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The Jail: It's Operation and Management

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**United
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Prisons**

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~~THE JAIL:~~ ITS OPERATION AND MANAGEMENT

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FOREWORD

This book is the result of collaboration between two government agencies and a university. The project was funded by the Law Enforcement Assistance Administration through a grant to The University of Wisconsin. The United States Bureau of Prisons provided the content specialist and made its resources available to the University. The University provided the programmed instruction specialist and the benefit of considerable experience in developing educational material. The final product will replace the Correspondence Course for Jailers developed and distributed by the Bureau of Prisons. This division of labor has borne gratifying results.

The failure of traditional detention practices in stemming the incidence of crime is obvious, and the need for new approaches and for experimentation is all too clear. Changing the jail function from detention alone to one that includes correctional programming will make demands on jail personnel that they must be prepared to meet. This challenge can be met through training, leadership, and community support. This book is a beginning step in the achievement of that goal.

Norman A. Carlson, Director
United States Bureau of Prisons

The work of the jail officer has always been difficult. Unfortunately, little has been done to train him and relatively few materials are available that can give him the expertise he needs to do his job. This book is an attempt to meet that need.

The focus and organization of this book has been determined by the needs of the potential users—the jail officers and jail administrators. The first six chapters have been written for the jail officer, and the last five chapters for the administrator. Throughout the book every attempt has been made to use examples, pictures, illustrations, and case studies that are relevant to the work experience of these two groups.

The principles and practices that are discussed in this text can be used in all jails, regardless of their size. The officer in a very small jail may need to modify some of the procedures recommended; however, he should not ignore the objectives and the philosophy. Although fewer problems will arise with a jail population of only 10 than with a population of 250, the principles and objectives are the same. For example, measures that will ensure the control of tools, keys, and guns are equally applicable in all jails.

The administrative chapters (Chapters 7-11) discuss the role and functions of the administrator. The four functions of the administrator—setting objectives, planning, decision making, and controlling—provide the frame of reference. The administrator is viewed as a generalist, with the ability to use the services of specialists. He must therefore know enough about detention procedures and corrections so that he can make intelligent decisions and direct the work of specialists. The administrator has a role in the technical areas of program development and jail planning, but he should not be a do-it-yourselfer. In fact, the complexities of planning correctional programs in jails do not lend themselves to easy, one-man solutions. The text offers alternative means of avoiding the often inadequate results caused by one-man planning.

This text provides the base for an independent study course for jail officers and administrators, and replaces the United States Bureau of Prisons Correspondence Course for Jailers. This text is accompanied by an instructor's guide that includes outlines, bibliography, course objectives, and test questions to assist the instructor at the local level.

Although it would be impossible to mention all Bureau of Prisons personnel who gave willingly of their time and assistance, recognition is given to the following jail inspectors who submitted numerous examples of jail incidents that are used in the text: John L. Anderson, Charles R. Burns, Frank D. Chastain, Merlyn D. Coons, John W. Cossett, Hugh R. Crum, John W. McGinnis, Max L. Mustain, Oscar L. Olive, Francis J. Kirkland, and Hubert H. Raney. Their contributions made the text material interesting and relevant. Recognition is also given to Elaine Evans and R. A. Miller, Jail Inspection Services; Harold A. Thomas, Chief Jail Inspector; Robert Scott, Michigan Department of Corrections; David Stewart, Assistant to the Chancellor, the University of Wisconsin Extension; Robert Najem, Design Team, the University of Wisconsin Extension; James Donoghue, Professor of Political Science, the University of Wisconsin Extension; and George Kelling, the University of Wisconsin Extension for their advice and suggestions. A significant contribution was made by the advisory committee who patiently reviewed and commented on the text.

Mrs. Nancy H. Gaines, Editorial Services, University Extension, The University of Wisconsin edited the manuscript. Dr. Benjamin Frank read the final draft and contributed to its improvement.

Nick Pappas

1. CORRECTIONAL HISTORY AND PHILOSOPHY

In ancient times reaction to crime and criminals was simple and direct. If a person stole from another or in some way injured him, the injured person and his family took revenge on the offender. When the criminal was from another tribe or family group, the revenge would become a family affair. Since the members of the family or tribe of the offender did not feel that they had done anything wrong (crimes against outsiders were not considered crimes), they in turn would take revenge on the victim's tribe. The result would be a feud that would have long-lasting consequences for both groups.

As tribal and family groups increased in size, and as society became more complicated, the use of such direct methods of dealing with criminals became too dangerous. The group was large enough to include more than one family, and direct methods of revenge could cause a small civil war. Since the survival of the group depended on its presenting a united front against outside enemies, fighting and other kinds of conflict had to be kept to a minimum. As a result, blood feuds were limited, ritualized, and finally replaced with blood payment. The wronged person or group could demand and get payment for the damage that was done. The price depended on the status of the victim. A peasant was worth less than a warrior or nobleman, a man more than a woman or child.

The direct response to crime by the victim or his kin had and still has serious disadvantages. When the victim of a crime or his relatives seek revenge, strong feelings are involved, and as a result the punishment imposed can be greater than the crime.

