visits to detainees at the Institution must be contact visits except where the defendants can demonstrate through the use of an established classification system that institutional security would be jeopardized by a particular visit.

Giampetruzzi v. Malcolm, 406 F.Supp. 836 (S.D. New York, 1975). (New York City House of Detention).

FINDINGS

4. SUPPORT AREAS, Exercise. Five 50-minute periods of exercise weekly to inmate population.
4. SUPPORT AREAS, Recreation. Plaintiffs entitled to the use of a day room for reasonable use during the period in which they are entitled to be outside of their cells.
4. SUPPORT AREAS, Visiting. Must extend visitation rights to detainees in punitive segregation.
4. SUPPORT AREAS, Religion. Plaintiffs are entitled to conduct services weekly and in an area which is not within a few feet of the commodes of their cells. They shall be permitted to worship in the day room when made available.

NOTES/COMMENTS. Limitation on books shall not apply to law books, legal periodicals or other legal materials.

CONNECTED ISSUES

- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Plaintiffs are entitled to eat their meals at tables in the day room during meal time, although the defendants may of impose a reasonable limitation on the number of people who may use the room at one time.
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Gillespie v. Crawford, 833 F.2d 47 (5th Cir. 1987). (Texas Department of Corrections).

FINDINGS

2. CELLS, Number of Occupants. Allegations by inmates that their cell block was overcrowded were sufficient to state a claim for damages under Section 1983 for violations of the Eight Amendment.
5. ENVIRONMENTAL CONDITIONS, Light. Allegations by inmates that their cell block was overcrowded, had inadequate ventilation and lighting, and was dirt and insect infested, that they repeatedly complained about conditions without results, and that conditions caused inmates to contract tuberculosis were sufficient to state a claim for damages under Section 1983 for violations of the Eight Amendment.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Allegations by inmates that their cell block was overcrowded, had inadequate ventilation and lighting, and was dirt and insect infested, that they repeatedly complained about conditions without results, and that conditions caused inmates to contract tuberculosis were sufficient to state a claim for damages under Section 1983 for violations of the Eight Amendment.

CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Allegations by inmates that their cell block was overcrowded, had inadequate ventilation and lighting, and was dirt and insect infested, that they repeatedly complained about conditions without results, and that conditions caused inmates to contract tuberculosis were sufficient to state a claim for damages under Section 1983 for violations of the Eight Amendment.
- F4. OPERATIONS, Security. Where prison security measures are undertaken to quell disturbance or riot, question of whether measures taken inflicted unnecessary and wanton pain and suffering in violation of Eighth Amendment ultimately turns on whether force was applied in good faith effort to maintain or restore discipline or maliciously and sadistically for purpose of causing harm.
- G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. Where prison inmate claims that inadequate quality of medical care within prison violates Eight Amendment, it is not enough that care be merely negligent, but instead it must exhibit "deliberate indifference" to inmate's serious medical needs. Claim that conditions of confinement contributed to contraction of tuberculosis was considered in holding against the facility.

- I2. OTHER, Physical Conditions. Prison conditions may violate the Eight Amendment even if they are not imposed maliciously or with the conscious desire to inflict gratuitous pain.

Goldsby v. Carnes, 365 F.Supp. 395 (W.D. Missouri, 1973). 429 F.Supp. 370 (W.D. Missouri, 1977). (Jackson County Jail).

#### FINDINGS

4. SUPPORT AREAS, Exercise. Inmates shall be allowed to exercise for at least two hours a week, one hour of which shall be outdoors, weather permitting.
4. SUPPORT AREAS, Medical. A uniform system of medical records shall be maintained on each inmate who enters the jail. Each inmate upon entering the jail shall have his medical history taken and then given a physical examination.
4. SUPPORT AREAS, Visiting. Inmates shall be allowed at least two phone calls per week of which will be at least for a period of three minutes each. Visits shall be allowed on a weekly basis. Children, accompanied by an adult, shall be allowed entry for visitation. Every effort shall be made to increase visitation privileges to at least twice a week. Private consultation rooms for attorney visits shall be maintained. These rooms shall be free of both auditory and visual intrusion, except for one small look-through glass panel.
6. OTHER, Personal Hygiene. Each inmate will be provided with towel, sheets, soap, toothbrush, toothpaste, and shaving gear. Each inmate will be afforded an opportunity to shower at least every other day. Inmates' friends or family are allowed to provide them with underwear. All jail clothing shall be laundered and exchanged at least once a week.

NOTES/COMMENTS. Inmates can subscribe and receive books, magazines, and periodicals. There will be a library maintained and provided for inmates.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Classification procedures shall be instituted, and inmates shall be classified according to age, offense, physical aggressiveness, or other criteria which would warrant separate housing arrangements.
- F1. OPERATIONS, Sanitation. Will exterminate entire jail for insects and rodents as necessary to eliminate such. Will make mops, brooms, and cleaning supplies available on a daily basis.
- F4. OPERATIONS, Security. All living units should be checked for contraband at least once a month.

- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. The menu shall be planned by a dietitian to assure that the diet is properly administered and that proper food techniques are followed. A dietician should approve the menus. Any diet prescribed by a physician must be provided for the patient.
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Grubbs v. Bradley, 552 F.Supp. 1052 (M.D. Tennessee, 1982). (Tennessee Department of Corrections).

#### FINDINGS

2. CELLS, Fixtures/Furnishings. Confinement of any inmate for more than one week's duration in a cell not equipped with hot water amounts to cruel and unusual punishment.
4. SUPPORT AREAS, Exercise. Defendants are permanently enjoined from confining inmates in segregation status for more than one week without the opportunity to engage in physical exercise.
4. SUPPORT AREAS, Medical. Failure to provide minimally adequate medical care for inmates amounts to cruel and unusual punishment. Medical care provided in prisons must be reasonably sufficient to prevent needless human suffering. Requirement of Eighth Amendment that states furnished health care in prisons includes necessary dental services.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. During the classification process, each inmate is given a complete medical examination, including a TB skin test, a dental examination and a battery of psychological tests. Inmates are required to be reclassified every six months.
  - F1. OPERATIONS, Sanitation. Failure to maintain sanitary conditions in the food storage, preparation and service areas amounts to cruel and unusual punishment. In general, prison conditions must be sanitary enough so that inmates are not exposed to unreasonable risk of disease.
  - G3. INMATES ACTIVITIES/PROGRAMS, Medical Services. Health care system has been unable to provide adequate safeguards against the possible outbreak of communicable disease.
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Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972). (Orleans Parish Prison).

#### FINDINGS

4. SUPPORT AREAS, Exercise. A permanent year-round recreation program shall be maintained in the prison. One hour of recreation off the tier at least five days a week. An indoor recreation area shall be provided in the prison.

4. SUPPORT AREAS, Education. An education program for inmates shall be developed and maintained.
  4. SUPPORT AREAS, Programming. All inmates shall be eligible to participate in rehabilitation programs.
  4. SUPPORT AREAS, Medical. Prison shall provide basic medical services and screening physicals under a contract with Charity Hospital. A new prison hospital-infirmery shall be constructed immediately. A medical aide shall be on the premises during the evening hours when no other medical personnel are present.
  5. ENVIRONMENTAL CONDITIONS, Light. The lighting system on the tiers shall be modified to allow the amount of light to be reduced during the night, or supplemented by a system of night lights which would be adequate for security but less intrusive in the sleeping areas, in order to allow the main lighting system to be turned off.
  5. ENVIRONMENTAL CONDITIONS, Plumbing. All plumbing fixtures, toilets, showers, sink, etc. shall be put and kept in good order.
  6. OTHER, Personal Hygiene. Mattresses shall be replaced on an annual basis and linen laundered at least once a week. Every incoming inmate shall be issued a freshly laundered uniform upon his admission into the prison. Uniforms shall be laundered at least twice a week.
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Hamilton v. Love, 358 F.Supp. 338 (E.D. Arkansas, 1973). (Pulaski County Jail).

#### FINDINGS

5. ENVIRONMENTAL CONDITIONS, Ventilation. Court is not convinced that the present ventilation system is adequate for the extreme summer conditions. Five window fans were purchased in an attempt to remedy the very serious ventilation problems at the facility. Improvements will be made that are necessary to provide and utilize an adequate, healthy ventilation system for the jail.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Detainees are classified according to the offense charged.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Food served is adequate.
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Hamilton v. Schiro, 338 F.Supp. 1016 (E.D. Louisiana, 1970). (Orleans Parish Prison).

