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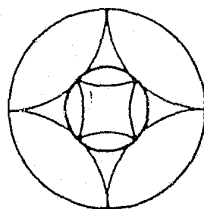
Police Services Study Technical Report

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THE PRODUCTION OF ADULT PRE-TRIAL DETENTION SERVICES

by

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PATTERNS OF METROPOLITAN POLICING: THE PRODUCTION
OF ADULT PRE-TRIAL DETENTION SERVICES

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This report examines adult pre-trial detention services in medium-sized metropolitan areas throughout the United States. This overview is based on field research conducted in eighty metropolitan areas between June, 1974, and July, 1975, by the Workshop in Political Theory and Policy Analysis at Indiana University.

The Police Services Study sought to identify and describe variations in police service delivery in metropolitan areas. It did not attempt to measure or evaluate what difference these variations make in terms of the quality of police services provided. This report, therefore, does not evaluate the quality of detention services provided in the metropolitan areas we studied nor recommend how these services should be provided. Rather, we hope to provide the reader with an accurate, empirical, up-to-date description of various patterns in the delivery of pre-trial detention services.

1. Major Issues

Pre-trial detention services are produced under conditions of considerable diversity. Documentation of this diversity is important for two reasons. First, local variations must be taken into account when prescribing changes in the organization of public service delivery. What may be appropriate for agencies under one set of conditions may not be appropriate for those operating under other conditions. Second, the variety of arrangements used for producing local jail and adult pretrial detention services suggest future opportunities for examining

how variations in "organizational arrangements" affect the quality of detention services. Many recommendations currently being made with respect to pre-trial detention services would involve substantial changes in organizational arrangements. Reforms always carry with them the potential for creating new sets of problems and amplifying old problems. Were we to take advantage of the research opportunities provided by existing variations, our future choices may be better informed and less subject to error than would otherwise be the case.

We also provide information on the state's role in:

- Defining who has the authority to provide local jail facilities;
- Prescribing standards for local jail facilities; and,
- Providing adult pretrial detention services in those few cases where states have assumed the responsibility.

State governments also influence the provision of local detention service provision through decriminalization of certain classes of offenses. This issue is addressed in a separate report on the decriminalization of public intoxication and use of detoxification facilities by local police agencies. (Police Services Study Technical Report No. 14)

2. Local Jail and Adult Pre-trial Detention Services in the U.S.

The role of the local gaol or jail in the provision of pretrial detention services considerably pre dates our experience with correctional services at either the state or the local level. The development of "gaols" designed to hold prisoners prior to trial is closely related to the role of the Sheriff in Anglo-Saxon history. As the administrative arm of the state, the Sheriff

was responsible for collecting taxes and ensuring that offenders were present when they were to be tried or sentenced. Because most punishment was of a corporal nature, there was little need for detainment after final court disposition.¹

The institution was imported to the United States by colonists who moved at an early point to appoint sheriffs and to invest them with the authority for "keeping the peace" and providing facilities for the holding of prisoners prior to trial. As state governments were established, the office of Sheriff and the associated responsibilities for keeping the peace and providing jail facilities were frequently written into state laws and constitutions. Local jails, designed mainly for pre-trial detention, were also established by many city and town governments - either because there was no local sheriff to provide these services or, because as these cities grew, they found that they had a need for facilities to hold prisoners accused of city, as opposed to state, offenses.

Generally speaking, these jails did not hold sentenced prisoners. Instead, they held individuals awaiting trial, paupers, beggars, and other persons not gainfully employed - in other words, persons considered "bad examples" for the rest of the community. Individuals who nowadays receive state prison sentences were punished in those days by fines, whipping, mutilation, or other types of corporal punishment. Persons convicted of minor offenses were not punished by serving time in the local jail but were instead sentenced to the stocks, pillory, or other forms of public embarrassment. It was not until the 19th Century and the development of incarceration as the principle alternative to corporal punishment that state penitentiaries were established for the more

serious offenders. The local jail, too, began to assume responsibility for incarceration of sentenced offenders.²

2.1 The Modern Jail

With few exceptions, most local jail facilities continue to be operated by county sheriffs and city police agencies and to serve as places of detention for those awaiting trial and convicted of minor offenses. When the Law Enforcement Assistance Administration conducted the first National Jail Census in 1970, it found 4,037 local jail facilities having the authority to hold adults for 48 hours or longer. (See LEAA, 1971.) Of these, 3,614 (90 percent) had the authority to hold individuals after arraignment but prior to final court disposition, and 3,531 (87 percent) had authority to hold sentenced prisoners for terms of one year or less. Few jails are designed exclusively for either pre-trial detainees or sentenced offenders.

In terms of the number of persons incarcerated in a year's time, local jails are by far the most important of all adult detention facilities. As of March 15, 1970 -- the benchmark date used by the LEAA in the first National Jail Census -- these facilities held 160,863 inmates, including 145,324 adult males, 7,739 adult females, and 7,800 juveniles.

These figures, however, considerably understate the significance of local jail facilities in terms of the numbers of people likely to be affected by their operations in any one year. For one thing, the LEAA survey did not include cities having populations

of less than 1,000 or facilities holding adults for less than 48 hours. Had these facilities been included, the number of local jails identified and the number of persons in detention would have been substantially higher. In Pennsylvania alone there were, in 1971, 418 police lock-ups serving as temporary holding facilities for periods not to exceed 48 hours (Pennsylvania Department of Justice, 1973: 62).

Jails are also characterized by extremely high turnover rates when compared to other adult institutions. High turnover rates mean that the number of persons in detention on any given date may only be a small fraction of the number of commitments made to the facility in a year's time. The ratio of average jail population to total annual commitments for local jail facilities ranges from 1:7.5 to 1:64, with considerable variation both within and between states (Mattick, 1974: p. 79). Even allowing for repeat offenders (Mattick estimates these may account for one-sixth to one-third of total annual commitments), educated estimates that, from one to five million persons pass through city and county jails in a year's time, do not seem unreasonable.

By comparison, the U.S. Census Bureau identified only 55 federal and 578 state prisons in 1970 (LEAA, 1974; 129). In 1972, these facilities held approximately 190,000 prisoners on the date of the LEAA survey, but had a substantially lower ratio of commitments to "average" daily populations than did local jail facilities (LEAA, 1975; 19). The number of persons incarcerated in local jail facilities, then, may be anywhere from five to 25 times as great as the number incarcerated in state and federal detention facilities in a year's time.

Physical and social conditions in local jails have always been the target of much criticism. Indeed, it has been suggested that the move to establish state penitentiaries during the late 18th and early 19th Centuries was as much an effort to get away from conditions existing in local jails as it was to substitute imprisonment for corporal and capital punishment. The American Correctional Association has described these 19th Century facilities as ones where there existed:

congregate confinement, with men, women, and children sleeping indiscriminately on the floors of filthy compartments, liquor sold at the jail bar, and neglect and brutality accepted as standard practice. Idleness compounded the bad effects of these conditions (American Correctional Association, 1960, 84).

While reforms during the middle of the 19th Century led to the establishment, in most states, of separate juvenile facilities, conditions in local jails evidently did not improve much during a time when substantial reforms were being initiated in state correctional institutions. In 1923, Joseph Fishman wrote in Crucibles of Crime, what he termed the "true definition" of the American jail:

An unbelievably filthy institution in which are confined men and women serving sentence for misdemeanors and crimes, and men and women not under sentence who are simply awaiting trial. With few exceptions there is no segregation of unconvicted from convicted . . . It supports in complete idleness countless thousands of able-bodied men and women, and generally affords ample time and opportunity to assure inmates a complete course in every kind of viciousness and crime (Fishman, 1923:).

There are many who feel that conditions in local jails have improved little since Fishman wrote his "true definition" of the American jail. In 1973, for example, the U.S. Advisory Commission on Criminal Justice Standards and Goals wrote that:

Remote from public view and concern, the jail has evolved more by default than by plan. Perpetuated without major change from the days of Alfred the Great, it has been a disgrace to every generation . . . The intervening decades have brought only the deterioration of jail facilities from use and age. Changes have been limited to minor variations in the clientele. Jails become residual organizations in which were shunted the more vexing and unpalatable social problems of each locality. Thus, the 'poor, sick, the morally deviant, and merely unaesthetic,' in addition to the truly criminal - all end in jail (U.S. Advisory Commission on Criminal Justice Standards and Goals, 1973: 273).

These criticisms of the American jail are echoed again and again in both journalistic and scholarly accounts. (See, for example, Mattick, 1974; Goldfarb, 1975.)

LEAA data from the 1970 and 1972 jail surveys substantiate many of these claims. In the 1970 survey, information on the presence or absence of various services and the age of cells was collected on the 3,319 jails located in cities of at least 25,000 population or operated by county agencies. Of these, 86 percent were found lacking exercise or other recreation space; 89 percent lacked education opportunities. Although 75 percent of the large urban and county jails nationwide had visitation quarters, fewer than 50 percent of the jails in five states provided such services (Idaho, Nevada, Missouri, Kentucky, and Mississippi). Twenty-five percent of the 97,891 cells in use were constructed more than 50 years ago. In seven states, more than 50 percent of the cells were more than 50 years old (Massachusetts, Vermont, Maine, Pennsylvania, Montana, and Kentucky.) Of the 4,037 local jails identified in the 1970 survey, 205 reported overcrowding; 15 percent of those 205 exceeded their capacity by more than 100 persons.

Of the 3,921 jails identified in a follow-up survey in 1972, LEAA found that only one in eight had in-house medical arrangements; one-third fed prisoners twice a day; 643 had exercise yards; 744 had a doctor on staff; and 542 jails provided vocational rehabilitation programs. In terms of locally sponsored programs, approximately 60 percent of the jails provided religious services. But no other single type of program was provided in most of the jails (LEAA, 1975).