Guilt and innocence are often difficult to establish. Unless the evidence is overwhelming and the offender is caught in the act, or his crime is witnessed, there is always an element of doubt. Whenever there is doubt, the victim is least capable of weighing the evidence and arriving at an honest judgment as to the accused person's guilt or innocence. Under such circumstances, however, even the desire for revenge is not satisfied because there is no certainty that the offender has been identified. It should be apparent that any attempt at justice would be fruitless under a system permitting individual response to crime.

American frontier vigilante groups no doubt caught and hanged many horse thieves, but they also hanged persons who were innocent and who had the misfortune to be in the wrong place at the wrong time. How many innocent people were hanged under such circumstances will never be known.

The Formal Response to Crime

The change from individual revenge to a formalized response by the use of courts took a long time. It occurred as population increased and as society became complicated with organized government and laws.

Originally, tribal councils or groups of clan elders might be used to determine who had been wronged and what payment must be made. The emergence of strong central authority, backed by armed men loyal to a king, changed the method of handling crime and criminals in one significant way. Crime became the concern of the government and punishing criminals permitted strengthening of the king's power. The "king's peace," a guarantee of some measure of protection, was extended over increasingly greater areas. Crimes were no longer a matter of private revenge. Instead, they were identified as acts that threatened the authority of the king and finally as offenses against the public welfare.

Primitive tribes permitted certain penalties to be enforced by private individuals. Organized governments took this responsibility out of the individual's hands. As a result of this trend, government now has the responsibility for de-

tecting crimes, apprehending offenders, and through the courts deciding on their guilt or innocence. The individual victim or his family is not, as in early times, directly involved in criminal justice. Today, the citizen participates by appearing as a complainant or a witness, or by serving on a jury; he does not take the law into his own hands.

The use of the courts to decide guilt or innocence and assess penalty was largely responsible for the elimination of revenge as a response to crime. Revenge is a personal act. It is direct, punitive, and emotional. The courts replaced revenge with retribution. Retribution is a formal attempt to balance the crime with the penalty. This requires that the crime be viewed as more than a simple act and that all the circumstances of the situation be examined.

For example, the law recognizes the difference between murder, manslaughter, and justifiable homicide. All of these acts result in someone being killed, but under different circumstances. An individual whose relative was a victim of justifiable homicide would not be as interested in the circumstances as in revenge. In fact, the possibility exists that the victim's relative would not be interested in the difference between homicide and justifiable homicide. The courts do recognize a difference and determine the penalties in all cases.

The Use of Punishment as a Deterrent

The penalties for criminal acts have a number of purposes. It is hoped that sentencing and thus punishing the offender will make him think twice before he commits another criminal act. At the same time, his punishment is intended to serve as an example to others who might be tempted to commit a similar act. In ancient times a person could commit a crime and take refuge from punishment in the protection of his family or his clan. If his family was strong, it could resist the victim's family. Under such conditions the problem of deterring crime was not as important as revenge. Formal laws and the courts have removed this protection, but the question of the effectiveness of punishment as a deterrent remains.

The shift from individual response to crime to the use of the law and the courts was neither simple nor humanitarian. The fact that the king's court decided guilt or innocence did not eliminate the savagery of the punishment. In fact, it is difficult to determine from a study of the use of punishment in history whether the offender fared much better when punished by the victim and his friends or family, or when punished by the government.

A study of the ways offenders have been punished demonstrates the changing response to criminals and the part deterrence has played in how they are treated. When government assumed responsibility for criminal justice, application of the law of retribution resulted in numerous kinds of corporal punishment. The most common and universal form of punishment in history has been flogging. It has been used for various kinds of crimes ranging from burglary and military desertion to wife beating.

Branding, a popular form of punishment until relatively recent times, was used for thieves and on some occasions to identify adulterers. Branding was abolished in England in 1829. Mutilation was probably the punishment most closely related to the idea of retribution. In this case, the offender was made to suffer a punishment similar to the crime that he had committed. Thus, if he had caused his victim to lose a leg, an arm, or an eye, he suffered the same loss. According to a number of historians, flogging, branding, and mutilation were the most popular methods of punishment and were used in many societies over a long period of time.

Punishment was used as a method of deterring criminals. Mutilation, for example, served as a specific deterrent. If a person was caught stealing, the hand that did the stealing was cut off. This not only punished the thief but prevented

him from using that hand to steal again. It also made him incapable of working and often resulted in his starving to death if he did not die from his wounds. Whether the criminal was branded, flogged, or mutilated, he was made a public example.

The use of punishment as a means of deterring crime was not and has not been completely successful. In England, forgery and picking pockets were once offenses punishable by hanging, and although large numbers of persons were hanged, the crimes continued. Punishment may deter some people from crime and the threat of punishment may deter others, but it has never been convincingly demonstrated that punishment, no matter how severe, will discourage all people from committing crimes. Punishments of various kinds have been used for centuries. Enough publicity has always accompanied both crimes and punishments so that the consequences of criminal acts are known. In spite of this, crime has remained a social problem in every civilization and at every point in history.