FINDINGS

2. CELLS, Light. No interior light is unconstitutional.
2. CELLS, # Occupants. unconstitutional use of cells designed to accommodate four inmates, but six to eight inmates are usually confined in each cell (thirteen by eight and one-half by seven and one-half).
4. SUPPORT AREAS, Exercise. Inmates receive outdoor exercise only once every twenty to thirty days for two or three hours, depending on weather conditions. Unconstitutional.
5. ENVIRONMENTAL CONDITIONS, Temperature. Unconstitutional to subject inmates are subjected to extreme temperatures in summer and winter. Inmates are subjected to extreme temperatures in the summer and winter, with the temperature reaching over 100 degrees during the summer months. Pipe decay and boiler malfunctions cause heating to be quite inconsistent and uneven. During the winter, the inmates are subjected to very cold dampness, as a result of the roof and side walls leaking.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Ventilation is very poor. Unconstitutional. It is worsened by the boarding up of windows to prevent inmates from simply pulling the bars out of the decaying windows and rotting plaster walls.
5. ENVIRONMENTAL CONDITIONS, Plumbing. Forty-five to sixty men use one shower which results in low water pressure and no hot water. Unconstitutional.

CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Unsanitary conditions of toilet, kitchen and sleeping equipment. No medical intake survey to detect prisoners with contagious diseases.
  - F3. OPERATIONS, Safety. No fire alarm system. Fire extinguishers are insufficient. Fire escapes are permanently sealed to prevent escape.
  - G3. INMATES ACTIVITIES/PROGRAMS, Medical Services. Hospital facilities and medical attention are woefully inadequate.
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Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981). (Buchanan County Jail).

FINDINGS

2. CELLS, # Occupants. May assign only one inmate to each cell, with no inmate assigned to a cell used as a communal toilet facility.

4. SUPPORT AREAS, Exercise. Cannot restrict any inmate to less than seven hours per week of physical exercise outside the tier on which he or she is confined.
4. SUPPORT AREAS, Programming. All programs provided shall be open equally to pretrial detainees.
4. SUPPORT AREAS, Medical. Any remedial plan must include provisions for medical screening.
5. ENVIRONMENTAL CONDITIONS, Plumbing. May not confine any inmate for longer than one hour in any locked cell which does not have working plumbing.

#### CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Some infestation by cockroaches, mice and rats.
  - G2. INMATE ACTIVITIES/PROGRAMS, Programs. Exclusion of pretrial detainees from religious programs and other programs because of staffing limits. Limitations in availability of law books and general reading materials.
  - G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. Marginal medical facilities and inadequate screening.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Questionable practices in food preparation and complaints of inadequate amounts of food and occasional unsanitary food trays.
  - G8. INMATES ACTIVITIES/PROGRAMS, Recreation. Almost total lack of physical recreational facilities.
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Hendrix v. Faulkner, 525 F.Supp. 435 (N.D. Indiana, 1981). (Indiana State Prison).

#### FINDINGS

4. SUPPORT AREAS, Exercise. Outdoor exercise must be available at the option of the inmates for one of the three hours allowed per day out of cell.
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Holt v. Sarver, 309 F.Supp. 362 (E.D. Arkansas, 1970). (State Penitentiary).

#### FINDINGS

2. CELLS. Barracks system of confinement has to be changed. The barracks are going to have to be made smaller by subdividing existing barracks.
2. CELLS, # Occupants. Due to overcrowding, confinement in the isolation cells was unconstitutional.
4. SUPPORT AREAS, Work. Forced uncompensated labor of state convicts did not violate the 13th Amendment.



CONNECTED ISSUES

- D2. CLASSIFICATION/SEPARATION, Separation. Racial descrimination must be eliminated.
- F4. OPERATIONS, Security. Elimination of trusty system under which trustees have unsupervised power over other inmates is essential.
- G4. INMATES ACTIVITIES/PROGRAMS, Food Service. Method of serving meals in isolation cells must be changed.
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Hoptowit v. Spellman, 753 F.2d 779 (9th Cir., 1985). (Department of Corrections).

FINDINGS

2. CELLS, Fixtures/ Furnishings. Failure to provide adequate cell cleaning supplies amounts to a violation of the 8th Admendment.
2. CELLS, Light. Inadequate lighting seriously threatens the safety and security of inmates and creates an unconstitutional infliction of pain.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Lack of adequate ventilation and air flow violated minimum requirements of the Eighth Amendment.
5. ENVIRONMENTAL CONDITIONS, Plumbing. Plumbing amounted to cruel and unusual punishment. It deprived inmates of basic elements of hygiene and seriously threaten their physical and mental well-being.

CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Vermin exacerbated by the plumbing and ventilation inadequacies.
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Hoptowit v. Ray, 682 F.2d 1237 (9th Cir., 1982)(Washington State Penitentiary).

FINDINGS

4. SUPPORT AREAS, Programming. District Court erred in ordering state to implement adequate vocational, recreational and educational programs at penitentiary and in ordering state to develop programs so that each prisoner had an opportunity to participate in transitional program designed to aid prisoner's reentry into society, since lack of programs did not violate the Eighth Amendment. Idleness and lack of programs are not Eighth Amendment violations, since lack of these programs does not amount to infliction of pain.
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Howard v. Wheaton, 668 F.Supp. 1140 (N.D.Ill. 1987). (Stateville Correctional Center).

FINDINGS

2. CELLS, Fixtures/Furnishings. Inmate stated Eighth Amendment claim against correctional officers and superintendent for confining him to a cell without functioning toilet and hot running water for 13 days. Depriving the inmate of a functioning toilet for 13 days could not be de minimis for Eighth Amendment purposes as a matter of law. The inmate was exposed to unsanitary and possibly unhealthful conditions in his cell because he was forced to urinate and defecate in one broken toilet for six days and in another for the next seven days. Those conditions were exacerbated by the unavailability of hot water with which to cleanse himself. If the inmate could prove that the defendants were deliberately indifferent towards his health, this would support liability.

CONNECTED ISSUES

- F1 OPERATIONS, Sanitation. The inmate was exposed to unsanitary and possibly unhealthful conditions in his cell because he was forced to urinate and defecate in one broken toilet for six days and in another for the next seven days. Those conditions were exacerbated by the unavailability of hot water with which to cleanse himself.

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Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Missouri, 1980). (Clay County Jail).

FINDINGS

4. SUPPORT AREAS, Exercise. Failing to provide one hour per day of outside exercise was a constitutionally intolerable condition.
5. ENVIRONMENTAL CONDITIONS, Light. Lights left on all night was no per se unconstitutional condition.
5. ENVIRONMENTAL CONDITIONS, Noise. High noise levels at night was not per se unconstitutional condition.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Inadequate ventilation system constituted a constitutionally intolerable living condition.
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Inmates of Occoquan v. Barry, 650 F.Supp. 619 (U.S.D.C., 1986). (Lorton Correctional Complex).

#### FINDINGS

2. CELLS, Size. Court orders the need to provide each inmate a total of ninety-five square feet of floor space for sleeping and dayroom purposes. If each inmate is provided meaningful programs to eliminate enforced idleness, the court will entertain a motion to modify the square foot formula to eighty-five square feet per inmate.
4. SUPPORT AREAS, Medical. Deficiencies in the medical care delivery system exist which are likely to cause harm to the inmates. No medical staff during midnight shift. Twenty-four hour on-site medical coverage is needed for adequate care. Prison officials are obligated to provide all inmates ready access to adequate medical care.
5. ENVIRONMENTAL CONDITIONS, Light. Lighting is inadequate throughout the facility. Facility has no adequate emergency lighting.
5. ENVIRONMENTAL CONDITIONS, Noise. Noise levels in the dormitories often exceeded the ACA daytime standard of 70 decibels.

NOTES/COMMENTS. Eighth Amendment is violated when "systemic deficiencies in staffing, facilities or procedures make unnecessary suffering inevitable.

#### CONNECTED ISSUES

- A1. SUPERVISION, Type. Sleeping areas of the dormitories not supervised properly. Patrols not made on frequent and regular basis.
  - D1. CLASSIFICATION/SEPARATION, Classification. Classification system appears to be dangerously overtaxed by the crush of inmates in need of classification.
  - F3. OPERATIONS, Safety. Smoke detectors are inadequate because they are not separated and their alarms are local, ringing only at the site.
  - G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. Haphazard and record keeping, unlicensed dispensation of prescription medicines, insufficient availability of sick call, insufficient medical staff, confused management, a chronic shortage of dental and psychiatric staff and barely functioning emergency care system.
  - G5. INMATE ACTIVITIES/PROGRAMS, Idleness, Plan of Day. Enforced idleness presents a major problem. Lack of programs makes idleness the inmates chief occupation.
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Inmates of Suffolk County Jail v. Eisenstadt, 360 F.Supp. 676 (D. Massachusetts, 1978). (Suffolk County Jail).

FINDINGS

2. CELLS, Fixtures/Furnishings. Inadequate--two iron-slatted cots, toilet, a metal quarter-circular slab for writing, a sink with cold running water, a few wall pegs for hanging clothes.
2. CELLS, Light. Unshaded 60-watt light bulb built into wall and controlled from outside the cell is inadequate.
4. SUPPORT AREAS, Exercise. No organized programs of physical exercise is inadequate.
5. ENVIRONMENTAL CONDITIONS, Plumbing. Antiquated, inadequate and impossible to repair is constitutionally inadequate.

CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. No classification program.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates are released from their cells for only 4 and 1/2 hours on the average day.
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Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986). (Sullivan County Jail).

FINDINGS

2. CELLS, Size. The state requires the provision of at least 25 square feet per inmate. ACA minimum is 60 square feet per inmate assuming that the inmate spends no more than ten hours per day locked in area. Majority of those confined in Sullivan County live in cells which average little more than 20 square feet per inmate.
2. CELLS, Fixtures/Furnishings. Inadequate--three or four bunk areas side by side (which open into a common "day room"), a toilet and sink.
2. CELLS, Light. No direct in-cell lighting. Lighting did not meet the minimum state requirements.
4. SUPPORT AREAS, Exercise. Regular out-of-cell recreation must be provided. One hour of out-of-cell exercise/recreation shall be provided for every inmate at least five times per week. Never exposed to fresh air and sunlight. Have no chance for exercise or recreation.

4. SUPPORT AREAS, Recreation. No television. Inmates may have radios, but only with headphones. Lack of opportunity for regular outdoor recreation alone has been held to violate the Eighth Amendment.
4. SUPPORT AREAS, Visiting. Allowed only one non-contact visit per week for fifteen minutes. Limited to blood relatives. Visitation must be increased to eight hours per week.

#### CONNECTED ISSUES

- A1. SUPERVISION, Type. Television surveillance system in corridors.
  - F3. OPERATIONS, Safety. No sprinkler system, smoke detectors or heat detectors. Blown-up fire escape plans ordered to be placed conspicuously on the walls of the jail under plexiglass.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Two meals a day. Portions sometimes run short.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Locked in bunk area from 9:00 p.m. to 7:00 a.m. Most prisoners kept in their cell twenty-four hours a day.
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Johnson v. Lark, 365 F.Supp. 289 (E.D. Missouri, 1978). (St. Louis County Jail).

#### FINDINGS

2. CELLS, # Occupants. Confinement of three men in tiny two-man cell violate the Eighth Amendment rights. Enjoined from permitting more than two federal prisoners to be confined in any of the five by eight foot cells in the jail.
4. SUPPORT AREAS, Exercise. Absence of outside exercise areas violate the Eighth Amendment rights of inmates.
4. SUPPORT AREAS, Recreation. Absence of recreational facilities violates the Eighth Amendment rights of inmates.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Inadequate ventilation violates the Eighth Amendment rights of inmates. Ventilation was accomplished by means of windows opening on to a central air shaft with a large ventilator fan to exhaust air to the outside.

#### CONNECTED ISSUES

- D2. CLASSIFICATION/SEPARATION, Separation. Policy was to segregate prisoners according to age and seriousness of the alleged offense.
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Jones v. Diamond, 594 F.2d 997 (5th Cir., 1979). (Jackson County Jail).

FINDINGS

4. SUPPORT AREAS, Exercise. Where the totality of the circumstances in the jail did not amount to cruel and unusual punishment, lack of outdoor exercise did not, standing alone, constitute unconstitutional punishment. No reasonably available facility for outdoor exercise.
4. SUPPORT AREAS, Medical. Under Mississippi law, all persons held in county jails have a right to medical attention.
4. SUPPORT AREAS, Visiting. In view of extremely limited facilities of jail for visitation, it was not practical to order that visitation privileges for pretrial detainees be contact visitation. Convicted criminals do not have a constitutional right to such visitation, except for their legal counsel.

NOTES/COMMENTS. "Conditions of the jail cannot be described as uncivilized or as barbaric and inhumane".

CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. The Constitution does not expressly require states to develop prisoner classification plans for the incarceration of convicted criminals.
  - D2. CLASSIFICATION/SEPARATION, Separation. Racial segregation of inmates will be prohibited. Required to separate pretrial detainees from convicts. Pretrial detainees have a due process right to be held in facilities apart from convicted inmates.
  - F5. OPERATIONS, Length of Confinement. Average length of stay was probably less than ten days, and the average pretrial detainee who was unable or unwilling to post bond may have stayed in the jail for 28 days or more.
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Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971). (Lucas County Jail).

FINDINGS

2. CELLS, Light. One ceiling type light fixture for every habitable room ordered; providing sufficient illumination to permit reading of newspaper.
2. CELLS, # Occupants. There will never be more than two persons per cell confined in the jail (this limit on jail population may be exceeded for a period of not more than twenty-four hours only in an extreme emergency).

4. SUPPORT AREAS, Exercise. Provide outdoor and indoor exercise programs.
4. SUPPORT AREAS, Recreation. Establishment of a recreation program.
4. SUPPORT AREAS, Medical. A physician must be available on call at all times. Every entering prisoner must receive a medical examination before being assigned to a regular cell. Must be daily sick call.
4. SUPPORT AREAS, Visiting. Establishment of visiting programs which shall include daily visiting hours both in the daytime and in the evening.
6. OTHER, Personal Hygiene. Inmates shall be provided with blankets, sheets, pillow, pillowcase, towel, and wash cloth (frequently washed). Prisoners will be dressed in jail clothing that is regularly laundered. Inmates who do not have such items will be furnished with soap, toothbrush, toothpaste and shaving gear.

#### CONNECTED ISSUES

- B1 STAFFING, Levels. Provide a sufficient number of guards so that there will be at all times not less than two guards on duty on each floor, at least one of whom shall at all times be on patrol of the cell blocks.
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Lightfoot v. Walker, 486 F.Supp. 504 (E.D. Wisconsin, 1980). (Menard Correctional Center).

#### FINDINGS

2. CELLS, Size. Double-celling of inmates allowing only 18 to 32 square feet of space for each resident is unconstitutional.
2. CELLS, Light. Light-meter readings in segregation cells found only 5 foot-candles of light in the cells, found inadequate.
4. SUPPORT AREAS, Medical. The delay from admission to a physical examination ranged from 13 to 162 days. Medical services are inadequate.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Ventilation in kitchen insufficient to remove odors and excess heat. Shower room has no ventilation. Ventilation system in the segregation unit cannot provide adequate ventilation to the unit.

#### CONNECTED ISSUES

- F1. OPERATIONS, Sanitation. Inmates are allowed one shower per week.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates in segregation are only outside their cells for a maximum of one shower and one hour of exercise per week.
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Lock v. Jenkins, 641 F.2d 488 (7th Cir., 1981). (Indiana State Prison at Michigan City).

FINDINGS

2. CELLS, Size. Eight feet by 4 feet, eight inches for one pretrial detainee. unconstitutional. Ordered to increase space if inmate spends 22 hours in cell, or to reduce time in cell.

CONNECTED ISSUES

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Two hours per day is spent outside cell.
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Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983). (Maine State Prison).

FINDINGS

2. CELLS, Fixtures/Furnishings. Bed, mattress, folding chair, writing table, footlocker, toilet, wash basin with hot and cold running water, electrical outlet for television and radio. Found adequate.
2. CELLS, Light. Light in cell supplemented by lighting in the stairwells and by windows. Found adequate.
2. CELLS, # Occupants. Each inmate has his own cell. Found adequate.
4. SUPPORT AREAS, Recreation. A variety of recreational facilities are available to inmates. The typical day of an inmate consists of one half day of work and one half day of recreation. Found adequate.
4. SUPPORT AREAS, Medical. There is no credible evidence that serious medical, dental or psychological problems are neglected.
4. SUPPORT AREAS, Work. An industries program which consists of a woodshop, printshop, upholstery and finishing shop and craftroom. In addition to the industries program, inmates hold a variety of other jobs maintaining or operating the prison. Found adequate.

NOTES/COMMENTS. When inmates are furnished reasonably adequate food, clothing, shelter, sanitation, personal safety and medical care, obligations under the Eighth Amendment have been met.



CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. The classification committee determines the inmate's security classification, housing classification, job assignment, and programming. Guided by procedures set forth in a classification manual.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Services. Three meals a day supplemented by purchasing snacks from prison commissary. Meals well-balanced and served in a healthful and sanitary manner.
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Lyons v. Powell, 838 F.2d 28 (1st Cir. 1988). (New Hampshire State Prison).

FINDINGS

2. CELLS, # Occupants. The Supreme Court has held the "double-bunking", that is, placing two inmates in a cell presumably intended for a single inmate, does not constitute punishment. This practice, then, does not constitute a per se violation of a pretrial detainee's due process rights. The Court left open the possibility, however, that "confining a given number of people in a given amount of space in such a manner as to cause them to endure genuine privations and hardship over an extended period of time might raise serious questions under the Due Process Clause as to whether those conditions amounted to punishment."
2. CELLS, Fixtures and Furnishings. The Court recognized that overcrowded prison conditions did not justify forcing pretrial detainees to sleep on floor mattresses for more than a few days. Subjecting pretrial detainees to use of floor mattresses for anything other than emergency circumstances may constitute impermissible imposition of punishment, thereby violating due process rights of such detainees.
4. SUPPORT AREAS, Programming. Pretrial detainee was not denied access to court; detainee was given periodic access to law library, and was not constitutionally entitled to also receive assistance from "persons trained in the law." Having been given access to the library, appellant was not constitutionally entitled to assistance from "persons trained in the law" as well.