Beyond these statistics, innumerable reports tell of unsavory conditions in many of our nation's jails. Although we do not purport to evaluate these conditions, we do note them for two reasons. First, litigation brought on behalf of jail inmates and, in particular, pre-trial detainees has focused attention on the constraints and responsibilities public agencies face in providing jail services. Judicial remedies in this evolving area of the law often involve substantial financial investments and significant changes in the manner of providing local jail services. Second, recommendations for improving local jail conditions frequently involve changes in the organizational arrangements for producing jail services and in the degree to which local agencies responsible for these services will be subject to state-specified standards governing jail construction and operation. In either case, these pressures for reform may affect metropolitan area police agencies and future patterns of pre-trial detention service provision.

2.2 Recent Litigation: The Special Status of the Pre-trial Detainee

One paradox in our system of justice is that those who are by letter of the law, innocent, are frequently incarcerated under

conditions substantially worse than those convicted of serious offenses. In both the 1970 and 1972 jail surveys, approximately 35 percent of the inmates held in local jails were arraigned and waiting trial. In 1970, an additional 17 percent were persons not yet arraigned. (Similar data are not available from the 1972 survey.) Fifty-two percent (83,079) of all inmates were "pre-trial detainees."

In many cases, these pre-trial detainees are not isolated from convicted and sentenced prisoners. According to the 1972 jail survey, 59 percent of the nation's jails did not hold pre-trial detainees in separate facilities or confinement areas. Indeed, the special status of the pre-trial detainee has been recognized only relatively recently by the courts.

A fundamental tenet of our legal system is that an individual is innocent until proven guilty. A second tenet is that an individual can be found guilty and punished only through "due process of law." The major justification, then, for incarcerating an individual prior to trial (that is, before guilt has been established) is to ensure his appearance at trial and not to punish or to deter future criminal activity.³

For many years state and federal courts pursued a "hands off" policy with respect to prisoner complaints about state and local jail conditions. Courts argued that they had little expertise in this field and/or that these conditions were a necessary, if unpleasant, correlative of confinement. The only grounds for judicial review were habeas corpus proceedings wherein the question was whether or not the inmate should be detained and not the conditions of detainment.

In recent years, however, federal courts have become more willing to examine the conditions under which both pre- and post-trial detention services are provided. In the case of pre-trial detainees, these suits are being brought under the due process and equal protection clauses of the 14th Amendment. The "due process" position is that conditions in local jails subject pre-trial detainees to punishment without the due process of law; the "equal protection" argument is that the pre-trial detainee differs from others awaiting trial only in his inability to "make bail" and should not be subjected to substantially different treatment than those more affluent persons who can afford their freedom pending trial.

Within this context, courts are increasingly moving toward the following view:

Incarceration after conviction is imposed to punish, to deter and to rehabilitate the convict . . . Some freedom to accomplish these ends must of necessity be afforded prison personnel. Conversely, where incarceration is imposed prior to conviction, deterrence, punishment and retribution are not legitimate functions of the incarcerating officials. Their role is but a temporary holding operation and their necessary freedom of action is concomitantly diminished (Anderson V Nosseo, 438 F.2d 183, 5th Cir.1971, as quoted in Singer, 1972: 242. emphasis mine).

The implications for agencies producing local jail and pre-trial detention services are spelled out in somewhat more detail by District Judge Alfonso Zirpoli in a 1972 case, Brenneman v. Madigan.

Incursions on the rights of a pretrial detainee, other than those arising from the need for custody (instead of bail) to insure his presence at trial, are unconstitutional. Except for the right to come and go as he pleases, a pretrial detainee retains all of the rights of the bailor and his rights may not be ignored because it is expedient or economical to do so. Any restrictions and deprivations of those rights, beyond those inherent in the confinement itself, must be justified by a compelling necessity . . . The court is aware that according pre-

trial detainees those rights to which they are constitutionally entitled will entail additional expenditures of available resources. Notwithstanding the legitimacy of this concern, the present existence of deficiencies in staff, facilities, and finances cannot excuse indefinitely depriving pretrial detainees of the maximum enjoyment of the rights accorded to all citizens who are unconvicted of any crime . . . (11 Crim L. Rptr. 2248, N.D. Cal. 1972, as quoted in U.S. Advisory Commission on Criminal Justice Standards and Goals, 1973: 105, emphasis mine).

The potential impact of these cases on the delivery of pre-trial detention services is significant. Bringing local jail services up to judicially mandated standards may entail major investments for renovating old, or constructing new, jail facilities. At the same time, major changes in the design of local jail facilities may be required to meet judicial mandates on prisoner classification, and the provision of recreational and other facilities. Changes in personnel practices, implementation of reasonable, public rules governing prisoner conduct, and reduction of overcrowding are other remedies likely to be required through such litigation. In short, judicially established standards relating to the rights of pre-trial detainees, if enforced, may mean significant changes in the manner and costs of producing adult pre-trial detention services.

2.3 Other Pressures for Change

Many observers believe that conditions in local jails cannot be improved without major changes in the organizational arrangements for providing adult detention services. In a 1971 report on State-Local Relations in the Criminal Justice System, for instance, the U.S. Advisory Commission on Intergovernmental Relations, concluded: "It is essential that greater public attention, funds and policy focus be directed to this field and that basic reforms be under-

taken" (ACIR, 1971: 53). Among the reforms they recommended are these:

- Local law enforcement agencies should be divested of the role of producing all but very short-term (less than 48 hours) detention services;
- The responsibility for longer-term post-trial detention services should in all cases be placed at the state level and in a single state agency;
- The responsibility for short-term detention services (both pre-trial and sentenced misdemeanants) should be shifted from law enforcement agencies and personnel to independent correctional agencies at the local level;
- Agencies and persons responsible for adult detention services should be upgraded in terms of levels of training, civil service status, facilities standards, financial resources, and manpower; and
- The emphasis in adult detention should be on correctional and rehabilitative services rather than custodial care.

Similar recommendations have been made by other study groups and commissions. (See, for example, American Correctional Association, 1966; President's Commission on Law Enforcement and the Administration of Justice, 1967; American Bar Association Commission on Correctional Facilities and Services and Council of State Governments, 1972; and U.S. Advisory Commission on Criminal Justice Standards and Goals, 1973).

Although many states and localities have in the past been reluctant to adopt these reforms, greater pressures for change may be felt in the future. One impetus for change, the increasing role of the judiciary in enforcing constitutional standards for pre-trial detention, has already been noted. A second is the enhanced and growing role of the state in establishing minimum

standards governing the construction and operation of local jail facilities.

2.4 The Role of the State in Setting and Enforcing Local Jail Standards

Historically, the provision of adult detention services in most states has been a local responsibility. The state's role has often been limited to defining which agencies are authorized to operate local jail facilities. Appendix A of this report presents a state-by-state summary of agencies authorized to provide adult detention services.

Maintenance of "decent standards" in local jails has also been a local responsibility. In most states, inspection of local jails is a function assigned to county grand juries. In some instances, this duty is mandatory; in others, the grand jury merely is authorized to visit the jail (Mattick, 1974: 790). This system has, in the view of many, failed to provide meaningful enforcement of decent jail standards. As one observer puts it:

. . . visits are very infrequent and perfunctory and indictments for improper jail practices are even rarer, since the grand jury's primary function from the point of view of the prosecutors . . . is to indict common criminals not to reform the jail . . . But the inspection problem goes deeper; in general, there are two main issues. The first is the almost complete absence of explicit standards for the grand jury to enforce . . . The other issue goes to the heart of the entire jail problem; reliance on local initiative and the unwillingness of local officials to undertake long-neglected reforms . . . (Mattick, 1974: 790-791).

Many states have attempted to improve conditions in local jails through the establishment of state-wide standards governing the operation and construction of local jail facilities.

In the Autumn of 1971, the National Clearinghouse for Criminal Justice Planning and Architecture conducted a survey of state correctional agencies to determine what states have adopted such standards. Where possible, we have attempted to update that survey. Our findings are summarized in Table 2.4.1.

As indicated, ___ states have adopted operational and construction standards governing local jails.

___ states have adopted these standards after the National Clearinghouse for Criminal Justice Planning and Architecture 1971 survey. The number of states having such standards is, then, gradually increasing.*

Although a majority of states now have standards governing the construction and operation of local jails, the U.S. Advisory Commission on Criminal Justice Standards and Goals, among others, points out that these standards vary considerably -- "from minimal statutory requirements to detailed instructions, from mimeographed sheet to printed book" (1973: 279). It is also true that many states make no provision for enforcement; in addition, state agencies established to oversee implementation may lack sufficient staff to carry out a realistic program of inspection. Thus, the actual impact of these standards on the operation of local jails may be minimal.