A California study published in 1968 illustrates the problem of punishment and its effect on deterrence. In 1961, the California legislature enacted a law that provided special penalties for attacks on police. Before 1961, a person who assaulted anyone with a deadly weapon could receive a fine of \$5,000 and/or one year in jail or up to 10 years in prison. By 1966 penalties had been increased and commitment to the state prison was mandatory for an attack on any peace officer. Persons using a deadly weapon in such attacks received a sentence of five years to life in a state prison. As penalties for attacks on peace officers increased between 1961 and 1966, there was a corresponding increase in the rate of attacks from 8.4 per 100 officers per year to 15.8. This represented an increase of 90 per cent.

The study found another example of the questionable effectiveness of penalties in increased marijuana offenses. In 1961, the sentence for possession of marijuana was changed and the optional 0- to 12-month county jail sentence was replaced by a 0- to 10-year sentence in state prison. In 1961 about 3,500 persons were arrested for offenses involving marijuana. In 1966 arrests had climbed to 18,000. Although some of this increase could be the result of better reporting of crimes and stricter enforcement, the fact of well-publicized increased penalties apparently did not discourage use of the drug.

The California study also compared crime rates of various states with the length of sentences served by prisoners in the state prisons. It found that of the large states, Texas, with the lowest median time served (17 months), reported a crime rate in 1964 of 1,363 per 100,000 population. Illinois had the highest median time served (29 months) and a reported crime rate of 1,713 per 100,000 population.¹

Confinement for Punishment

Confinement as a method of punishing criminals did not become an accepted practice until the beginning of the penitentiary system in the 1800s. The penitentiary had a number of functions. It removed the criminal from society, thus making it impossible for him to commit crimes, and it protected society from his criminal acts. Its main purpose, however, was to make prison life so harsh that the prisoner would stop and think before he committed another crime.

Although the Walnut Street Jail, built in Philadelphia in 1790, marked the beginning of the penitentiary system in America, the Philadelphia prison at Cherry Hill was the first institution to be built for the purpose of confinement. Established in 1829, it was constructed so as to keep each prisoner in solitary

¹*Deterrent Effects of Criminal Sanctions: Progress Report of the Assembly Committee on Criminal Procedure* (Assembly of the State of California, May, 1968), pp. 26-28.

confinement during his sentence. The prisoner ate and worked in his cell, and he had an exercise yard attached to his cell that only he could use. During his work and exercise he had time to think about his crime, to become "penitent," the root word in *penitentiary*. His only visitors were members of the prison reform society, a clergyman, and officers of the institution.

The silent system developed in New York in 1816 differed from the solitary system in Pennsylvania. Also known as the Auburn system, after the city in which it was first used, it prohibited talking among the prisoners working together in shops. The architectural design of the Auburn system gained favor because its single cells and common work and dining rooms were less expensive than the solitary cells and individual work rooms of the Pennsylvania system. In both systems the prisoner was isolated either physically or by being forbidden to communicate with other prisoners.

Isolation and silence during confinement were not the only harsh methods used; flogging was common, prisoners were handcuffed to cell doors, placed in sweatboxes, given the water cure (strapping prisoners in a tub and spraying them with cold water), and made to wear the ball and chain or a heavy collar.

In addition to the harsh conditions, prisoners were employed at hard and often useless labor. It was felt that prisoners would be deterred from a life of idleness and irresponsibility if they were given hard and disagreeable tasks. When early houses of correction became so overcrowded that regular work was not available for all, the authorities developed machines designed to keep prisoners busy. These included the treadmill and the crank. There was also labor in the fields, on the roads, and in quarries. However, this work could be made a form of punishment by the establishment of quotas that were almost impossible to meet, or by use of the whip to keep the prisoner working at a high rate of speed.

The legendary Devil's Island prison camp of the French was an extreme example of confinement for punishment. Not only were the camp officials unusually cruel, the conditions under which the prisoners worked were extremely difficult. If a prisoner did not meet his work quota, he did not get to eat; floggings were routine, cleanliness was almost impossible, and medical care did not exist. The death rate of the prisoners almost equalled the number admitted each year.

The cruel treatment of confined criminals could not continue indefinitely. As society changed, so did conditions in the prisons. In the United States the view that prisoners should be punished in addition to serving time began to change. It was replaced by the belief that locking a man up was punishment in itself and severe enough so that other punishments were not needed. As this idea began to gain ground, flogging and other kinds of corporal punishment were eliminated. At about the same time, the silent system was eliminated, and the number of sentences to hard labor declined. Today, Delaware is the only state in which flogging remains as a legal punishment.

Confinement as Punishment

The idea that a convicted person is sent to prison to be punished is still held by many. From time to time jails and prisons are criticized as "country clubs" for not including severe punishments in their programs. It is necessary to examine the reasons why these views have no place in modern penology to understand the philosophy and methods that are used in jails today.

Confinement is now considered a means of punishment, and further punishment is not felt to be necessary. The confined individual is removed from his neighborhood, his family and friends. His accustomed way of life is ended; his privacy is invaded. His freedom to move about in society is lost and with it the responsibility for making many of the decisions affecting his life. He is officially rejected. These conditions comprise a form of punishment resulting from con-

finement. The punitive effects of confinement apply to both the occasional offender and the repeater, to the citizen who is jailed for inability to pay a fine and to the vagrant whose way of life is quite casual.