CONNECTED ISSUES

- F3 OPERATIONS, Safety. If a restriction appears to be unrelated to a legitimate governmental objective, and is, for example, arbitrary or purposeless, then a court may infer that it is intended to be punishment.
- G6 ACTIVITIES/PROGRAMS, Out of Cell Time. Pretrial detainee's allegations that he was confined to a cell for 22-23 hours per day for 27-day period, and was forced to sleep on floor mattress, were sufficient to state Section 1983 cause of action on ground of deprivation of liberty without due process.
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McBride v. Illinois Department of Corrections, 677 F.Supp. 537 (N.D. Ill., E.D. 1987). (Stateville Correctional Center).

FINDINGS

6. ENVIRONMENTAL CONDITIONS, Ventilation. Odors in correctional facility, including odors from cellmate, odors from toilet, and odors from spray used to control roach infestation, did not constitute constitutionally prohibited cruel and unusual punishment.
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McMurry v. Phelps, 533 F.Supp. 742 (W.D. Louisiana, 1982). (Ouachita Parish Jail).

FINDINGS

2. CELLS, Size. Each has approximately twenty-two square feet of space in a total lock-down situation. Not adequate.
2. CELLS, # Occupants. The number of inmates in the jail shall not exceed ninety on a normal daily basis. No cells or cellblocks shall contain more inmates than the number of bunks available.
4. SUPPORT AREAS, Visiting. Must allow open visitation or constructed modern visitation booths, with clear eye level partitions and an effective device for vocal communication. The booths should also provide privacy. The visiting hours shall be sufficient for each inmate who so desires to have thirty minutes of visitation once a week. There is no constitutional deprivation in denying contact visitation (for security reasons) to convicted prisoners.

NOTES/COMMENTS. Censorship of prisoner reading material such as the Life magazine infringes on the First Amendment rights of the inmates. The censorship must cease until guidelines are adopted and approved by the parties. Does not provide adequate access to the courts for its inmates. This is a violation of the prisoners right of due process. A law library is not required if there is an alternative means of ensuring access.

CONNECTED ISSUES

- A2. SUPERVISION, Frequency. Guard patrols shall take place with an average of fifteen minute intervals on a random, non-scheduled basis.
- A3. SUPERVISION, Use of CCTV. Camera monitors are not in the actual cells, but only the run-arounds. The poor lighting renders the existing monitors functionally questionable. A light/intercom system would be feasible.

- B1. STAFFING, Levels. Failure to provide adequate jail personnel to ensure prisoner safety violates the inmates Eighth and Fourteenth Amendment rights.
  - G1. INMATE ACTIVITIES/PROGRAMS, Activities. Only real inmate activity besides limited reading and television viewing is gambling.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Leave cells only for court appearances, medical problems, or attorney visits.
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Miles v. Bell, 621 F.Supp. 51 (D.C. Connecticut, 1985). (Federal Correctional Institution at Danbury).

#### FINDINGS

- 2. CELLS, Fixtures/Furnishings. Failure of prison to meet standards of public health association and correctional association as to number of toilets and showers that should have been available to prisoners did not of itself constitute violation of Eighth Amendment.
- 4. SUPPORT AREAS, Exercise. No unconstitutional deprivation of the inmates rights to physical exercise. The inmates have enough forms of exercise and equipment available with regularity.
- 5. ENVIRONMENTAL CONDITIONS, Ventilation. Claim of inadequate ventilation in dormitories was moot due to installation of cubicles. Installation of cubicles provides an inmate with control over his own environment. Ventilation in the dorms were tested and the figures for cubic feet per minute per person in the dorms proved to be within the standards set by the American Society of Heating, Refrigeration and Air Conditioning Engineers.

#### CONNECTED ISSUES

- B1. STAFFING, Levels. The number of staff members and staffing pattern was not inadequate to ensure inmate's safety in general and did not constitute cruel and unusual punishment.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Maggots and weevils were occasionally found in food service, but court found no constitutional violation.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Required to be in living units only during afternoon count and at night.
  - H. PRISONER PRIVACY. Court found no violation in the unannounced entry into the dorms by female correctional officers who, occasionally, see unclothed inmates.
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Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835 (M.D. Florida, 1975). (Duval County Jail).

#### FINDINGS

3. DAY ROOMS, Fixtures/Furnishing. No bunks shall be placed in the day rooms of the cellblocks.
4. SUPPORT AREAS, Recreation. Combined recreational and dining areas should be created on each floor of the jail. Implement a program of daily outdoor recreation.
4. SUPPORT AREAS, Medical. Any inmate requiring medical isolation shall not be housed in the jail until appropriate facilities are available. There needs to be a physician or licensed physician's assistant on call at the jail twenty-four hours a day.
4. SUPPORT AREAS, Visiting. Need to establish a program of contact visitation.
6. OTHER, Personal Hygiene. Each inmate who does not have such items when he enters the jail, shall be furnished, within twenty-four hours of being booked, soap, toothpaste, toothbrush, and shaving gear to be able to maintain good personal hygiene.
5. ENVIRONMENTAL CONDITIONS, Light. Lighting throughout the inmate housing areas are inadequate.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Ventilation is a serious problem.
6. OTHER, Personal Hygiene. Toothpaste, razor blades, razor, soap and other health and comfort items are provided to the inmates through the jail commissary. Showers are provided on a weekly basis.

#### CONNECTED ISSUES

- G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. Procedure by which an inmate obtained medical assistance was totally inadequate. The decision as to whether or not an inmate was to receive medical assistance was ultimately left in the hands of a non-medical correctional officer. Part-time dentist available a portion of the day on Saturday. Only emergency dental care was available.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Meals served at regular times, but food had to be eaten while standing because of lack of sitting space. The kitchen facilities at the jail were found to be completely inadequate and failed to comply with minimal health standards. All inmates except trustees were served only two meals per day and were provided only sandwiches for lunch.

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. At least ninety percent of inmates never leave their cells, even to eat meals.
- G8. INMATE ACTIVITIES/PROGRAMS, Recreation. Only recreational facilities provided were cards, dominos and television.
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Mitchell v. Untreiner, 421 F.Supp. 886 (N.D. Florida, 1976). (Escambia County Jail).

#### FINDINGS

6. OTHER, Personal Hygiene. Each inmate shall be issued, within eight hours of being booked, clean blankets, sheets, pillows, pillowcases, towels and washclothes. Each inmates who does not have sufficient money shall be furnished, without charge, soap, toothbrush, toothpaste, comb, and shaving gear within twenty-four hours of being booked.

#### CONNECTED ISSUES

- A1. SUPERVISION, Type. No set number of times jail personnel are required to maintain visual supervision of inmates. No visual supervision of inmates from 8:00 p.m. until morning.
- D1. CLASSIFICATION/SEPARATION, Classification. Inmates assigned to cell without adequate classification.
- F1. OPERATIONS, Sanitation. Maintaining sanitation of cells left up to inmates.
- G2. INMATE ACTIVITIES/PROGRAMS, Programs. No educational or training programs in jail.
- G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. The jail is without medical nursing, psychological, or dental staff. No medical examination is made of inmates admitted to the jail.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Entire day, including meal time, spent in cell.
- G7. INMATE ACTIVITIES/PROGRAMS, Visiting. Visiting limited to brief periods on weekends.
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Mobile County Jail Inmates vs. Purvis, 551 F.Supp. 92 (S.D. Ala., 1982). (Mobile County Jail).

#### FINDING

- 2 CELLS, Size. Court order requires approximately 46 square feet per occupant.
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Monmouth County Correctional Institution v. Lanzaro, 595 F.Supp. 1417 (D. New Jersey, 1984). (Monmouth County Correctional Institution).

FINDINGS

1. FACILITY SIZE. Population will not be permitted to exceed 344 inmates.
2. CELLS, Fixtures/Furnishings. All inmates shall be given a bed, a mattress and bedding.
4. SUPPORT AREAS, Recreation. Inmates will be given one hour of meaningful recreation per day.
4. SUPPORT AREAS, Medical. An additional nurse shall be hired and a medical screening will be done on all inmates prior to release into general population.
5. ENVIRONMENTAL CONDITIONS, Light. Shall take all necessary steps to renovate the lighting of MCCI. Lighting in all cells and in most areas of the dormitories is inadequate and subjects inmates to a risk of accident or injury as well as creating a hindrance to recreational reading.
5. ENVIRONMENTAL CONDITIONS, Temperature. Shall take all necessary steps to renovate the temperature of MCCI. The jail is not properly heated and temperature and humidity levels in summer and winter result in great discomfort, and increased tension and hostility among inmates and between officers and inmates.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Shall take all necessary steps to renovate the ventilation of MCCI. The jail is not properly ventilated and temperature and humidity levels in summer and winter result in great discomfort and increased tension and hostility among inmates and between officers and inmates. Because windows at the jail do not close properly or are broken, plastic has been placed over some windows and that practice prevents proper ventilation and makes the air stale and foul-smelling.