On the other hand, in our fieldwork we did find that a number of states have revised their standards upward and/or expanded their staff capabilities to permit systematic inspection of local jails. In January 1974, for example, California published new guidelines for local city and county jail facilities. Key elements in these guidelines include the following:

*Research in progress

Table 2.4.1 STATE JAIL STANDARDS*

	OPERATIONAL STANDARDS**		FACILITY PLANNING AND CONSTRUCTION	
	Yes	No	YES	NO
Alabama				
Alaska				
Arizona				
Arkansas				
California	•		•	
Colorado				
Connecticut	NO LOCALLY OPERATED JAILS			
Delaware	NO LOCALLY OPERATED JAILS			
Florida	•		•	
Georgia				
Hawaii				
Idaho	•			
Illinois	•			
Indiana	•			
Iowa	•			
Kansas				
Kentucky				
Louisiana				
Maine	•			
Maryland	•			
Massachusetts	•			
Michigan	•			
Minnesota	•			
Mississippi				
Missouri	•			
Montana				
Nebraska				
Nevada				
New Hampshire				
New Jersey				
New Mexico				
New York	•			
North Carolina	•			
North Dakota	•			
Ohio				
Oklahoma	•			
Oregon	A		•	
Pennsylvania	•		•	
Rhode Island	NO LOCALLY OPERATED JAILS			
South Carolina	•		•	
South Dakota	•			
Tennessee				
Texas	•		•	
Utah	•			
Vermont				
Virginia	•		•	
Washington	•		•	
West Virginia				
Wisconsin	•		•	
Wyoming				

*Source: Survey conducted by National Clearinghouse for Criminal Justice Planning and Architecture, 1971 and updated by Police Services Study staff

**A - adopted since 1971.

- Classification of local jails into four different categories and the establishment of rules and standards pertaining to each of these four categories (Holding facilities used for detention of persons up to 24 hours; Type I facilities used for detention of persons not to exceed 48 hours; Type II facilities used for detention pending arraignment and trial and up to one year upon commitment and Type III facilities used exclusively for persons committed up to one year);
- A requirement that all custodial personnel in Type II and III facilities be given 40 hours of basic training and 24 hours of in-service training per year;
- A requirement that there shall be at least one employee on duty at all times on a 24 hour per day basis;
- A requirement that jail facility administrators adopt and publish manuals of police and procedures for jail facilities, and public information plans;
- A requirement that jail facility administrators adopt a classification plan for prisoners and that segregation of inmates include male from female and sentenced from unsentenced inmates;
- A requirement that jail facility administrators adopt and maintain an inmate accounting system conforming to requirements established by the California Bureau of Criminal Statistics;
- A requirement that jail administrators adopt a visiting plan allowing for a minimum of one or more visit per week by family members and friends totalling at least 30 minutes per week;
- A requirement that jail administrators adopt and post rules and procedures relating to inmate conduct and discipline;
- A requirement that any detention facility with a population of more than 100 persons have available, on a 24 hour basis, a licensed and practicing physician;
- A requirement that all plans for new construction be submitted to the Board of Corrections and the State Fire Marshall and conform to minimum standards established by the Board (California State Board of Corrections, 1974).

At the same time, California expanded the number of persons available for jail inspections and began a systematic attempt to visit each of the more than 400 jails in the state. By March, 1974, inspections had been completed in 13 counties.

Although not all states have adopted a program as ambitious as that of California, an increasing number of states are providing inspection of local jail facilities. But even where such inspection does not occur or where the ability to enforce state-wide standards is absent, adoption of such standards by state legislatures and Boards of Corrections may be indirectly enforced by courts, many of which have upheld prisoner allegations that local jails do not meet state-specified standards; in these suits, the courts have required jail administrators to bring jails up to these standards.

What inmate litigation, pressures for reform by state and national study commissions, and the enhanced role of the states in setting minimum jail standards will mean for future delivery of local jail services remains unclear. If judicial and legislative standards are enforced, substantial investments in local jail facilities and significant changes in local jail operations will probably be required. In such cases, local agencies may seek alternatives to producing their own pre-trial detention services. Recommendations by national study commissions, if adopted, may also mean major changes in organizational arrangements for producing detention services. In any case, it is, as the U.S. Advisory Commission on Criminal Justice Standards and Goals points out, an excellent time for agencies to review and examine how they provide detention services in their own metropolitan areas.

3. Adult Pre-Trial Detention Services in Metropolitan Areas

Numerous written accounts and recent surveys have documented the physical and social conditions existing in many of our nation's jails. Less well documented are matters that bear on the organizational arrangements used in metropolitan areas to provide adult pre-trial detention. The major purpose of the Police Services Study was to identify and describe the organizational arrangements used to provide police services in metropolitan areas. We were interested in the following types of questions:

- What types of agencies produce pre-trial detention?
- How many metropolitan areas are served by a single detention facility and how many are served by multiple detention facilities?
- What are the characteristics of agencies that produce detention services? How large are they? What other services do they provide? What proportion of their manpower is devoted to detention? How many use sworn personnel and how many use civilian personnel?
- How large are the detention facilities used in metropolitan areas? Does the total detention capacity in a metropolitan bear any relationship to the total population of that area?
- What types of cooperative arrangements have been worked out among agencies that produce detention and between those that produce and those that use such services?
- Are there significant regional variations in organizational arrangements for providing pre-trial detention? Do large metropolitan areas use different arrangements than the small ones do?
- Can we identify any tangible effects of state laws and policies on the organizational arrangements used for pre-trial detention?

All of these questions are relevant to recommendations currently being made for reform of the pre-trial component of the criminal justice process. Beyond constructing new, or renovating old, jail facilities, most study groups and commissions have recommended major changes

in the organizational arrangements used for providing pre-trial detention. Implicit in these recommendations is an assumption that these changes will lead to improvements in the quality of services provided during the pre-trial period.

Few studies, however, have systematically examined the relationship between the organizational arrangements used for pre-trial detention and the physical and social conditions in pre-trial detention facilities or the degree to which different arrangements are more or less likely to lead to innovations in service delivery. A prerequisite to such research is the identification and description of organizational arrangements currently being used. Once the range of arrangements is identified, research can then be designed to examine these relationships.

3.1 Adult Pre-Trial Detention in Metropolitan Areas: An Overview

In our study, pre-trial detention was defined as the period of time from arraignment to final court disposition. Excluded from our analysis were jails and lock-ups used only for detention prior to arraignment and facilities used only for post-trial detainment.

Pre-trial detention in most areas of the country is the responsibility of law enforcement, rather than correctional, agencies. As indicated in Table 3.1.1, county sheriffs and city law enforcement agencies together account for 158 (91 percent) of the 176 non-military producers of pre-trial detention identified in 80 SMSAs studied.

Not all city and county law enforcement agencies produce the range of direct services generally associated with police work (such as patrol, traffic patrol, criminal investigation, and so on). In some metropolitan areas, the law enforcement functions of county

Table 3.1.1 Number of Producers of Detention: By Level of Government and Region

Location	All Levels		County Government			City Government			State Agencies	Military Police	Tribal Police
	All	Levels	All	Sheriffs	Other	All	Police	Other			
All Agencies	209		109	99	10	63	59	4	1	33	3
Northeast	26		69	14	5	4	0	4	1	2	0
Midwest	41		28	28	0	11	11	0	0	2	0
South-Southwest	97		45	40	5	35	35	0	0	17	0
Mountain West	45		17	17	0	13	13	0	0	12	3

sheriffs have been assumed by other police agencies. While most of these county sheriffs have retained responsibility for civil process serving and court bailiffing, the only other police service they provide is detention. As such, these law enforcement agencies may be more appropriately considered with other city and county agencies that "specialize" in the production of detention services.⁴

In Table 3.1.2, we have included these sheriffs with other agencies that produce detention but no other police services examined in the study. These detention specialists include the "other" city and county agencies identified in Table 3.1.1, the Connecticut State Department of Corrections, and law enforcement agencies that produce no direct police service.

What emerges from Table 3.1.2 are four distinctly regional variations in organizational arrangements for producing pre-trial detention services. In the Northeast, police agencies rely primarily on detention specialists and some county sheriffs for this service. In spite of the fact that several states in this region authorize these governments to do so, we encountered no instances where city or township police operated pre-trial detention facilities. (See Appendix A for a list of states and agencies authorized to provide pre-trial detention in these states.) In the South-Southwest, on the other hand, nearly as many city agencies operate pre-trial detention facilities as county sheriffs do. The South-Southwest also includes a sizeable number of detention specialists. The Midwest and Mountain West regions are rather similar in their arrangements for providing pre-trial detention. In both instances, cities are well represented among the ranks of detention producers and there is no use of detention specialists. Cities, however, account for a much higher

Table 3.1.2 Civilian Producers of Adult Pre-Trial Detention: By Type of Agency and Region

	All Agencies	Direct Service Producers				Detention Specialists*
		County Sheriffs	City Police	Tribal Police		
All Agencies	176	89	59	3	25	
Location						
Northeast	24	6	0	0	18	
Midwest	39	27	11	0	0	
South-Southwest	80	38	35	0	7	
Mountain West	33	17	13	3	0	

*A detention specialist is an agency that produces detention but none of the other law-enforcement services examined in the police services study.

proportion of all detention producers in the West (40 percent) than in the Midwest (29 percent).

A slightly different pattern emerges when one examines the percentage of total detention capacity provided by the different types of pre-trial detention producers (Table 3.1.3). While county sheriffs account for a little less than half of all detention producers, they account for more than 70 percent of all detention capacity. Although cities account for nearly 33 percent of all detention producers nationwide, they contribute only nine percent of all detention capacity. The disparity between the number of city police agencies that produce pre-trial detention and their contribution to total detention capacity reflects substantial differences in the size of city and county detention facilities. This disparity is greatest in the Mountain West, where county sheriffs tend to have very large facilities, while city police agencies frequently have rather small jail facilities.

Regional variations are also evident when one examines the total number of detention producers. As indicated in Table 3.1.4, the South-Southwest accounts for a disproportionately large, and the Northeast region, a disproportionately small share of the 176 civilian producers of pre-trial detention identified in the study. Although 32 percent of the police agencies in our survey are located in the South, 45 percent of the producers of pre-trial detention are located there. Conversely, the Northeast accounts for 29 percent of the police agencies identified in the study, but only 14 percent of the detention producers. In the Midwest and Mountain West regions, the proportion of detention producers is about the same as the proportion of police agencies.