Jail and prison are unnatural environments, and confinement is a negative experience. Generally, confinement may restrict the prisoner's opportunity to commit crime, but does not teach him more acceptable ways of behaving. In fact, it is felt by many people in corrections that the environment of a jail or prison is so negative that it cannot prepare a person to return to society. Part of the reason for this belief is the prison's regimentation and severe restriction of freedom. These conditions almost completely eliminate decision making and individual responsibility.

Decision making in confinement is relatively simple. The prisoner can decide whether or not he will comply with the rules and regulations. He can decide whether or not to accept the hours set for waking and sleeping, as well as those for work and recreation. He can decide whether or not he will control his behavior and avoid becoming a disciplinary problem. His range of choices is so small, however, that it cannot begin to compare with those available in a free society.

For some prisoners, the restrictions on freedom are necessary for the protection of society. There is no question that some individuals need the controls that are available only in jail. Others, such as drunks and vagrants, may need to be confined primarily for their own protection.

Major Theories of Causes of Crime

Crime and its causes have been a source of interest to scholars throughout history. The theories that have resulted are many and varied. In ancient times it was thought that the criminal was possessed of the devil and that the best way to reform him was to beat the devil out of him. As recently as 1692, belief in the devil led to the Salem, Massachusetts witch hunts. As society became more sophisticated and people became more knowledgeable, the belief that the devil caused crime was replaced with other theories. Although some of these theories have been disproved, they offer interesting insights into beliefs about crime still held by some today.

The Physical Basis of Crime. In about 1900 Cesare Lombroso, an Italian physician, proposed the theory of the born criminal. He measured the heads and bodies of some criminals and found that they had sloping foreheads, prominent jaws and teeth, small, underdeveloped brains, and short, muscular builds. He claimed that cavemen had similar characteristics and that criminals were examples of primitive uncivilized man.

Lombroso's theory was disputed by other scholars. Charles Goring in 1913 and Enrico Ferri in 1917 found noncriminals who had similar measurements. Despite the evidence against the "born criminal," the belief persists. As recently as 1940, studies have attempted to demonstrate that there is a physical basis for crime. However, a casual examination of jail prisoners and free citizens will find a variety of body types and physical characteristics in each group. Other theories claiming a physical basis of crime point to race, temperament, or glandular disorders. Although scientific studies have failed to prove any of these to be a cause of crime, the search continues.

Differential Association. According to this theory the individual becomes criminal because the people he knows and the influences around him are criminal. Although he may be exposed to noncriminal influences, they are not as strong as the criminal ones. If he has more criminal than noncriminal companions and if he is exposed to criminal ideas, it is supposed that he will also become criminal.

The theory of differential association attempts to explain crime as the result of a number of conditions. Other theories identify a single cause for criminal behavior. These are called "single factor" theories. Although they appear to be simple and understandable, these theories have a number of drawbacks. Their main fault is that they do not explain the large number of noncriminal persons who should be criminal if the theory is correct. Too often these theories leave many questions unanswered and do not explain the exceptions.

Broken Homes. Studies have shown that in a high proportion of juvenile delinquents' homes, one of the parents is missing through divorce or death. From this it has been concluded that delinquency is caused by broken homes. Critics of this theory have pointed out that even though half of the juvenile delinquents may come from broken homes, this in itself does not explain juvenile delinquency. There is still a large group of delinquents who come from homes where both parents are present. There are also large numbers of juveniles who come from broken homes but who do not become delinquent.

Emotional Instability. According to this theory, individuals commit crimes because they are emotionally disturbed or mentally ill. This means that they have certain emotional problems that result in criminal behavior. However, the emotional problems of criminals have not been shown to be very different from those of noncriminals. Some mentally ill people commit crimes; others do not. This does not mean that mental illness or emotional disturbance cannot be a cause of crime; it can, but it is not the cause of all crime. Psychologically criminals are not much different from anyone else.

Social Disorganization. A number of different theories are included in the general category of social disorganization. The term *social disorganization* describes a society whose beliefs and institutions are not effective in meeting the needs of the people.

Institutions can become ineffective when they no longer provide opportunities for individuals to achieve socially approved goals. For example, if it is important that a person work and earn his own living, he must be given an opportunity to learn an occupation and the chance to compete for a job. If educational institutions do not teach effectively and many students drop out of school, there will be many individuals who will not have been trained for an occupation and be unable to find work. The emphasis on wealth and material goods and the lack of opportunity or means to share in the society's economic life will frustrate the poorly educated and untrained individual. Unable to participate on a fair basis, he will turn to crime.

Social disorganization also exists when the individual does not feel that he is a part of society. In such a situation he may be unemployed; he may not belong to any organization such as a church or social club; he may have few if any friends in his neighborhood; and he may generally feel that he does not belong. A person in this situation may feel that he does not owe anyone any loyalty or that he hasn't any responsibility to anyone. He may find it easy to rob or steal since he may feel that the people around him are his enemies.