CONNECTED ISSUES

- G6. OUT OF CELL TIME. Prisoners only out of cells for 1 to 1.5 hours daily to take meals.
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Moore v. Janing, 427 F.Supp. 567 (D. Nebraska, 1976). (Douglas County Jail).

FINDINGS

4. SUPPORT AREAS, Exercise. No place for exercise- must submit plan for exercise program.
4. SUPPORT AREAS, Recreation. No place for recreation- must submit plan for recreational programs.
4. SUPPORT AREAS, Visiting. Rule which limited frequency of visits for pretrial detainees, denied physical contact visits, and restricted persons who were allowed to visit pretrial detainees was not unconstitutionally restrictive. Must provide private facilities for attorney-client visits.
6. OTHER, Personal Hygiene. Items supplied to inmates included one blanket, a mattress cover, sheet, pillow, pillowcase, towel, washcloth, bedspread, styrofoam cup, bar of soap, and foam mattress.

CONNECTED ISSUES

2. CELLS, Size. Four, four-person cells measuring eight by ten feet each and one, six-person cell measuring eight by twelve feet. When cells are full, women have approximately twenty square feet of living space.
2. CELLS, Fixtures/Furnishings. Each cell contains either four or six steel bunks, a toilet, a sink, and a nightstand.
2. CELLS, Light. No skylights or windows, lighting primarily comes from the incandescent bulb in each cell.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. The inmates ate their meals in the hallway outside the matron's office, sitting in on a long row of chairs facing the wall.

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Nelson v. Collins, 659 F.2d 420 (4th Cir., 1981). (Maryland State Prison System).

FINDINGS

2. CELLS, # Occupants. Court found unconstitutional overcrowding and ordered, by way of relief, the elimination of double celling. The cells were "designed, built and rated to house one man".
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New York State Association for Retarded Children v. Carey, 706 F.2d 956 (1983). (Staten Island Developmental Center).

Although this case does not involve correctional institutions, it offers insights into the types of issues and concerns viewed by the courts with regard to establishing limits on the size of facilities. Motions were filed by class members, patients in institutions for the mentally retarded, to declare defendants in noncompliance with a prior consent judgment and to appoint a special master, and defendants filed counter-motion to modify the consent judgment. The United State District Court for the Eastern District of New York found defendants in noncompliance and denied the motion to modify the consent judgment, and defendants appealed. The appeals court held that the trial court erred in refusing to modify the consent judgment's limitation on the size of facilities in which patients of the institution could be placed, in view of the testimony of state officials and expert witnesses that some patients would be better cared for and better adjusted in facilities of intermediate size, and in view of fact that modification would not be in derogation of the primary objective of the consent decree, namely, to empty the institution whose conditions were challenged.

Experts for the defendants presented a "plethora" of testimony on the size of the residential facility as a factor bearing on the care received by mentally retarded persons and their opportunities for development, all of whom were in general agreement that a range of facilities of different sizes up to 50 beds would best serve the Willowbrook class. The quality of care and relationships between staff and residents, it was testified, would not suffer in facilities of larger size. Moreover, community placements of less than 10 beds, according to two experts, could not each be staffed with physicians and therapists necessary for disabled class members and those with special health risks.

Against this testimony, expert witnesses for the plaintiffs joined in contending that the size of a residential facility is the single most important factor in the development of mentally retarded individuals. Facilities of 10 beds or less, these experts testified, provide consistency of programming and care as well as the warmth of personal relationships. The plaintiffs' medical experts concluded that the medical problems of Willowbrook class members were exaggerated by defendants' experts. Even the Flower Hospital residents, according to one expert, were medically stable and posed no risks that adequately trained staff could not handle.

The district court rejected the evidence of defendants' witnesses and remained convinced "that the needs of the Willowbrook class members are better met in small group homes than in facilities ranging in size from 11 to 50 beds". The court noted that defendants had agreed in 1975 to the 15 bed/10 bed limitation and thus would have to argue "either that professional knowledge has changed or that practical experience has shown that the quality of care is the same in facilities sized from 1 to 50 residents. The appeals court concluded that district court had erred.

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Padgett v. Stein, 406 F.Supp. 287 (M.D. Pennsylvania, 1975). (York County Prison).

FINDINGS

4. SUPPORT AREAS, Visiting. Ninety minutes per week. Visiting list of eight people. This shall be guaranteed.

NOTES/COMMENTS. Conditions of confinement did not constitute cruel and unusual punishment.

CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Overcrowding makes it impossible to house inmates according to classification.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Given nutritional meals that are served in a sanitary manner.
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Palmigiano v. Garrahy, 639 F.Supp. 244 (D. Rhode Island, 1986). (Adult Correctional Institution).

FINDINGS

4. SUPPORT AREAS, Education. Required to establish sufficient educational, vocational and meaningful job opportunities.
4. SUPPORT AREAS, Programming. Provide meaningful programming for pre-trial detainees, especially for those whose stay at the detention facility exceeds forty-six days. Provide meaningful vocational programming opportunities.
4. SUPPORT AREAS, Medical. Shall address needs and ensure adequacy in medical and mental health care areas.
4. SUPPORT AREAS, Work. Required to maintain sufficient meaningful job opportunities for every prisoner.

CONNECTED ISSUES

- G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. No smoothly functioning health delivery system.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Pretrial detainees are double celled in seventy-one square foot cells for nineteen to twenty hours a day.
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Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions).

#### FINDINGS

2. CELLS, Fixtures/Furnishings. Cells and fixtures of state prison facilities housing capital inmates were functional and sanitation/maintenance provisions therein did not violate prohibition against cruel and unusual punishment, since conditions were not shown to threaten well-being of inmates and were attributable, to large extent, to inmates refusal to cooperate in routine maintenance and housekeeping.
4. SUPPORT AREAS, Exercise. Exercise regimen of state prison facilities for capital inmates, permitting exercise individually or in pairs, two hours a day, seven days a week, were correlated with necessity for institutional security and did not constitute cruel and unusual punishment. Absence of indoor exercise facilities for capital inmates in state prison facilities did not violate prohibition against cruel and unusual punishment. State prison facilities prohibition on group exercise for capital inmates was adequately supported by institutional security concerns and did not constitute cruel and unusual punishment.
4. SUPPORT AREAS, Education. The Eighth Amendment does not require that prison officials provide educational programs.
4. SUPPORT AREAS, Visiting. Prohibition on contact visits for capital inmates in state prison facilities did not constitute cruel and unusual punishment, in view of rational connection of prohibition to internal security of institution.
5. ENVIRONMENTAL CONDITIONS, Lighting. Lighting conditions in state prison facilities housing capital inmates did not amount to wanton and unnecessary infliction of pain and did not constitute cruel and unusual punishment absent any evidence that lighting caused eye damage. Light levels less than the ACA standard of 20 footcandles is not unconstitutional.
5. ENVIRONMENTAL CONDITIONS, Temperature. Airflow and temperature conditions in cells housing capital inmates at state prisons, while legitimate concerns, did not constitute cruel and unusual punishment absent any showing of impairment of inmates' health by such conditions, despite testimony that some cell were "very hot," with minimal airflow.
5. ENVIRONMENTAL CONDITIONS, Noise. Level of noise in state prison facilities housing capital inmates was not intolerable and did not inflict cruel and unusual punishment, despite claim of inmates that noise level deprived them of their psychological privacy.

5. ENVIRONMENTAL CONDITIONS, Ventilation. Airflow and temperature conditions in cells housing capital inmates at state prisons, while legitimate concerns, did not constitute cruel and unusual punishment absent any showing of impairment of inmates' health by such conditions, despite testimony that some cell were "very hot," with minimal airflow.
6. OTHER, Personal Sanitation. State prisons' policy of showering capital inmates individually on alternate days and existence of mold and lime deposits in showers did not seriously threaten health of inmates and did not constitute cruel and unusual punishment.

#### CONNECTED ISSUES

- E1. SECURITY, Internal. The court emphasized legitimate security concerns associated with the capital prisoners in this case, tempering its conclusions in areas such as exercise, dining, and programs.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Capital inmates in state prisons failed to show that food provided was nutritionally inadequate or that conditions under which food was prepared and served presented immediate danger to their health, and such services did not inflict cruel and unusual punishment, particularly in view of legitimate security reasons for not allowing communal dining.

Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions).