Table 3.1.3 Distribution of Total Detention Capacity: By Region and Type of Agency*

	(N)	Percentage of Total Detention Capacity Provided by:			
		All Agencies	Direct Service Producers		
			County Sheriffs	City Police	Detention Specialists
All Agencies	(157)	100	73	9	18
Location Northeast	(21)	100	19	--	81
Midwest	(36)	100	90	10	--
South-Southwest	(74)	100	75	11	14
Mountain West	(26)	100	94	6	--

*Excludes Tribal and Military Police and Connecticut State Department of Corrections

Detail may not add to 100 percent due to rounding

Table 3.1.4 Number of Police Agencies and Detention Producers:
By Region

	Number of Police Agencies	Percent Total	Number of Detention Producers	Percent Total
All Agencies	1,736	100	176	100
Location				
Northeast	499	29	24	14
Midwest	402	23	39	22
South- Southwest	545	32	80	45
Mountain West	277	16	33	19

Columns may not add to 100% due to rounding

Two explanations for regional variations in the number of detention producers can be suggested. First, there appear to be significant differences in the percentage of direct service police agencies that produce detention.⁵ Nationwide, about 11 percent of the direct service agencies produce detention; this figure includes eight percent of the city police and 95 percent of the county sheriffs (Table 3.1.5). The percentage of direct service agencies that produces detention, however, varies from two percent in the Northeast, where a majority of the metropolitan areas are served by detention specialists, to 16 percent in the South-Southwest, where a large number of city police agencies produce pre-trial detention services.

Second, the South-Southwest includes a number of relatively large metropolitan areas. Fourteen of the 28 metropolitan areas surveyed in the South have populations in excess of 250,000; five of these 14 have populations of more than 500,000. As indicated in Table 3.1.6, the number of producers of detention per SMSA is strongly related to the size of the metropolitan area. Although 44 metropolitan areas nationwide (55 percent of all SMSAs) are served by only one detention producer, only one of the 12 metropolitan areas with populations over 500,000 (approximately eight percent) is served by a single detention producer. On the other end of the continuum, none of the metropolitan areas with populations of less than 125,000 is served by four or more detention producers. In SMSAs with populations greater than 500,000, six of the 12 metropolitan areas (50 percent) are served by four or more detention producers.

Table 3.1.5 Percentage of Direct Service Producers that Produce Detention: By Region and Type of Agency

	(N)	Percentage of Agencies that Produce Pre-Trial Detention:		
		All Direct Service Producers*	City Police**	County Sheriffs***
All Regions	(1398)	11	8	95
Location				
Northeast	(392)	2	0	100
Midwest	(334)	11	5	100
South-Southwest	(459)	16	13	91
Mountain West	(213)	15	11	94

*Excludes military police agencies; a direct service producer is an agency that produces one or more of the following services: traffic patrol, traffic investigation, general area patrol, criminal investigation. They include city police, county police and sheriffs, park police, etc;

**Percentage of city police agencies in each region that produce detention

***Percentage of county sheriffs in each region that produce detention (includes only those county sheriffs that are direct service producers)

Table 3.1.6 Number of Producers of Detention Per SMSA: By Region and Size of SMSA

	(N)	Number of SMSA's with:			Percentage of SMSA's with:*		
		1	2-3	4 or more	1	2-3	4 or more
All SMSA's	(80)	44	21	15	55	26	19
Location							
Northeast	(18)	12	4	2	67	22	11
Midwest	(20)	10	7	3	50	35	15
South-Southwest	(29)	15	6	8	51	21	28
Mountain West	(13)	7	4	2	54	31	15
SMSA population (1970)							
50,000 to 124,999	(21)	18	3	0	86	14	0
125,000 to 249,999	(27)	16	7	4	59	26	15
250,000 to 499,999	(20)	9	6	5	45	30	25
500,000 and Larger	(12)	1	5	6	8	42	50

*Rows may not add to 100 percent due to rounding.

Whether regional differences in the number of detention producers can be attributed to differences in the size of metropolitan areas located in these regions or to variations in state laws and policies that may influence local agency decisions to enter into the production of pre-trial detention services is a question of considerable interest, and will be addressed in somewhat more detail in the final version of this report.

3.2 The Role of Detention Specialists in the Provision of Adult Pre-trial Detention Services

Over the years, a common recommendation for altering arrangements for providing pre-trial detention has been to transfer the responsibility for this service from city and county law enforcement agencies to independent correctional agencies at the local, state, or regional levels. The U.S. Advisory Commission on Criminal Justice Standards and Goals, for example, suggested that:

No other component of the criminal justice system is as logical a choice as corrections for dealing with persons . . . detained awaiting trial. Law enforcement agencies are ill-equipped to do so. Their training stresses apprehension of those suspected of crime. It is difficult for police to respect the presumption of innocence when, by arrest, they have already made the decision of probable guilt. The way in which police administer local jails gives little evidence that they are either willing or able to operate pretrial release and detention programs effectively (1973: 98).

Within this context, the commission recommends that operational responsibility for pre-trial detention be transferred from law enforcement to correctional agencies and that states take over administrative responsibility for this service by 1985.

It is generally assumed that few states or localities have

adopted these recommendations. Yet in our study, we found that in a sizeable portion of the metropolitan areas, pre-trial detention was provided by agencies other than the police. As indicated in Table 3.2.1, 24 of the 80 metropolitan areas included in our survey are served by detention specialists. These 25 metropolitan areas are located in 10 different states.

These detention specialists present a range of different organizational arrangements for pre-trial detention. In Massachusetts and New Jersey, pre-trial detention in most metropolitan areas is produced by county sheriffs who no longer function as law enforcement officers. In these states, the county sheriff also serves as court bailiff and is responsible for civil process serving. In most instances, the court bailiff and detention functions are divided into two distinct divisions within the Sheriff's office and an appointed deputy master or warden bears the major responsibility for operation of the jail. In both states, an active association of jail wardens has been instrumental in establishing entry-level training academies for county jail employees. Both academies provide 120 hours of entry-level training for county correctional officers. In some Massachusetts detention facilities, this entry-level training is supplemented with additional "on the job" training. In New Jersey, jail employees in some counties (in our study, Passaic County) also receive law enforcement training along with other members of the County Sheriff's office. Localities in New Jersey are also authorized to establish independent agencies for the provision of detention services. Pre-trial detention in the Trenton/New Jersey metropolitan area is produced

Table 3.2.1 Detention Specialists: By Metropolitan Area
And Type of Agency

	Agency Type	Metropolitan Areas Served
<u>NORTHEAST REGION</u>		
Bristol County House of Corrections	Sheriff	Brockton, Massachusetts New Bedford, Massachusetts
Plymouth County House of Corrections	Sheriff	Brockton, Massachusetts New Bedford/Massachusetts
Norfolk County Jail	Sheriff	Brockton/Massachusetts
Bershire County House of Corrections	Sheriff	Pittsfield/Massachusetts
Worcester County Jail	Sheriff	Worcester/Massachusetts
Blair County Prison	Correctional Board	Altoona/Pennsylvania
Berks County Prison	Corrections	Reading/Pennsylvania
Lackawan County Prison	Corrections	Scranton/Pennsylvania
Erie County Prison	Corrections	Erie/Pennsylvania
Connecticut State Dept of Corrections	Corrections	Waterbury/Connecticut Meriden/Connecticut Ner Britain/Connecticut Norwalk/Connecticut
Bergen County Sheriff	Sheriff	Paterson-Clifton-Passaic/ New Jersey
Passaic County Sheriff	Sheriff	Paterson-Clifton-Passaic/ New Jersey
Mercer County Detention	Corrections	Trenton/New Jersey
Cumberland County Sheriff	Sheriff	Vineland/New Jersey
Hampton City Sheriff	Sheriff	Newport News/Virginia
Newport News City Sheriff	Sheriff	Newport News/Virginia
Newport News City Farm	City Jail	Newport News/Virginia
Roanoke City Sheriff	City Sheriff	Roanoke/Virginia

SOUTH-SOUTHWEST REGION

Bernalillo City-County Jail	Regional Correctional Facility	Albuquerque/New Mexico
Charleston County Sheriff	Sheriff	Charleston/South Carolina
Greenville County Jail	Corrections	Greenville/South Carolina
Fayette County Jail	Jailor	Lexington/Kentucky
Daviess County Jail	Jailor	Owensboro/Kentucky
Bexas County Jail	Commissioners Court	San Antonio/Texas
Davidson County Jail	Sheriff	Nashville/Tennessee

by just such an agency.

Pre-trial detention in the Charleston/South Carolina and Nashville/Tennessee SMSAs is also produced by county sheriffs who produce no other police services examined in the Police Services Study. In Nashville, the Davidson County Sheriff operates a large workhouse and serves civil processes in addition to his responsibility for maintaining the jail. In Charleston, the Sheriff is responsible for operation of the jail, prisoner transportation and extradition, tax collection, and civil process serving.

In Virginia, organizational arrangements for pre-trial detention are conditioned by the unique local governmental structure in that state. Virginia is the only state in the nation where city and county boundaries are mutually exclusive. In this state, counties provide services only to areas outside city boundaries; cities thus have responsibility for many functions performed elsewhere by county governments. In county areas, pre-trial detention is produced by county sheriffs charged with the responsibility for maintaining jails, with "serving civil process, and with the performance of duties incident to the operation of the courts" (Commonwealth of Virginia and Division of Justice and Crime Prevention, 1973: 7). Police services in these areas are, with few exceptions, produced by separate police departments instead of county sheriffs. One such exception is the Roanoke/Virginia SMSA; there the county police department and Sheriff's office have been consolidated into a single agency.

Each of Virginia's 23 first-class cities has a city Sheriff, a constitutional office analagous to that of the county Sheriff.

Like county sheriffs, city sheriffs are responsible for maintaining a jail, serving civil papers, and acting as officers of the court. Both city and county sheriffs receive two-thirds of their funding from the state with the remaining costs being born by the respective local governments. The City of Newport News operates a city farm used primarily for incarceration of sentenced prisoners, but also used to hold suspects accused of city offenses prior to final court disposition. Suspects accused of "state" offenses are held by the city Sheriff.