What causes crime? Apparently no one has developed an all-encompassing theory to explain it. Human behavior is the result of many influences—the physical, emotional, and temperamental makeup of the individual; the effect of upbringing on his personality and thinking; his environment; his educational experience; and his social contacts. Even if all these factors result in a person who is capable of committing a crime, he may never do so except under certain circumstances. It is therefore difficult, if not impossible, to point to any one theory as an explanation of criminal behavior.

Correctional Programs

Correctional programs, penitentiaries, and confinement practices and procedures all had their beginnings in the jail. It is not possible to discuss corrections meaningfully without acknowledging the contributions of the jail. Historically, the jail has been used as a place for confining and detaining the person accused of crime. Official recognition is given to Henry II as the founder of English jails. In 1166 he ordered the construction of jails at the Assize (court session) of Clarendon.

The practice of confining persons on a large scale arose about 1500 as a result of great social change.

After the breakup of the feudal system, pauperism . . . abounded in all of Western Europe. Feudal Barons disbanded their mercenary armies, and the soldiers, who had never worked in gainful occupations, wandered at large, congregating in the towns and cities. The suppression of the monasteries and the decline of the guilds also bred thousands of beggars and paupers who would not work. It was to meet this critical condition that the city of London established a workhouse in 1557, when an abandoned royal lodging was set aside for the purpose.²

In Holland a workhouse was established in 1696 and in Ghent, Belgium, a similar institution was opened in 1773. These were not true jails, since they did not deal with detention exclusively but also served as prisons. They provided models for future prisons and remained as short-term institutions and jails after prisons were developed.

A complex system of jails emerged in England probably during the 1500s, with many municipalities and jurisdictions having their own jails. The present system of local jails in the United States is the result of the historical connection with England. The first jails in the United States were built by the Puritans soon after they established their colony in Massachusetts.

The Walnut Street Jail, established in 1790 in Philadelphia, marked the beginning of the modern jail. It also represented the beginning of long-term confinement, and is considered the place where the penitentiary system had its beginning.

Until recently, concern and interest in correction was centered on the prisons, reformatories, and penitentiaries. The jail, in which many correctional practices originated, has been neglected. Classification of prisoners according to sex, age, and criminality was begun in the workhouse of Ghent and was introduced into American corrections at the Walnut Street Jail. Prison labor was also a workhouse invention.

The Walnut Street Jail, which contained a small block of cells for hardened prisoners, was a model of what prisons were to be for some time in this country. "In this little prison we find the first classification of prison inmates, the first system of productive labor for prisoners in this country, a policy of firmness and kindness instead of punishments, and even a crude system of self-government."³

Present corrections owes much to the jail, and the division between corrections and the jail is not as great as it seems. In fact, the present concern with developing local correctional community programs is a recognition of the important part the jail plays in the correctional process. Current programs such as work release originated in jails for misdemeanor prisoners. Wisconsin in 1913 passed the Huber Law, allowing prisoners from the jail to be released daily to work at jobs in the community. A similar program for offenders serving prison sentences is relatively new.

²Barnes and Teeters, *New Horizons in Criminology*, p. 330.

³Ibid., p. 336.

It would be an error, however, to assume that the positive programs gained quick and easy acceptance. The fact remains that the most outstanding characteristic of corrections has been confinement. The need to keep prisoners securely confined and the parallel efforts to punish them have had their effect on the architecture of the prison and on its program.

In practice, the operations of many such fortress prisons fell far short of the ideals which prompted the originators of the restraint model. Offenders and social misfits of all kinds were confined in immense institutions, unsegregated by sex, age, or health status. Epidemics decimated the populations of many prisons as the result of filthy surroundings, bad food, and callous administration.

. . . [As a result,] the American Prison Association adopted an almost visionary declaration of principles and established a goal for corrections . . . : "Reformation, not vindictive suffering, should be the purpose of penal treatment."⁴

The 1967 Crime Commission Report continues:

The reform movement was heavily influenced by the rise of the psychological sciences, which helped to shape its emphasis on treatment of the individual, and its view of the offender as a person with social, intellectual, or emotional deficiencies that should be corrected to a point that would permit him to resume his place in the community.

On the reform model was built a far more complex approach to corrections than had existed before. Specialized institutions for various categories of offenders were developed. A wide range of services were to be provided: education, vocational training, religious guidance, and eventually psychotherapy in its various forms. It was assumed that prison schools and workshops would cure some and prison factories accustom others to the satisfactions of regular employment as against the irregular gains of crime.

Perhaps the most important product of this movement was the initiation of community treatment programs—probation and parole—beginning with the pioneering work of John Augustus in 1841. These services provided an alternative to confinement and opportunity to confront an individual's problems in the environment where eventually almost all offenders must succeed or fail. Such approaches, and the development of innovative institutions that attempt to incorporate some community programs, have been most widely developed with juvenile offenders.