#### FINDINGS

2. CELLS, Size. Minimum of sixty square feet per cell ordered.
2. CELLS, Fixtures/Furnishings. Each cell must contain a toilet that can be flushed from inside cell, a sink with hot and cold running water, clean linen, and a bed off the floor.
2. CELLS, Light. Must meet minimum standards of the U.S. Public Health Service.
4. SUPPORT AREAS, Exercise. Allowed at least 30 minutes outdoor exercise per day.
4. SUPPORT AREAS, Education. Each inmate shall have an opportunity to participate in basic educational programs.
4. SUPPORT AREAS, Medical. Court orders reasonable medical care be provided.
4. SUPPORT AREAS, Visiting. Any restrictions imposed by the prisons visitation policies must be reasonably related to a legitimate governmental interest.

4. SUPPORT AREAS, Work. Openings must be assigned on a reasonable and rational basis.

NOTES/COMMENTS. Oral order enjoining the use of isolation and segregation cells which do not meet minimum standards was issued by the court at the conclusion of the trial. Conditions of confinement constituted cruel and unusual punishment.

#### CONNECTED ISSUES

- B2. STAFFING, Training. Shall provide appropriate and effective training programs for all staff members.
  - D1. CLASSIFICATION/SEPARATION, Classification. No working classification system. Shall file a plan with the Court.
  - G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Food improperly stored in dirty storage units. Often infested with insects.
  - G8. INMATE ACTIVITIES/PROGRAMS, Recreation. No organized recreational programs.
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Ramos v. Lamm, 485 F.Supp. 122 (D. Colorado, 1979). (Canon Correctional Facility).

#### FINDINGS

2. CELLS, Size. A cell of eighty square feet is the constitutional minimum for any prisoner confined in his cell for twenty or more hours a day. Most cells provide for barely one half the square footage of space required by modern correctional standards. No prisoner, including those in the Diagnostic Unit, may be housed in less than eighty square feet for twenty or more hours a day.
4. SUPPORT AREAS, Exercise. The right to reasonable opportunities for exercise is fundamental, especially where prison life for most inmates is characterized by idleness and prolonged daily confinement in their cells.
4. SUPPORT AREAS, Recreation. Each inmate must be involved in some kind of productive activity at least eight out of every twenty-four hours.
4. SUPPORT AREAS, Education. Totally inadequate. Hardly any inmates given the opportunity to participate in educational programs.
4. SUPPORT AREAS, Medical. Inmates have a fundamental right to receive needed health care.
5. ENVIRONMENTAL CONDITIONS, Light. Lighting is inadequate for prisoners to read safely in their cells. Minimum standards require thirty foot candles (readings showed lighting was only ten foot candles).

- 5. ENVIRONMENTAL CONDITIONS, Temperature. The heating system is incapable of providing minimally adequate heat.
- 5. ENVIRONMENTAL CONDITIONS, Noise. The noise levels are intolerable.
- 5. ENVIRONMENTAL CONDITIONS, Ventilation. The ventilation system is incapable of providing minimally adequate ventilation.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Any system of classification, placement and assignment must be clearly understandable, consistently applied and conceptually complete. A classification system that separates prisoners by age, offense, physical aggressiveness, or other criteria may be constitutionally valid.
  - G3. INMATE ACTIVITIES/PROGRAMS, Medical Services. The prison is totally ill-equipped and unable to provide essential health services.
  - G5. INMATE ACTIVITIES/PROGRAMS, Idleness, Plan of Day. Jobs, recreation, treatment, education, labor and training may all be used to eliminate forced idleness.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Allowed to leave cell only for meals and showers, and for recreation twice a week.
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Reece v. Gragg, 650 F.Supp. 1297 (D. Kansas, 1986). (Sedgwick County Jail).

#### FINDINGS

- 4. SUPPORT AREAS, Exercise. Lack of area for exercise violated due process clauses of Fifth and Fourteenth Amendments. No area (space) outside of the inmates' cells exists for activity of any type at all.
- 5. ENVIRONMENTAL CONDITIONS, Temperature. Inadequate temperature control exists. Usually hot and fetid in the winter. Oppressive heat problems during the summer as well. The jail is not air conditioned and the limited number of fans available simply blow the hot air around.
- 5. ENVIRONMENTAL CONDITIONS, Ventilation. Adequate ventilation to provide sufficient fresh air is lacking.
- 5. ENVIRONMENTAL CONDITIONS, Plumbing. Antiquated and unsanitary plumbing system. Stools and sinks available to inmates in their cells are ancient, stained, unsanitary and repulsive.

NOTES/COMMENTS. Sedgwick County Jail has operated, on the average, at 266% over recommended capacity.

CONNECTED ISSUES

- D2. CLASSIFICATION/SEPARATION, Separation. There is no appropriate segregation system.
- G1. INMATE ACTIVITIES/PROGRAMS, Activities. None of the inmates have access at any time to exercise or activity rooms or equipment.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. No separate dining facilities. Inmates forced to eat from their bunks.
- G5. INMATE ACTIVITIES/PROGRAMS, Idleness, Plan of Day. Prisoners can do little all day except sit or lie on their bunks.
- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Many inmates confined in cells twenty-four hours a day.
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Rhem v. Malcolm, 389 F.Supp. 964 (S.D. New York, 1975). (Manhattan House of Corrections).

FINDINGS

4. SUPPORT AREAS, Exercise. Detainees should be afforded a minimum of one hour of exercise daily. Fifty minute per week winter-time exercise period did not meet constitutional standards.
4. SUPPORT AREAS, Visiting. Thirty minute visitation period per week not constitutionally inadequate.
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Rhem v. Malcolm, 396 F.Supp. 1195 (S.D. New York, 1975). (Tombs, City of New York).

FINDINGS

4. SUPPORT AREAS, Exercise. Exercise program of five periods per week met constitutional standard (one hour outdoor exercise Monday-Friday).
4. SUPPORT AREAS, Recreation. Increase in recreational opportunities to five-fifty minute periods per week.
4. SUPPORT AREAS, Visiting. Pretrial detainees did not have constitutional right to a minimum number and length of visits or number of visits but the visiting schedule shall be arranged to assure each inmate a minimum of one weekly visit at night or on a Saturday or Sunday. Every visit shall last a minimum of one-half hour. All personal visits accorded plaintiffs shall be contact visits except where defendants can establish, based upon said classification system, that contact visits would jeopardize security.

CONNECTED ISSUES

- G1. INMATE ACTIVITIES/PROGRAMS, Activities. Shall commence a program of optional lock-in during activity periods.
  - G5. INMATE ACTIVITIES/PROGRAMS, Idleness, Plan of Day. Inmates should be permitted to leave their cells at all times except for such reasonable periods as may be necessary for staff to count the population and to clean the institution, arrange for court appearances, provide meals to inmates and to provide a quiet sleeping period of no longer than eight hours, starting no earlier than 9:30 p.m.
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Rhem v. Malcolm, 432 F.Supp. 769 (S.D. New York, 1977). (Manhattan House of Detention).

FINDINGS

- 4. SUPPORT AREAS, Exercise. Pretrial detainees are entitled to one hour of outdoor physical exercise daily (five days a week).
  - 5. ENVIRONMENTAL CONDITIONS, Noise. Noise levels at eighty dba or more pose a real danger of hearing loss for those exposed to it over long periods of time, and that to eliminate risk, average noise levels should remain below sixty-five dba. Found to have noise levels constituting a threat to hearing and mental health.
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Rhodes v. Chapman, 101 S.Ct. 2392 (1981). (Maximum Security Prison, Ohio).

FINDINGS

- 2. CELLS, # Occupants. Two occupants in sixty-three square foot cell upheld. "Everyone is in agreement that double celling is undesirable." "At most, these considerations amount to a theory that double-celling inflicts pain."

CONNECTED ISSUES

- B1. STAFFING. Staffing levels are adequate.
  - F1. SANITATION. Adequate.
  - F5. LENGTH OF CONFINEMENT.
  - G1. ACTIVITIES. Adequate.
  - G2. PROGRAMS. Number of staff not increased with crowding.
  - G3. MEDICAL CARE. Adequate.
  - G4. FOOD SERVICE. Adequate.
  - G6. OUT OF CELL. Only in cells during sleeping hours.
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Ruiz v. Estelle, 679 F.2d 1115 (5th Cir., 1982). (Texas Department of Corrections).

FINDINGS

2. CELLS, # Occupants. No inmate may be assigned with another inmate to a cell containing sixty square feet or less.  
Forty square feet per inmate of dormitory space requirement. "Neither 60 square feet, nor forty square feet, nor any other measure is constitutionally ordained."
4. SUPPORT AREAS, Exercise. Each inmate must be afforded the opportunity for at least one hour of exercise a day if he is in administrative segregation for more than three consecutive days. Of particular importance in determining an inmate's need for regular exercise are the size of his cell, the amount of time the inmate spends locked in his cell each day, and the overall duration of his confinement.
4. SUPPORT AREAS, Medical. Prisoners need full access to health care, regardless of segregation status.
4. SUPPORT AREAS, Programming. No prisoner shall be denied access to work, recreation, education or other programs or opportunities because of health status unless required for medical reasons as determined by a licensed physician.