Kentucky is perhaps the only state where the County Jailor is an elective, constitutional office. Of the 184 jails in the state, 120, including those serving Lexington/Fayette County and Owensboro/Daviess County are operated by county jailors. In counties with populations in excess of 75,000, these jailors receive salaries at a level established by the State Legislature. In smaller counties, jailors are compensated on a fee basis up to a maximum set by the State Legislature (Kentucky Crime Commission, 1972: 31). Although a majority of the cities in the state pay their respective counties for use of the jail, a number have established their own facilities. The city of Lexington, operated its own jail for many years. This jail, however, was recently consolidated with the Fayette County Jail as a consequence of a major governmental reorganization that consolidated city and county government in that SMSA. Unlike the states of Massachusetts, New Jersey, Virginia, South Carolina, and Tennessee, county jailors in Kentucky do not serve as officers of the court.

In the San Antonio/Texas SMSA, operation of the county jail

is the responsibility of an administrator appointed by the Commissioners Court of Bexar County. In most of the other counties in Texas, this responsibility is borne by the county Sheriff, who also provides other police services. Responsibility for operation of the jail in Bexar County was recently transferred from the Sheriff's office to the Commissioner's Court of Bexar County as a result of special legislation passed by the Texas State Legislature. This act enabled the Commissioners Court to assume operational responsibility for the jail and authorized the court to "perform all supervisory duties which had previously been charged to the Sheriff and . . . (to appoint) an administrator to perform these functions for the court" (Alamo Area Council of Governments, 1974: 173).

In most of the examples discussed thus far, pre-trial detention is produced by "law enforcement" agencies (county sheriffs). But in these cases, the agencies are those without responsibility for providing other police services in their metropolitan areas. A number of "correctional" agencies also produce pre-trial detention in the metropolitan areas in our study. In Pennsylvania, detention facilities in first-through fifth-class counties are administered by wardens appointed by county prison boards. The Pennsylvania SMSAs included in our survey are located in first-through fifth-class counties and are, therefore, served by wardens appointed by county prison boards.

In the Albuquerque/New Mexico SMSA, city and county detention facilities were consolidated in 1972 into a regional correctional facility operated by the Bernalillo County Corrections and Detention

Department. This department operates all local jail facilities in the county and is financed through contributions from both the City of Albuquerque and Bernalillo County.

Pre-trial detention in Connecticut is produced by the State Department of Corrections. This department was established following a 1966 American Foundation Institute of Corrections Study which recommended that the State Department of Corrections be given responsibility for operation of local jail facilities. Prior to that time, these jails were operated by the State Jail Administration, which inherited this responsibility in 1960 when county government in the state of Connecticut was abolished.

The department is responsible for all adult institutional care, including sentenced inmates and pre-trial detainees, and supervision and counseling of parolees from Connecticut Correctional Institutions. In addition to the state correctional institutions, the department operates six community correctional centers (formerly jails) which hold male prisoners serving short sentences and those awaiting trial. All female prisoners, including those serving sentences and those awaiting trial, are held at the Connecticut Correctional Institution at Niantic. Most of these institutions provide a wide range of social and educational services (Connecticut Planning Committee on Criminal Administration, 1972: 146-168).

The detention specialists included in our survey thus involve a diverse set of institutional arrangements for the provision of pre-trial detention services. As indicated below, however, there are some similarities among these agencies, and differences between detention specialists and law enforcement agencies that produce

pre-trial detention.

3.3 Characteristics of Agencies that Produce Pre-Trial Detention

Police agencies vary along a variety of dimensions. Not all of these dimensions bear upon the role of the agency as a detention producer. Others, however, are thought to be important indicators of the capacity of an agency to adequately equip and staff detention facilities and to thus provide a range of educational and social services to inmates.

The size of an agency may, for example, have a bearing on the availability of manpower for supervision of jail inmates and resources available for the operation of the jail facility. As more states establish minimum standards governing the operation of local jails, size may be a critical factor in determining whether an agency will be able to meet these standards. Small police agencies, unable to finance improvements mandated by the state and/or courts may, under these circumstances, seek out alternatives to providing their own detention services.

A second variable related to an agency's capability to adequately produce local jail services is the range of other police services produced by that agency. Those advocating the establishment of independent correctional agencies for pre-trial detention commonly allege that police agencies are multi-purpose agencies whose resources and manpower are focussed on a variety of law enforcement, rather than correctional, functions. As a result, two issues of interest may be the range of other services provided by producers of pre-trial detention and the degree to which the

range of services produced affects the allocation of manpower to local jail facilities.

A third variable of interest is the total capacity of the jail facility. Some observers have suggested that the larger the jail, the lower the per inmate costs of operating these facilities. This position argues that larger jails tend to capture economies of scale in their operations. Other observers have noted that larger jails are more likely to provide a full range of educational and social services than are small and medium sized jails. Indeed, the 1972 LEAA jail survey found that large detention facilities (those with populations in excess of 250) are more likely to provide educational and vocational services and recreational facilities than are the small (less than 20) and medium-sized (20-250) detention facilities (LEAA, 1975). But others have suggested that there may be a point at which the jail becomes too large and both inmate supervision and the quality of services provided suffer as a result. The U.S. Advisory Commission on Criminal Justice Standards and Goals, for example, has recommended that detention facilities not exceed capacities of 300 (U.S. Advisory Commission on Criminal Justice Standards and Goals, 1973, 309).

3.4 Size of Agencies Producing Detention Services

Table 3.4.1 provides information on the median number of full-time personnel employed in agencies that produce detention services. Nationwide, 50 percent of all pre-trial detention producers employ 51 or fewer full-time personnel. The median size of all detention producing agencies is smallest in the South and largest in the

Table 3.4.1 Median Number of Full-Time Employees in Agencies that Produce Detention: By Region and Type of Agency

	(N)	All Agencies *	Direct Service Producers		Detention Specialists
			County Sheriffs	City Police	
All Agencies	(165)	51	58	37	45
Location					
Northeast	(20)	47	41	--	51
Midwest	(37)	57	55	53	--
South-Southwest	(80)	36	44	28	30
Mountain West	(28)	41	118	19	--

*Excludes Military and Tribal Police and Connecticut State Department of Corrections

Midwest, reflecting significant regional variations in the number and size of city detention producers and the median size of county sheriffs' agencies in these regions. City producers of detention in the Midwest tend to be much larger than in the South-Southwest and Mountain-West regions. Indeed, city detention producers in this area of the country tend to be nearly as large as county sheriffs' agencies. County sheriffs in the South-Southwest tend to be somewhat larger than the city agencies that produce detention. In the Mountain-West, however, there are substantial differences between the size of city pre-trial detention producers (the median size being 118 full-time employees).

Although the sample of city police agencies is too small to reach any definitive conclusions, data presented in Table 3.4.2 would suggest that relatively more small police agencies in the South-Southwest and Mountain-West produce pre-trial detention services than do those in the Midwest. Only one percent of city agencies having 10 or fewer full-time personnel in the Midwest, and no agencies with 11 to 20 full-time employees, provide detention services. In the South-Southwest, however, three percent of the city agencies having fewer than 10 full-time officers and 22 percent of city agencies having 11 to 20 full-time officers produce these services. For the Mountain-West, these figures are nine and 13 percent, respectively.

That only the very largest city police agencies in the Midwest produce detention is further suggested by the fact that the median size of city pre-trial detention producers (53 full-time personnel) in this region is much larger than either the median size of city

Table 3.4.2 Percent of City Police Agencies that Produce Adult Pre-Trial Detention: By Region and Size of Agency

Number of Full-Time Employees	(N)	Percentage of City Police Agencies that Produce Detention:				
		All Regions	Northeast	Midwest	South-Southwest	Mountain West
All Agencies	(761)	8	0	5	13	11
0 to 10	(400)	2	-	1	3	9
11 to 20	(119)	11	-	0	22	13
21 to 50	(115)	10	-	12	18	17
51 to 150	(71)	17	-	25	30	6
Over 150	(56)	23	-	27	38	22
Number of Full-Time Sworn Officers						
All Agencies	(763)	8	0	5	13	11
0 to 10	(446)	3	-	1	5	10
11 to 20	(100)	9	-	5	19	7
21 to 50	(97)	12	-	18	21	19
51 to 150	(73)	18	-	18	30	16
Over 150	(47)	21	-	33	39	0

agencies in that region (four full-time employees or the size of city detention producers in other regions of the country (Table 3.4.3).

Agencies producing pre-trial detention services in different regions of the country thus vary considerably in size. One potential explanation for these variations is that agencies in different parts of the country tend to provide a different mix of services.

3.5 Other Services Produced by City and County Detention Producers

Tables 3.5.1 through 3.5.3 present the range of other services produced by producers of detention services identified in the Police Services Study. Nationwide, about 80 percent of the city detention producers produce all five direct police services examined in our study. (general area patrol, traffic patrol, traffic investigation, burglary investigation, and homicide investigation).

The direct service least likely to be produced by city detention producers is homicide investigation. Nationwide, about 86 percent of all detention producers conduct homicide investigations. The proportion of city agencies that produce homicide investigations is greatest in the Mountain-West and smallest in the South-Southwest.

City detention producers are less likely to produce a full range of auxiliary services (entry-level training, dispatching, crime lab, and detention) than they are to produce a full range of direct services. Only in the South-Southwest did we encounter any agencies that produce the full range of auxiliary services and even there, only a very small proportion do so. Dispatching is the one service most likely to be produced by all city detention producers. Beyond

Table 3.4.3 Median Number of Full-Time Employees in City Police Agencies that Produce Detention Services: By Region

	(N)	Median	Inter-Quartile Range	(N)	Median	Inter-Quartile Range
All Agencies	(761)	10	3 - 28	(58)	37	14 - 116
Location						
Northeast	(172)	14	4 - 30	(0)	--	----
Midwest	(200)	4	1 - 21	(11)	53	30 - 116
South-Southwest	(275)	9	4 - 25	(35)	28	15 - 114
Mountain West	(114)	13	7 - 45	(13)	19	12 - 37

Table 3.5.1 Range of Other Services Provided by City Police that Produce Detention: By Region

	(N)	Percentage of City Pre-trial Detention Producers that also Produce:						
		All Direct	Traffic Investigation	Homicide Investigation	All Auxiliary	Basic Training	Crime Lab	Dispatching
All Agencies	(59)	80	98	86	3	22	--	95
Location								
Northeast	(0)	--	--	--	-	--	--	--
Midwest	(11)	73	100	91	0	46	0	91
South-Southwest	(35)	77	97	83	6	20	9	97
Mountain West	(13)	92	100	93	0	8	8	92

that, a sizeable proportion of city detention producers in the Midwest, in contrast to the South-Southwest and Mountain-West, produce entry-level training (Table 3.5.1).