The reform model introduced into corrections some of its most valuable concepts and methods—the idea of rehabilitation, diagnosis and classification, probation and parole.⁵

The difficulties of attempting to develop programs in prison and the negative effects of confinement on prisoners have resulted in a trend toward community corrections programs. The Crime Commission Report in recognizing and endorsing this trend commented as follows:

The general underlying premise for the new directions in corrections is that crime and delinquency are symptoms of failures and disorganization of the community as well as of individual offenders. In particular, these failures are seen as depriving offenders of contact with the institutions that are basically responsible for assuring development of law-abiding conduct: sound family life, good schools, employment, recreational opportunities, and desirable occupations, to name only some of the more direct influences. The substitution of deleterious habits,

⁴The President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Corrections* (Washington, D. C.: Government Printing Office, 1967), p. 3.

⁵*Ibid.*, pp. 3-4.

standards, and associates for these strengthening influences contributes to crime and delinquency.

The task of corrections therefore includes building or rebuilding solid ties between offender and community, integrating and reintegrating the offender into community life—restoring family ties, obtaining employment and education, securing in the larger sense a place for the offender in the routine functioning of society.⁶

Correctional programs must be run on a local level if they are to preserve community ties and use community resources. This means that the jail must become a community correctional institution. The work release program may be only one of the jail-operated programs that attempt to bring the offender back into the community.

The individual cannot be taught acceptable behavior in the vacuum of a prison. He needs to learn how to behave and how to solve his problems in society. Furthermore, it is very expensive to attempt to duplicate the services of the community in a jail or prison. This is especially true for such programs as vocational training, education, and useful work.

There is also a recognition here that not all offenders are dangerous and that only a selected group need to be isolated for the protection of the community.

Relationship of the Jail to the Criminal Justice System

A system is an arrangement of working parts or organizations that together make up a whole. For example, the automobile and the human body are systems with parts (or subsystems) that must work together if the whole is to operate. Criminal justice is also a system, and its parts are organizations such as the police, the courts, the jail, and corrections. The system of criminal justice will not work at all if any of the parts are missing; it will work at a low level of efficiency if any of the parts are not operating well.

In examining the main functions of each part of the system, it is possible to see their interrelationships. For example, the police force has the responsibility for criminal investigation and apprehension, the courts for determination of guilt, and corrections for confinement and rehabilitation. These are greatly simplified descriptions of the individual functions of each part of the system, but they illustrate what each part does.

The jail, the entrance into the system, is important as evidence of society's and the local community's interest and concern with justice, punishment, and rehabilitation. The person who is found not guilty by the court has had firsthand experience of law and justice. The person who is awaiting trial or serving a sentence (and especially the latter) experiences long and intensive exposure to the values of society as they are related to crime and punishment.

A stay in jail is also the most widely experienced type of confinement. In terms of the number of persons who pass through the jail as compared to other agencies of the justice system, the jail occupies an extremely important place. There are no exact figures on the number of people arrested and detained in jails throughout the nation. However, of the 2 million persons committed to institutions in 1965, the Crime Commission survey found that two-thirds were confined in jails and workhouses. This did not include the number of persons in pretrial detention. It was estimated that there were about 5 million misdemeanor arrests during that period. Thus the influence of the jail in terms of the number of persons who experience confinement in some form is considerable.

Relationship With the Police. Not only is the jail located strategically in terms of numbers of persons that come in contact with it and the influence it has on

⁶ *Task Force Report: Corrections*, p. 7.

them, it also performs a service function for the agencies within the system. The relationship of the jail to the police is one of accommodation and cooperation. The jail has the responsibility to accept any prisoner who is legally detained and who can be legally received by the jail. It should be noted, for example, that in some jurisdictions the jail cannot admit juveniles even when the arrest is legal. The jail plays a passive role, and to some extent the jail population will reflect this. For example, if the police are concerned with drunks and vagrants and have periodic cleanup campaigns, the jail will hold a large number of these persons. Arrest policies are a reflection of the community attitude and governmental policy and are not a matter of police determination alone. If local businessmen complain about drunks and vagrants, it soon becomes police policy to keep these persons off the streets. In some jurisdictions, drunks and homeless men are handled by methods other than arrest—for example, detoxification stations where the drunk can be sobered up and private agencies such as the Salvation Army where vagrants may be housed.

Obviously, the number of persons arrested for other crimes will depend more on the amount of crime than on police arrest policy. The important point is that the jail feels the effects of community and police policy. The jail is not an independent unit in the community, uninfluenced by events around it. It is a part of a larger system, and what the rest of that system does will affect the jail. The way the jail operates will also affect the community and the criminal justice system.

The jail holds the accused until the formal machinery of criminal justice begins to move. While the accused is in the jail, coordination between the police and the jail personnel may be required. Some exchange of information between police and jail personnel will be necessary, particularly where there is a need to keep accomplices separated. When a long-term investigation is required, the police and the jail may need to coordinate their efforts in scheduling investigation interviews or in otherwise making the accused available to the police, the prosecuting attorney, and defense counsel.

The need for information exchange and coordination is of equal importance when the jail is holding a material witness. Here the jail performs a service function for the police.