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Rutherford v. Pitchess, 710 F.2d 572 (9th Cir., 1983). (Los Angeles County Central Jail).

FINDINGS

4. SUPPORT AREAS, Visiting. A limited number of contact visits are granted for only those who have been held for more than thirty days and who do not constitute security risks.

CONNECTED ISSUES

- F4. OPERATIONS, Security. Order requires that individual inmates in the general area of their cells when a "shakedown" search occurs should be "near enough" to observe the process and raise or answer any relevant inquiry.
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Shelby County Jail Inmates v. Westlake, 798 F.2d 1085 (7th Cir., 1986).  
(Shelby County Jail).

FINDINGS

4. SUPPORT AREAS, Exercise. Inmates were not so deprived of exercise as to suffer violations of their constitutional rights.
5. ENVIRONMENTAL CONDITIONS, Light. Less than twenty footcandles of illumination which existed after installation of new lights in jail did not violate constitutional rights of inmates.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Ventilation in county jail was adequate and did not constitute punishment of pretrial detainees or cruel and unusual punishment of convicted inmates.

CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. The jail's system for classification of inmates satisfied constitutional concerns.
  - D2. CLASSIFICATION/SEPARATION, Separation. The jail's system for separation adequately segregated inmates with emotional or medical problems from the rest of the inmate population.
  - G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates are allowed out of their cells for seventeen and one-half out of twenty-four hours.
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Smith v. Fairman, 528 F.Supp. 186 (C.D. Illinois, 1981). Smith v. Fairman, 690 F.2d 122 (7th Cir., 1982). (Pontiac Correctional Center).

FINDINGS

2. CELLS, # Occupants. District Court ruled that double celling conditions constituted cruel and unusual punishment and violated the Eighth Amendment ordering the Pontiac Correctional Center to, at the earliest date possible, move to single occupancy celling. On appeal, the Circuit Court ruled that double celling does not violate the Eighth Amendment.

CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. Pontiac has no classification program for screening prisoners before assignment to a double cell.
  - F1. OPERATIONS, Sanitation. The sanitary conditions of the prison, though far from perfect, are reasonable.
  - F5. LENGTH OF CONFINEMENT. "Length of confinement is a vital consideration in deciding whether circumstances of prison confinement constituted cruel and unusual punishment."
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Smith v. Sullivan, 553 F.2d 373 (5th Cir., 1977). (El Paso County Jail).

FINDINGS

4. SUPPORT AREAS, Exercise. Adequately supervised program of regular exercise should be available indoors.
4. SUPPORT AREAS, Medical. Violation of required standard of adequate medical services. Each incoming prisoner shall be given a medical examination within thirty-six hours.
5. ENVIRONMENTAL CONDITIONS, Temperature. The temperature shall be maintained to stay between sixty-five and eighty-five degrees.

CONNECTED ISSUES

- A2. SUPERVISION. FREQUENCY OF HEALTH AND WELFARE CHECKS. Every area holding prisoners visited each hour of the day (twenty-four hour period).
- B1 STAFFING. LEVELS. Have one non-prisoner guard on each floor at all times.
- E3. SECURITY, Equipment. A communication system shall be operated whereby any prisoner may call for help from a guard any time.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. Meals must be served hot, and include at least one fresh green vegetable, one fresh yellow vegetable, and one serving meat each day.

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Suzuki v. Yuen, 678 F.2d 761 (8th Cir., 1982). (Iowa State Men's Reformatory).

FINDINGS

2. CELLS, # Occupants. Double celling of prison inmates in 120 square foot cells did not, by itself, constitute cruel and unusual punishment.

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Taylor v. Sterrett, 344 F.Supp. 411 (N.D. Texas, 1972). (Dallas County Jail).

FINDINGS

2. CELLS, Size. Any cell of less than forty square feet must not be used. Cells and tanks can only house the number of inmates that they were designed to accommodate. Solitary cells will not be less than forty square feet.

2. CELLS, Fixtures and Furnishings. Solitary cells must be furnished with a bunk, water closet and a combination drinking fountain and lavatory.
4. SUPPORT AREAS, Exercise. An outdoor area for exercise must be provided.
4. SUPPORT AREAS, Education. Quarters shall be provided for educational programs.
4. SUPPORT AREAS, Medical. The capacity of the hospital ward shall be increased and bunks provided for all patients confined therein.

NOTES/COMMENTS. Padded cells with hammocks shall be provided for insane persons.

#### CONNECTED ISSUES

- B1. STAFFING, Levels. Sufficient jail guards shall be provided for security for jail facilities without the use of inmate assistance.
- D1. CLASSIFICATION/SEPARATION, Classification. Directed to inaugurate a classification system taking into account security, integration and status of inmates as to whether they are pretrial detainees or convicted inmates.

Toussaint v. Yockey, 722 F.2D 1490 (9th Cir., 1984). (Federal Metropolitan Correctional Center, California).

#### FINDINGS

2. CELLS, Size. Double-celling only in cells over fifty square feet.
2. CELLS, Fixtures/Furnishings. A bed of some sort, a thin mattress, a pillow, blanket, coverless toilet and a sink.
2. CELLS, # Occupants. Prohibits involuntary double celling for more than thirty days in any twelve month period. Also limits double celling to cells larger than fifty square feet in which a second bed, cot or bunk is provided.
4. SUPPORT AREAS, Exercise. Denial of outdoor exercise was probably unconstitutional.

NOTES/COMMENTS. The court required every prisoner to be released from administrative segregation at the expiration of his minimum release date or twelve months, whichever is shorter, unless defendants were able to establish the prisoner's dangerousness at a hearing.

#### CONNECTED ISSUES

- G6. INMATE ACTIVITIES/PROGRAMS, Out of Cell Time. Inmates are confined to their cells for as much as twenty-three and one-half hours per day.

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Union County Jail Inmates v. Di Buono, 713 F.2d 934 (3rd Cir., 1983). (New Jersey County Jail).

FINDINGS

2. CELLS, Size. Five foot by seven foot cell for two inmates is constitutional, but mattress placed on the floor was unconstitutional.

NOTES/COMMENTS. Court overturned some provisions of District Court order to Commissioners of Corrections to remove prisoners. Ordered placement of second bunk in cell and improved recreational and medical care.

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Vazquez v. Gray, 523 F.Supp. 1359 (S.D. New York, 1981). (Westchester County Jail).

FINDINGS

2. CELLS, Fixtures/Furnishings. Use of floor mattresses constitutes punishment regardless of the number of days for which a prisoner is so confined.
  2. CELLS, # Occupants. The housing of four minors in the "civil cells" amounts to punishment (104 square foot cells).
  3. DAY ROOMS. Permissible to use dayrooms as sleeping quarters. Prisoners must be provided with beds, linens, and blankets. The use of dayrooms as sleeping quarters must not exceed five days.
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Vest v. Lubbock County Commissioner's Court, 444 F.Supp. 824 (N.D. Texas, 1977). (Lubbock County Jail).

FINDINGS

4. SUPPORT AREAS, Exercise. Recreational facilities shall be installed to insure all inmates of at least three separate one-hour sessions of outdoor exercise, weather permitting.
4. SUPPORT AREAS, Medical. A doctor possessing a medical degree and certificate shall visit on a regular basis of at least twice weekly and shall be furnished facilities or place to actually examine the patients.

4. SUPPORT AREAS, Visiting. Inmates shall be permitted access to telephone facilities housed in the jail. The inmates shall be permitted to make outgoing calls in a reasonable number, and for a reasonable length of time, without monitoring or censorship. Visitation periods shall be established for both convicted inmates and pretrial detainees. Convicted inmates shall be allowed visitation rights between two to four times regularly each week. Pretrial detainees shall be allowed visitation daily. Children and pregnant women shall be permitted to visit.

NOTES/COMMENTS. All inmates, including those in solitary confinement, will be furnished three full meals a day. The basic elements of personal hygiene, such as soap, toothpaste, and towel shall be furnished to the inmates.

#### CONNECTED ISSUES

- D1. CLASSIFICATION/SEPARATION, Classification. The jail operation is totally lacking in proper classification of prisoners.
- G1. INMATE ACTIVITIES/PROGRAMS, Activities. Inmates are not allowed hardcover books. There is no library at the jail and the inmates do not have access to an outside library.
- G7. INMATE ACTIVITIES/PROGRAMS, Visiting. Visitation by families or friends of the inmates are restricted to Saturdays and Sundays, from 1:00 p.m. until 3:00 p.m. Children under seventeen and pregnant women are not allowed in the jail.
- G8. INMATE ACTIVITIES/PROGRAMS, Recreation. Other than a recreation room on the fifth floor which may be used by the women and juvenile inmates, there is no recreation facility in the entire jail to afford an inmate an opportunity to exercise or to have any recreational privileges.