County sheriffs who produce detention are less likely than city detention producers to produce the full range of direct services; 61 percent of the county sheriffs produce the full range of direct services. County sheriffs are least likely to produce traffic investigation. This is particularly true in the South-Southwest and Mountain-West, where traffic patrol in unincorporated areas in some states (California, for example) is produced by state police agencies (Table 3.5.2).

Surprisingly, county sheriffs are also less likely than city police agencies to produce a full range of auxiliary services. None of the county sheriffs in our study produce all auxiliary services. In the Northeast and Midwest, the most frequently produced auxiliary service is entry-level training; in the South-Southwest and Mountain-West, sheriffs are more likely to produce crime lab services.

Agencies responsible for the operation of local jail facilities are frequently responsible for civil process serving. As indicated in Table 3.5.3, 66 percent of the detention producers process civil papers, including 96 percent of the county sheriffs and 57 percent of the detention specialists. City agencies, on the other hand, are much less likely to perform this service.

Of greater interest is the question of how variations in the range and types of services provided are likely to impinge upon the agency's role as a detention producer. This question is addressed in Section 3.8 below.

Table 3.5.2 Range of Other Services Provided by County Sheriffs That Produce Detention

	(N)	Percentage of County Pre-Trial Detention Producers that also Produce						
		All Direct	Traffic Investigation	Homicide Investigation	All Auxiliary	Basic Training	Crime Lab	Dispatching
All Agencies	(87)	61	64	99	0	8	8	95
Location								
Northeast	(6)	83	84	100	0	17	0	100
Midwest	(27)	96	96	100	0	11	0	96
South-Southwest	(38)	34	42	97	0	5	8	100
Mountain West	(16)	56	56	100	0	6	25	81

Table 3.5.3 Percentage of Producers of Pre-Trial Detention That Produce Civil Process Serving: By Region and Type of Agency

	(N)	All Agencies	Direct Service Producers		Detention Specialists
			County Sheriffs	City Police	
All Agencies	(158)	66	96	6	57
Location					
Northeast	(24)	71	100	-	61
Midwest	(34)	74	96	11	--
South-Southwest	(72)	53	100	7	40
Mountain West	(28)	54	87	0	--

3.6 Capacity of Detention Facilities

The capacity of detention facilities varies by both region and type of producer. (See Tables 3.6.1 through 3.6.3.) Fifty percent of the jails identified in our survey hold 80 or more inmates. The largest jails tend to be operated by detention specialists and the smallest by city police agencies. Indeed, 52 percent of the city jails have a capacity of less than 21 inmates; 72 percent hold fewer than 50 inmates, and only four percent have capacities in excess of 250 (Table 3.6.2). In contrast, only five percent of county sheriffs have jails that hold fewer than 21 inmates; only 17 percent have capacities of 50 or less, and 25 percent have capacities in excess of 250. None of the detention specialists operate facilities holding fewer than 21 inmates and full 41 percent operate facilities with capacities in excess of 250.

The largest city jails tend to be located in the South-Southwest (Table 3.6.1) and the smallest, in the Midwest and Mountain-West regions. Because the median size of city police agencies that produce detention is largest in the Midwest, it would thus appear that the largest jail facilities are not necessarily operated by the largest city police agencies.

Jails operated by county sheriffs who also produce other police services are largest in the South-Southwest and Mountain-West; they are smallest in the Northeast and Midwest. Looking at county detention facilities provided by both detention specialists and county sheriffs who produce other police services, it is evident

Table 3.6.1 Median Capacity of Detention Facilities: By Region and Type of Agency

	(N)	All Agencies	Direct Service Producers County Sheriffs	Producers City Police	Detention Specialists
All Agencies	(164)	80	100	20	170
Location					
Northeast	(23)	135	41	--	170
Midwest	(39)	68	75	16	---
South-Southwest	(74)	85	123	25	312
Mountain West	(28)	52	140	18	---

Table 3.6.2 Size Distribution of Detention Facilities: By Type of Agency

	Percent of Detention Facilities			Detention Specialists
	All Agencies	Direct Service Producers		
		County Sheriffs	City Police	
Number of Agencies	(159)	(85)	(50)	(24)
Total Capacity				
0 to 20	19	5	52	0
21 to 50	15	12	22	5
51 to 100	27	37	16	18
100 to 250	19	22	6	36
250 and over	20	25	4	41

that the South-Southwest and Mountain-West include a number of very large jail facilities (those with 250 or more inmates) in comparison to the other regions. Thirty-seven percent of the county detention facilities in the South-Southwest and 47 percent of the county detention facilities in the Mountain-West have capacities of 250 or more. In the Northeast, only 23 percent of the county facilities hold 250 or more persons; in the Midwest, only seven percent of the facilities are this large (Table 3.6.3).

Given both the larger number of jails in the South-Southwest and the comparatively large size of these detention facilities, it is not surprising that SMSAs in the South-Southwest have the highest ratio of jail capacity to SMSA population (Table 3.6.4). The median detention capacity per 100,000 population in the South-Southwest is 121. The Midwest, which has a relatively small number of jails and rather small jail facilities, has the lowest ratio of capacity to 100,000 population (58). SMSAs in the Northeast and Mountain-West fall between these two extremes; in Northeast SMSAs, the median ratio of total detention capacity to 100,000 population is 101; in the Mountain-West, it is 100. These two regions resemble one another in having a mix of both very large and relatively small jail facilities.

Detention capacity per 100,000 population in the SMSAs included in the study is lowest in SMSAs served by two to three detention producers; it is highest in areas served by four or more producers of pre-trial detention services (Table 3.6.4). Somewhat surprisingly, however, the largest SMSAs (those generally having the largest number of detention producers) have a considerably lower

Table 3.6.3 Size Distribution of County Detention Facilities: By Region*

	All Agencies	Percent of Detention Facilities			
		Northeast	Midwest	South-Southwest	Mountain West
Number of Agencies	(103)	(17)	(27)	(44)	(15)
Total Capacity					
0 to 20	4	0	7	5	0
21 to 50	11	35	7	5	7
51 to 100	32	6	52	30	33
100 to 250	25	35	26	25	13
250 and over	28	23	7	37	47

*Includes detention facilities operated by county sheriffs and by detention specialists.

*Rows may not add to 100 percent due to rounding

Table 3.6.4 Total Detention Capacity Per 100,000 Population: By Region, Size SMSA, and Number of Detention Producers Per SMSA

	Number of Metropolitan Areas	Capacity Per 100,000 Population	
		Median	Inter-Quartile Range**
All SMSAs*	(76)	98	60 - 155
Location			
Northeast	(14)	101	64 - 155
Midwest	(20)	58	49 - 93
South	(29)	121	97 - 197
West	(13)	100	71 - 128
SMSA Population (1970)			
50,000 to 124,999	(19)	99	69 - 108
125,000 to 249,999	(25)	108	58 - 185
250,000 to 499,999	(20)	100	64 - 133
500,000 and Larger	(12)	79	60 - 88
Number of Detention Producers Per SMSA			
1	(40)	97	58 - 134
2 - 3	(21)	79	57 - 133
4 or more	(15)	105	87 - 206

*Excludes 4 SMSAs served by the Connecticut State Department of Corrections

**The Inter-Quartile Range shows the 25th and the 75th percentiles. This means that 25 percent of the SMSAs have a ratio of 60 or less and 25 percent have a ratio of 155 or more.

capacity per 100,000 population than do the smaller SMSAs studied.

3.7 Allocation of Full-Time Employees to Detention

As indicated in Table 3.7.1, 20 percent of the detention producers -- including 67 percent of the city agencies -- assign no full-time personnel to their jails. The proportion of agencies reporting that they assigned no full-time personnel to their detention facilities was greatest in the smallest jails. Seventy percent of the jails having capacities of 20 or less reported no full-time personnel. All of the agencies having jails holding 51 or more prisoners assign at least one full-time person to their detention facilities. Over 75 percent of all agencies with jails holding 100 to 250 prisoners assign at least 20 full-time employees to the jail facility; fully 82 percent of the jails having capacities in excess of 250 assign 40 or more full-time employees to their detention facilities.

In terms of the proportion of total agency employees assigned to detention, city police agencies assign a very small share of their total personnel to jail duties. Ninety-three percent of the cities that produce pre-trial detention assign less than 10 percent of their full-time employees to detention. None of the detention specialists assign less than 20 percent of their employees to detention, and a majority assign more than 75 percent (Table 3.7.2).

The percentage of manpower assigned to detention by county sheriffs surveyed varies both by region and size of the detention facility (Table 3.7.3). Three of the six sheriffs (50 percent producing detention (and other police services) in the Northeast

Table 3.7.1 Number of Full-Time Employees Assigned to Detention by Type of Agency and Size of Detention Facility

Type of Agency	(N)	Number of Full-Time Employees in Detention				
		Percent of Detention Facilities with:				
		0	1 to 4	5 to 19	20 to 39	40 or more
All Agencies	(163)	19	15	27	19	20
City Police	(58)	67	9	17	3	3
County Sheriffs	(82)	2	15	48	16	20
Detention Specialist	(23)	0	0	13	43	43
Capacity of Detention Facility						
All Agencies	(148)	20	16	24	20	20
1 to 20	(37)	70	27	3	0	0
21 to 50	(16)	19	44	25	13	0
51 to 100	(43)	0	14	56	28	2
100 to 250	(25)	0	0	24	48	28
250 and Over	(27)	0	0	4	15	82

Rows may not add to 100 percent due to rounding.