Relation to the Courts. The jail and the courts must cooperate very closely if the work of both is to be done. In this sense the jail has a coordinating function. The work of the court is directly related to the work of the jail; it influences the jail's activity and in turn is dependent on the jail's successful handling of the court-imposed workload. Whereas the jail has a relatively passive role where the police are concerned, in its relation to the court it has a scheduling and coordinating function. The jail must follow court trial schedules, be aware of the results of trials and of orders to produce or release prisoners. To a great extent, these functions make the jail a department of the court.

Sentencing decisions demonstrate clearly the extent of the interdependence between the jail and the courts. The courts can sentence an individual to jail, modify his sentence before completion, place an offender on probation, and, in some jurisdictions, sentence him to work release. These decisions will influence the jail population and its composition and the extent of program activity. For example, misdemeanants may be sentenced to the jail instead of the workhouses or work farms. This would increase the number of prisoners in the jail. Or the court may decide that the jail should not hold sentenced prisoners and sentence them to a county correctional institution, thus reducing the jail population.

In another instance, the courts may decide to use probation, suspended sentence, and fine more often than sentence to the jail. Greater use of work release would tend to expand the program in the jail. Future court decisions against the arrest of drunks may result in their no longer being a part of the jail population.

Although some bail is routine, all bail is a matter of court supervision. The jail

has, until recent times, served a passive function in bail proceedings. If the accused made bail, he was released from jail. Bail projects have now expanded the roles of the jail. In addition to detention and confinement, the jail is now involved in selecting persons for release on their own recognizance. This may be done by jail personnel, although usually it is done by persons provided by the probation department. It is an example of a court-related function that takes place in the jail resulting in a change in the jail's role. Where such programs are not in existence, traditional bail procedures require the jail to work within court and statutory requirements in developing bail release procedures.

The need for close coordination between the court and the jail has led to their physical proximity; the jail is often located in the same building as the court. There is a great deal of logic in such an arrangement and this must be taken into account in jail planning. Although it is possible to operate a jail at some distance from the court, moving prisoners back and forth to the court is only one of the problems this entails. Too often, coordination between the court and the jail becomes more difficult as the distance between them increases. Removing the jail from the immediate vicinity of the court can result in isolation of the jail and in an attitude on the part of the personnel that the jail has little to do with the court.

The decisions of the court relative to convicted offenders make it necessary for the jail to assume the function of distributor to the system. The jail is the transfer point for prisoners, who have been sentenced to the workhouse, county farm, or a correctional institution. In some instances the transfer is a procedural matter handled by notification of the proper agency. Prisoners may be delivered to the various institutions by the receiving institution or by the jail, depending on the situation. Where large numbers of prisoners are involved, for example, the jail may serve as a collection point. In other cases the jail may be responsible for delivery of the prisoners to the institution.

Relationship to Corrections. The jail is viewed by many as primarily a law enforcement operation. This is undoubtedly due to the fact that the chief administrator of the jail is also a law officer. However, the jail does not have specific law enforcement functions. It is not a base of operations for criminal detention or apprehension, although it may be located in a department where these activities go on. Personnel in the jail may be formally connected with the law enforcement organization and may in fact be deputy sheriffs; however, their specific duties while working in the jail are not in the area of law enforcement.

The fact that the jail holds prisoners who are serving sentence gives it more than a passing responsibility for their care. It also places the jail in the business of corrections. The trend in criminal justice is for more and more functions to be interrelated and for the role of the jail to be redefined. Once the emphasis was on detention; today there is increased recognition that the jail must serve many functions in the community. Correction is one of these functions. In this regard, the jail is being called upon by the courts and the community to become involved in correctional programs and to concern itself with the rehabilitation of prisoners who are serving sentences in the jail. It should be noted that the 1967 Crime Commission Report urged that the jail become the focus of community correctional effort.

The fact that in most cases sentenced prisoners are not serving felony sentences does not divorce the jail from correctional effort. Correction of offenders does not begin with the felon. In fact, correctional effort is a critical need where the misdemeanor is concerned. And it is an area in which the jail has a particular advantage, since it is located in the community and can coordinate community resources to develop an effective program.

On the correctional continuum, jails are at the beginning of the penal or institutional segment. They are, in fact, the reception units for a greater variety and number of offenders than will be found in any other segment of the correctional process, and it is at this point that the

greatest opportunity is offered to make sound decisions on the offender's next step in the correctional process. Indeed, the availability of qualified services at this point could result in promptly removing many from the correctional process who have been swept in unnoticed and undetected and who are more in need of protective, medical, and dental care from welfare and health agencies than they are in need of custodial care in penal and correctional institutions. In a broad sense, the jails and local correctional institutions are reception centers for the major institutions.⁷

Aside from its own correctional function, the jail has a role to play in relation to the general correctional effort in the state. In this regard, the jail must develop close and effective ties with the state correctional program. This will result in the sharing of effort between the jail and the larger system to the benefit of both. In program planning, the jail may be able to benefit by the experience of the state system with certain rehabilitative techniques. Personnel training can be a shared program, especially where a jail has too few personnel or resources to develop a training program. Often the expert help needed for planning new construction or renovation is not available on the local level and can be provided by the state. An extremely important contribution to the correctional effort can also be made in coordinating prisoner statistics to give a statewide picture of jail and correctional needs.