West v. Lamb, 497 F.Supp. 989 (D. Nevada, 1980). (Las Vegas Metropolitan Police Department jail system).

#### FINDINGS

2. CELLS, Fixtures/Furnishings. Number of cells, toilets, showers, beds, linens, clothing, and shoes are insufficient.
4. SUPPORT AREAS, Medical. The medical care is inadequate. There is inadequate opportunity for inmates to be examined on sick call; a doctor is not available on a daily basis. There is too much diagnostic responsibility placed on nurses. There is no supervision of correctional officers' decisions as to whether inmates should be allowed to report for sick call. There is no medical examination given to new inmates upon being received into the jail.
5. ENVIRONMENTAL CONDITIONS, Ventilation. Ventilation is inadequate. There is a foul odor throughout the jail.

CONNECTED ISSUES

- B2. STAFFING, Training. The training of officers is inadequate.
- G2. INMATE ACTIVITIES/PROGRAMS, Programs. No opportunity for religious practices.
- G4. INMATE ACTIVITIES/PROGRAMS, Food Service. No special diet for diabetic inmates and others.
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Wilson v. Beame, 380 F.Supp. 1232 (E.D. New York, 1974). (Brooklyn House of Corrections for Men).

FINDINGS

4. SUPPORT AREAS, Education. Pretrial detainees placed in administrative segregation and denied opportunity to participate in educational programs available to other inmates did not constitute cruel and unusual punishment.

NOTES/COMMENTS. Three areas in which those in segregated detention are deprived are: access to religious services, jailhouse legal assistance, and educational and arts and crafts programs.

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VI. CASE LIST

Akao v. Shimoda, 832 F.2d 119 (9th Cir. 1987). (Oahu Community Correctional Center).

Alberti v. Sheriff of Harris County, TX, 406 F.Supp. 649 (S.D. Texas, 1975). (Harris County Jail)

Albro v. County of Onondaga, N.Y., 627 F.Supp. 1280 (N.D. New York, 1986). (Public Safety Building).

Alston v. Coughlin, 668 F.Supp. 822 (S.D.N.Y. 1987). (Fishkill Correctional Facility).

Ambrose v. Malcolm, 414 F.Supp. 485 (S.D. New York, 1976). (Bronx House of Detention).

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Barnes v. Government of Virgin Islands, 415 F.Supp. 1218 (D. St. Croix, 1976). (Golden Grove Adult Correctional Facility).

Beeson v. Johnson, 668 F.Supp. 498 (E.D.N.C. 1987). (North Carolina Central Prison).

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Block v. Rutherford, 104 S.Ct 3227 (1984). (Los Angeles County Central Jail).

Bowen v. State Commission of Corrections, 461 N.Y.S.2d 668 (Sup. Ct. Albany County, 1983). (Saratoga County Jail).

Brenneman v. Madigan, 343 F.Supp. 128 (N.D. California, 1972). (Santa Rita Rehabilitation Center, Alameda County Jail).

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- Capps v. Atiyeh, 559 F.Supp. 894 (D. Oregon, 1982).  
(Oregon Prisons).
- Cody v. Hillard, 799 F.2d 447 (8th Cir. 1986).  
(S. Dakota State Penitentiary).
- Collins v. Schoonfield, 344 F.Supp. 257 (D. Md., 1972).  
(Baltimore City Jail)
- Dawson v. Kendrick, 527 F.Supp. 1252 (S.D. West Virginia, 1981).  
(Mercer County Jail).
- Delgado v. Cady, 576 F.Supp. 1446 (E.D. Wisconsin, 1983).  
(Waupun Correctional Institution).
- Detainees of Brooklyn House of Detention for Men v. Malcolm, 520 F.2d 592,  
(2nd Cir., 1975). (Brooklyn House of Detention).
- Dillard v. Pitchess, 399 F.Supp. 1225 (C.D. California, 1975).  
(Los Angeles County Jail).
- Dohner v. McCarthy, 635 F.Supp. 408 (C.D. California, 1985).  
(California Men's Colony).
- Duran v. Elrod, 760 F.2d 758 (7th Cir., 1985).  
(Cook County Jail).
- Estelle v. Gamble, 429 U.S. 97 (1976), cert. denied, 429 U.S. 1066 (1976).  
(Texas Department of Corrections).
- Feliciano v. Barcelo, 497 F.Supp. 14 (D. Puerto Rico, 1979).  
(Administration of Corrections of the Commonwealth of Puerto Rico).
- Fisher v. Winter, 564 F.Supp. 281 (N.D. California, 1983).  
(Women's Detention Facility, Santa Clara County).
- Forts v. Malcolm, 426 F.Supp. 464 (S.D. New York, 1977).  
(New York City Correctional Institution for Women).
- Giampetruzzi v. Malcolm, 406 F.Supp. 836 (S.D. New York, 1975).  
(New York City House of Detention).
- Gillespie v. Crawford, 833 F.2d 47 (5th Cir. 1987). (Texas Department of  
Corrections).
- Goldsby v. Carnes, 365 F.Supp. 395 (W.D. Missouri, 1973).  
429 F.Supp. 370, (Jackson County Jail).
- Grubbs v. Bradley, 552 F.Supp. 1052 (M.D. Tennessee, 1982).  
(Tennessee Department of Corrections).
- Hamilton v. Landrieu, 351 F.Supp. 549 (E.D. Louisiana, 1972).  
(Orleans Parish Prison).



Hamilton v. Love, 358 F.Supp. 338 (E.D. Arkansas, 1973).  
(Pulaski County Jail).

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(Orleans Parish Prison).

Heitman v. Gabriel, 524 F.Supp. 622 (W.D. Missouri, 1981).  
(Buchanan County Jail).

Hendrix v. Faulkner, 525 F.Supp. 435 (N.D. Indiana, 1981).  
(Indiana State Prison).

Holt v. Sarver, 309 F.Supp. 362 (E.D. Arkansas, 1970).  
(State Penitentiary).

Hoptowit v. Spellman, 753 F.2d 779 (9th Cir., 1985).  
(Department of Corrections).

Howard v. Wheaton, 668 F.Supp. 1140 (N.D. Ill. 1987). (Stateville  
Correctional Center).

Hutchings v. Corum, 501 F.Supp. 1276 (W.D. Missouri, 1980).  
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(Lorton Correctional Complex).

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Massachusetts, 1978). (Suffolk County Jail).

Jackson v. Gardner, 639 F.Supp. 1005 (E.D. Tennessee, 1986).  
(Sullivan County Jail).

Johnson v. Lark, 365 F.Supp. 289 (E.D. Missouri, 1978).  
(St. Louis County Jail).

Jones v. Diamond, 594 F.2d 997 (5th Cir., 1979).  
(Jackson County Jail).

Jones v. Wittenberg, 330 F.Supp. 707 (N.D. Ohio, 1971).  
(Lucas County Jail).

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(Menard Correctional Center).

Lock v. Jenkins, 641 F.2d 488 (7th Cir., 1981).  
(Indiana State Prison at Michigan City).

Lovell v. Brennan, 566 F.Supp. 672 (D. Maine, 1983).  
(Maine State Prison).

Lyons v. Powell, 838 F.2d 28 (1st Cir. 1988). (New Hampshire State Prison).

McBride v. Illinois Department of Corrections, 677 F.Supp. 537 (N.D. Ill., E.D. 1987). (Stateville Correctional Center).

McMurry v. Phelps, 533 F.Supp. 742 (W.D. Louisiana, 1982). (Ouachita Parish Jail).

Miles v. Bell, 621 F.Supp. 51 (D.C. Connecticut, 1985). (Federal Correctional Institution at Danbury).

Miller v. Carson, 392 F.Supp. 515 (M.D. Florida, 1975). 401 F.Supp. 835, (Duval County Jail).

Mitchell v. Untreiner, 421 F.Supp. 886 (N.D. Florida, 1976). (Escambia County Jail).

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Moore v. Janing, 427 F.Supp. 567 (D. Nebraska, 1976). (Douglas County Jail).

Nelson v. Collins, 659 F.2d 420 (4th Cir., 1981). (Maryland State Prison System).

New York State Association for Retarded Children v. Carey, 706 F.2d 956 (1983). (Staten Island Developmental Center).

Padgett v. Stein, 406 F.Supp. 287 (M.D. Pennsylvania, 1975). (York County Prison).

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Peterkin v. Jeffes, 661 F.Supp. 895 (E.D. Pa. 1987). (Pennsylvania's Correctional Institutions).

Pugh v. Locke, 406 F.Supp. 318 (M.D. Alabama, 1976). (Alabama Penal Institutions).

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Rhem v. Malcolm, 389 F.Supp. 964 (S.D. New York, 1975). (Manhattan House of Corrections).

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(Maximum Security Prison, Ohio).

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(Las Vegas Metropolitan Police Department jail system).

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(Brooklyn House of Corrections for Men).