Table 3.7.2 Percentage of Full-Time Employees Assigned to Detention:
By Type of Agency

Percent of Full-Time Personnel in Detention	(N)	Percent of Agencies			
		All Agencies	Direct Service County Sheriffs	Producers City Police	Detention Specialists
Number of Agencies	(161)	(161)	(82)	(58)	(21)
0	(42)	26	2	67	0
1 to 10	(21)	13	9	24	0
11 to 20	(39)	24	40	9	5
21 to 30	(23)	14	28	0	0
31 to 50	(17)	11	20	0	5
51 to 75	(8)	5	1	0	35
75 to 100	(11)	7	0	0	55

Columns may not add to 100 percent due to rounding

TABLE 3.7.3 Percentage of Full-Time Employees Assigned to Detention by
County Sheriffs: By Region and Size of Detention Facility

	N	Percent of County Sheriffs Percent of Full-Time Personnel in Detention:			
		0 to 10	11 to 20	21 to 30	30 or more
All Agencies	(82)	11	40	28	21
Location					
Northeast	(6)	17	17	17	50
Midwest	(26)	15	54	12	19
South-Southwest	(36)	8	39	39	14
Mountain-West	14)	7	29	36	29
Capacity of Detention Facility					
All Agencies	(81)	11	40	28	21
0 to 50	(13)	31	39	15	15
50 to 100	(30)	7	57	20	17
100 to 250	(19)	5	37	42	16
250 and over	(19)	11	21	32	37

Raos may not add to 100 percent due to rounding.

reported that they assigned more than 30 percent of their full-time personnel to detention. Only 14 percent of the sheriffs in the South-Southwest, 19 percent of the sheriffs in the Midwest, and 29 percent of the sheriffs in the Mountain-West Region reported assigning this much manpower to detention. With the exception of the Midwest, however, a majority of county sheriffs reported that they assign at least 20 percent of their full-time personnel to detention. In the Midwest, where county sheriffs facilities tend to be relatively small (and where a sizeable proportion of the sheriffs also produce traffic patrol, traffic investigation, and/or entry-level training), only 31 percent assign more than 21 percent of their full-time employees to detention. As indicated in Table 3.7.3, the proportion of county sheriff employees assigned to detention is related to the size of the detention facility. Seventy percent of the county sheriffs whose facilities hold 50 or fewer prisoners, assign less than 20 percent of their personnel to detention; only 32 percent of the agencies with facilities holding 250 or more persons reported assigning this small proportion.

3.8 Ratio of Employees to Detention Capacity

The U.S. Advisory Commission on Criminal Justice Standards and Goals has recommended that agencies employ at least one full-time staff member for every six inmates (U.S. Advisory Commission on Criminal Justice Standards and Goals, 1973: 300). This is the equivalent of 17 full-time employees for every 100 inmates.

Few of the law enforcement agencies included in our study

could meet this standard. More than 50 percent of all city agencies that produce detention assign no full-time personnel to detention. Only 25 percent assign six or more employees per 100 inmates. The median for county sheriffs is 10 full-time employees per 100 inmates -- substantially less than the 17 employee standard recommended by the Commission. Approximately 25 percent (20 of the more than 80) sheriffs would be able to meet the standard.

Detention specialists in the survey have a substantially higher ratio of full-time employees to capacity than city agencies or county sheriffs. Fifty percent of the detention specialists assign at least 21 full-time employees for every 100 inmates. Sixty-seven percent employ at least 17 employees per 100 inmates.

The ratio of full-time personnel to capacity also appears to be related to the detention facility size. The median ratio for facilities holding 250 or more inmates is 15, while most facilities holding less than 50 persons assign five or fewer full-time employees per 100 inmates.

In county detention facilities, including those operated by county sheriffs and by detention specialists, the ratio of full-time jail personnel to detention capacity exhibits some regional variations. County jails in the Northeast are characterized by the highest ratio of full-time employees to detention capacity; county jails in the South-Southwest, show the lowest ratio. County detention facilities in the Mountain-West tend to assign more full-time employees per 100 inmates than do those in the South-Southwest and Midwest, but fewer full-time employees than agencies in the Northeast do. In the Northeast, however, pre-trial detention is

TABLE 3.8.1 Ratio of Full-Time Jail Personnel to Detention Capacity: By Type of Agency and Size of Detention Facility

Type of Agency	(N)	Full-Time Employees per 100 Inmates	
		Median	Inter-Quartile Range
All Agencies	(155)	9	2 - 18
City Police	(50)	0	0 - 6
County Sheriffs	(81)	10	8 - 18
Detention Specialists	(22)	21	16 - 27
Capacity of Detention Facility			
All Agencies	(155)	9	2 - 18
1 to 20	(29)	0	0 - 0
21 to 50	(24)	5	0 - 12
51 to 100	(42)	10	8 - 18
101 to 250	(30)	12	7 - 20
250 and over	(30)	15	9 - 21

TABLE 3.8.2 Ratio of Full-Time Jail Employees to Detention Capacity in County Detention Facilities: By Region and Size of Detention Facility*

	(N)	Full-Time Employees per 100 Inmates	
		Median	Inter-Quartile** Range
All Agencies	(99)	12	8 - 21
Location			
Northeast	(17)	26	23 - 38
Midwest	(26)	10	8 - 15
South-Southwest	(42)	9	6 - 14
Mountain-West	(14)	15	11 - 21
Capacity of Detention Facility			
0 to 50	(14)	10	6 - 25
51 to 100	(32)	9	8 - 15
101 to 250	(26)	12	7 - 20
250 and over	(27)	15	9 - 21

provided largely by detention specialists⁶ (Table 3.8.2).

With the exception of entry-level training, county sheriffs who produce the selected services indicated in Table 3.8.3, do not differ significantly from those who do not produce these services in the ratio of full-time employees to capacity. When one examines the ratio of full-time employees to detention capacity, sheriffs who also produce entry-level training (seven) have a higher median ratio of employees to detention capacity than those that do not. Given the small number of agencies, it is difficult to explain this finding.

3.9 Use of Civilian Personnel

Thirty-five percent of the agencies that produce pre-trial detention and assign any full-time personnel to this function, reported that 100 percent of their jail employees were sworn personnel⁷ (Table 3.9.1). Twenty percent reported that they used no sworn personnel in their detention facilities. City police agencies reported using a higher proportion of civilian employees than do county sheriffs and detention specialists. Sixty-one percent of city police agencies that produce detention reported that at least 75 percent of their detention employees are civilians. Only 19 percent of the county sheriffs and 35 percent of the detention specialists reported using proportionately this many civilian personnel.

Agencies in the Northeast and Midwest make less use of civilian personnel than do agencies in the South-Southwest and Mountain-West regions. Forty-three percent of the agencies in these regions

TABLE 3.8.3 Ratio of Full-Time Jail Employees to Detention Capacity in County Sheriff's Facilities: By Services Provided!

	(N)	Full-Time Employees per 100 Inmates	
		Median	Inter-Quartile Range*
All Agencies*	(86)	10	8 - 18
Traffic Investigation			
Yes	(52)	11	8 - 20
No	(34)	10	8 - 17
Training			
Yes	(7)	20	14 - 21
No	(79)	10	8 - 17
Crime Lab			
Yes	(6)	9	9 - 11
No	(80)	11	8 - 20

* The Inter-Quartile Range shows the 25th and 75th percentiles. Twenty-five percent of the sheriffs have a ratio of eight or less and 25 percent have a ratio of 18 or more.

Table 3.9.1 Percent of Jails Using Civilian and Sworn Personnel:
By Type of Agency, Size of Detention Facility and Region

Type of Agencies	(N)	Percent of Agencies Using:					
		All Sworn	1 to 25%	Some Civilian Personnel			
				26 to 50%	51 to 75%	76 to 99%	100%
All Agencies	(120)	35	16	17	5	8	20
City Police	(18)	28	6	0	6	33	28
County Sheriffs	(79)	34	15	25	6	1	18
Detention Specialists	(23)	39	26	0	0	13	22
Capacity of Detention Facility							
All Agencies	(117)	34	16	17	5	7	21
1 to 20	(3)	33	0	0	33	0	33
21 to 50	(14)	50	14	14	0	0	21
51 to 100	(41)	32	12	17	7	12	20
101 to 250	(30)	37	20	10	0	7	27
250 and Over	(29)	28	21	27	7	3	14
Location							
All Agencies	(119)	35	16	17	5	8	20
Northeast	(21)	43	38	5	0	10	5
Midwest	(28)	43	14	29	4	0	11
South-Southwest	(55)	35	11	7	7	11	29
Mountain West	(15)	7	7	47	7	7	27

Rows may not add to 100 percent due to rounding.

reported that 100 percent of their jail employees were sworn officers. Thirty-five percent of the detention producers in the South-Southwest and only seven percent of the detention producers in the Mountain-West reported that 100 percent of their employees were sworn. Similarly five percent of the agencies in the Northeast and 11 percent in the Midwest reported using no sworn personnel; in contrast, 29 percent of the agencies in the South-Southwest and 27 percent of detention producing agencies in the Mountain-West use only civilian personnel.

It is possible that regional variations in the use of civilian and sworn personnel result from variations in the mix of city and county agencies producing detention services. In Table 3.9.2, therefore, we show the same data for county sheriffs (including only those who produce other direct police services). As indicated a substantial number (26 percent) of county sheriffs' facilities in the South-Southwest use all civilian personnel, but an even larger proportion use only sworn personnel in their detention facilities. In the Mountain-West, on the other hand, very few sheriffs use all sworn personnel and in the majority of these facilities, at least 50 percent of the employees are civilians. In the Midwest and Northeast, a majority of the county sheriffs use less than 25 percent civilians -- many of these sheriffs use only sworn personnel. Few county sheriffs in these regions use only civilian personnel.

The characteristics of detention-producing agencies vary, as we have seen, by region, type of agency, and size of detention facility. Within this context, the findings of the Police Services Study confirm many of the regional and size variations found in

Table 3.9.2 Use of Civilian and Sworn Personnel By County Sheriffs: By Region

	(N)	All Sworn	Percent of County Sheriffs Using:				
			Some Civilian Personnel				
			1 to 25%	26 to 50%	51 to 75%	76 to 99%	100%
All Regions	(79)	34	15	25	6	1	18
Location							
Northeast	(6)	33	33	17	0	0	1
Midwest	(25)	40	16	32	4	0	8
South-Southwest	(35)	40	14	11	0	0	26
Mountain West	(13)	8	8	54	8	8	16

Rows may not add to 100 percent due to rounding.

the 1970 and 1972 LEAA jail surveys (LEAA, 1971, 1974, 1975). In these two surveys, however, no analysis was done on variations by type of detention-producing agency. Findings from the Police Services Study suggest that city police, county sheriffs, and "detention specialists" are characterized by substantially different traits in their roles as detention producers.

Two other aspects of detention service provision have not been systematically explored in earlier studies. These are the relationships among producers of pre-trial detention and the relationships between producers and consumers of this service.

3.8 Relationships Among Producers of Pre-trial Detention Services

One might characterize relationships among agencies that produce detention in a metropolitan area in a number of ways. In this preliminary version of our report, we discuss the concepts used to describe and measure these relationships. In the final version, we will examine how the metropolitan areas included in our survey differ from one another empirically in these measures and how pre-trial detention services differ from other police services examined in the study.

Where agencies contribute directly to the operation of a local detention facility (for example, by assigning manpower), we would say that they are coordinating their efforts in the production of local detention services. Because it is more common for counties to simply take over operation of local jail facilities, including responsibility for personnel formerly employed by city jails, than it is for police agencies to contribute manpower and other

services in a joint production effort, we found relatively few examples of coordinated production in the 80 metropolitan areas surveyed.

In metropolitan areas having more than a single producer of detention services, relationships among these producers of detention can be characterized in several ways. Perhaps the most common is what we call alternation. Police agencies alternate in the production of a service when some division of responsibility has occurred among producers of that service.

In the production of pre-trial detention services, two types of alternation are common. In many metropolitan areas, responsibility for pre-trial detention is divided among city and county producers according to whether the suspect is charged with a city or state offense. In other metropolitan areas, the division of responsibility among producers of detention may be according to the sex of the suspect. Several agencies in our survey lacked adequate facilities for female prisoners and contracted with other jail facilities for holding these prisoners. Not uncommonly, the agency they contracted with was an adjacent county sheriff.

In some states, county sheriffs are legally responsible only for prisoners charged with offenses against the general criminal code of the state and/or prisoners other than those to be tried in a local city or police court. In these states, cities may be required to pay county sheriffs for holding prisoners accused of city offenses. Where it is a common practice for such prisoners to be held after arraignment and prior to final court disposition, cities may operate their own jail facilities for city prisoners

but send "state" prisoners to the Sheriff's facility.

The distance from a city to the Sheriff's facility may also influence city decisions to provide pre-trial detention. Where distances are great, cities may opt to provide their own pre-trial detention. This is particularly true for small agencies that may find it more costly (in time and other resources) to transport a prisoner to a county facility than to provide a small jail facility. Indeed, it may well be that distance is one of the factors influencing regional variations -- Western and Southern SMSAs tend to have larger areas than do Midwest and, particularly, Northeast SMSAs. Distance may also be more important in those SMSAs where it is common to hold city prisoners after arraignment and where the court structure is such that the prisoner is likely to be tried locally rather than at a court located in the county seat.

3.9 Relationships Between Producers and Consumers of Detention

The relationships between agencies that produce and agencies that use detention services are also important. How many agencies that produce detention, for example, also produce this service for other police agencies? Preliminary analysis would suggest, not surprisingly, that virtually 100 percent of the sheriffs and detention specialists produce pre-trial detention for other police agencies. But only a relatively small proportion of city police agencies do so.

For those that produce detention services for other police agencies, another question is whether most of these relationships

involve written contracts and/or fees for service. Preliminary analysis suggests that cities are most likely to charge fees, and county sheriffs, least likely to do so. Few agencies included in our survey relied on written contracts. In most instances, county sheriffs or detention specialists may be required by law to provide these services. Cities are more likely to use written contracts for the provision of this service than are county sheriffs. More detailed information on these relationships will be provided in the final version of our report.

4. Summary of Findings

We have thus identified both similarities and differences among metropolitan areas included in our study in the arrangements used for pre-trial detention services. Among the similarities, we have noted that:

- A majority of the metropolitan areas included in our survey are served by a single detention producer.
- In most metropolitan areas, cities play a minimal role in the production of pre-trial detention services.

We have also found considerable diversity in the arrangements used for pre-trial detention. We have noted, for example, that:

- The number of detention facilities varies with the size of an SMSA as does the ratio of detention capacity to population;
- SMSAs in different regions are served by different types of detention producers;
- The number of detention producers, the proportion of all direct service agencies that produce detention and the ratio of detention capacity to SMSA population all vary by regions; and

- Different types of detention producers have different characteristics.

Documentation of this diversity is important, we feel, for a number of reasons. For one thing, most study groups and commissions have assumed that independent non-law enforcement agencies will function differently as detention producers than law enforcement agencies. In our study, we did find that city police agencies, county sheriffs and detention specialists differ from one another in a number of ways. (i.e. size of facility, assignment of manpower and use of civilian personnel.) Two questions of substantial interest are, first, whether similar differences would be found were a broader range of characteristics to be examined and second, whether such differences in agency characteristics actually correlate with the quality of detention services provided. More generally, the study suggests that a range of organizational arrangements is used for pre-trial detention. Opportunities do exist for examining the effects of laws and policies on organizational arrangements, and the effects of organizational arrangements, in turn, on the quality of pre-trial detention services provided. Were we to take advantage of such opportunities, it might well be that our choices in the future would be better informed and less subject to error than would otherwise be the case.

FOOTNOTES

¹ The only early examples of long-term institutionalization are the poor-houses. In aims and concept, these are more closely akin to state prison systems than to local jail facilities.

² Precise summaries of the history of local jails in the United States are found in Mattick, 1974; Flynn, 1973; and American Correctional Association, 1969. The information presented here draws on these materials.

³ The rationale for pre-trial detention is, of course, considerably more complex. There is currently much debate over the use of preventive detention and the interests and rights of the suspect as against the potential for harm to members of the community at large. For a discussion of some of the major issues see U.S. Advisory Commission on Criminal Justice Standards and Goals, 1973; and American Bar Foundation, 1971.

⁴ The use of the terms "specialize" and "detention specialist" does not imply any specialized knowledge or expertise on the part of these agencies. It simply means that they produce detention but none of the other law enforcement services examined in the Police Services Study.

⁵ A direct service police agency is one that produces one or more of the following services: traffic patrol, traffic investigation, criminal investigation, general area patrol.

⁶ It is very important to note that we are looking at total capacity and not inmate population. Jails in the Northeast and jails with the largest capacities are most likely to be overcrowded. It is also important to note that we are looking at full-time employees and not total employees. Small jail facilities are more likely than large jail facilities to use part-time employees. Were we to look at the ratio of full-time equivalent jail employees to inmate population, these regional and size variations would not be as extreme.

⁷ The question of whether or not a jail employee is sworn is not as simple as it might seem. In some instances, jail employees may be sworn deputies but not regular police officers. We have counted as sworn only those jail employees who have received the same type of entry level training as regular police officers employed in that jurisdiction.

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APPENDIX A

Law Enforcement Agencies Authorized by Statute to Provide Detention Facilities*

State	County Sheriffs	County Police Depts.	City Police Depts.	Towns	Other
ALABAMA	o				
ALASKA					
ARIZONA	o		o	o	
ARKANSAS	o		o		
CALIFORNIA	o		o		
COLORADO	o				
CONNECTICUT					
DELAWARE	PRE-TRIAL DETENTION SERVICES PROVIDED BY THE STATE				
FLORIDA	.o				
GEORGIA					
HAWAII		o			
IDAHO	o		o		
ILLINOIS	o		o		
INDIANA	o		o	o	A
IOWA	o				
KANSAS	o	o	o		
KENTUCKY	o				B
LOUISIANA	o				
MAINE	o				
MARYLAND	o				
MASSACHUSETTS	o		o	o	
MICHIGAN	o		o		
MINNESOTA	o				
MISSISSIPPI	o		o		
MISSOURI	o		o	o	C
MONTANA	o		o		
NEBRASKA	o		o		
NEVADA	o		o		D
NEW HAMPSHIRE					
NEW JERSEY			o		
NEW MEXICO	o				
NEW YORK					
NORTH CAROLINA	o		o		
NORTH DAKOTA	o		o		D
OHIO	o				
OKLAHOMA	o				
OREGON	o		o		
PENNSYLVANIA	o	o	o		E,D,F
RHODE ISLAND	PRE-TRIAL DETENTION SERVICES PROVIDED BY THE STATE				
SOUTH CAROLINA			o		
SOUTH DAKOTA	o		o	o	
TENNESSEE	o		o		
TEXAS	o				
UTAH	o		o		
VERMONT					
VIRGINIA	o				E
WASHINGTON	o		o		
WEST VIRGINIA	o				
WISCONSIN	o		o		
WYOMING	o				

Appendix A, Cont.

Footnotes

*Compiled by Larry Wagner, Thom Kramer, and other members of the Police Services Study legal staff.

- A - Consolidated Cities
- B - Elected Jailors
- C - Saint Louis Police Department
- D - Townships
- E - City Sheriffs
- F - Marshals and Constables

END

7. 11. 1961