The Role of the Jailer

The origin of the jailer's position is not known with any certainty, for the historical records do not reveal how the position was originally defined or how it evolved to what it is today. It possibly may have begun with the occasional use of the local constable, who could be called in to assist in instances of escapes or disturbances within the jail.

In 1647 the Boston General Court authorized the keeper of the Boston Prison to hire two able men to assist him, and if that was not possible it authorized the constables of the town to select two men as guards. It is not clear whether this meant that the constables could randomly pick any citizen and force him to work in the jail or whether the constables themselves were eligible for selection to be used as needed.⁸

In early English jails the personnel problem must have been severe, since funds were not allotted for running the jail. In fact, the cost of running the jail was borne by the prisoners:

In 1748 the admission to Southwark prison was eleven shillings and four pence. Having got in, the prisoner had to pay for having himself put in irons, for his bed, of whatever sort, for his room if he was able to afford a separate room. He had to pay for his food, and when he had paid his debts and was ready to go out, he had to pay for having his irons struck off, and a discharge fee The gaolers [jailers] were usually "low-bred, mercenary and oppressive, barbarous fellows, who think of nothing but enriching themselves by the most cruel extortion, and have less regard for the life of a poor prisoner than for the life of a brute."⁹

The position of jailer has evolved from those primitive beginnings to its present importance in the system of criminal justice.

The present-day role of the jailer is complex. It involves many responsibilities such as locking and unlocking doors, taking personal history information from

⁷*Task Force Report: Corrections*, pp. 162-163.

⁸Powers, *Crime and Punishment in Early Massachusetts*, p. 227.

⁹Wilson, *The Crime of Punishment*, p. 186.

prisoners on admission, searching prisoners, counting them, and supervising their activities. These tasks require learning both complex supervisory techniques and proper attitudes.

In the course of a day the jailer has contact with a large number of prisoners from all walks of life. He has to talk with them and supervise their activities. Quite often prisoners are uncooperative people, unhappy with their situation. How the jailer behaves toward prisoners will be a factor in changing their behavior. Some studies in prisons have found that the correctional officer is the person who had the greatest influence on prisoners, because he has the most contact with them. This may also be true of the jailer, who has the responsibility for supervising the daily activities of prisoners.

The jailer must accept the fact that he is a representative of the criminal justice system and of society to the prisoner. Prisoners, like most people, find it difficult to admit their mistakes. In the process of denying they have done any wrong, they tend to look for fault in others to excuse their own behavior. This can be a serious problem, for it makes working with prisoners and helping them correct their past mistakes more difficult. The jailer who demonstrates a poor attitude toward his work, who shows that he has no respect for the law or the courts, or who does anything that may be considered unlawful is giving the prisoner reasons to make excuses for his own behavior. If jail personnel voice dissatisfaction with court decisions and make negative comments about the procedures of the jail or the prosecuting attorney, these actions can be interpreted by prisoners as proof of the unfairness of the court and the dishonesty of the judicial system. When violations by jail personnel of traffic ordinances, hunting regulations, or other rules become known to prisoners, the image of the jailer and the criminal justice system is weakened and demeaned. The jailer becomes ineffective because his involvement with the law, even in a minor way, places him on the same level as the offender. The fact that the violation may have been trivial does not impress the offender, who is primarily interested in justifying his own offense. He will conclude that everyone is dishonest, or that he was unlucky and got caught, or that a person with influence can get away with crime. Unfortunately, there is just enough truth in such a view to make it plausible.

The system of justice becomes ineffective in these instances because the total system is judged by the quality of its personnel. An employee or official who is dishonest or inefficient is considered typical, and the system is seen as filled with dishonest or incompetent personnel.

If the jailer is to function effectively and carry out the policies of the jail efficiently, he must develop a professional attitude. This means he must master his emotions as well as the skills of his job. Uncontrolled emotions are a handicap in any job because they interfere with logical thinking and effective performance. This is especially true in a jail, where failure to maintain self-control can result in loss of control over prisoners.

A jailer's emotional response to prisoners may take several forms. He may, for example, be angry at a prisoner because of the kind of crime the prisoner is charged with. Child molesting is a crime that brings out emotional reactions. In such an instance, the jailer who is acting unprofessionally may be hostile toward the prisoner and attempt to punish him in any number of subtle ways. He may cut the prisoner's visiting hours short, speak harshly to his visitor, deny him recreation, arrange to have his meals served late, skip his shower, or harass him by disciplining him if he does not follow the jail rules to the letter.

The jailer who shows sympathy for some prisoners, for whatever reason, is behaving unprofessionally. Often a prisoner may attempt to elicit sympathy in order to receive special consideration or to escape.

When even a few jail personnel are guilty of unprofessional conduct, the pris-

oners may become difficult to manage and create problems in supervision and discipline.

It is a basic principle of criminal justice that a person is not to be punished until he is proven guilty. The state must prove that the accusation of crime is true and that the accused has committed the crime as charged. The fact that a person may be confined until trial has nothing to do with his guilt or innocence. The purpose of confinement before trial, when the accused is unable to post bail, is to make certain he will be available to the court.

Deciding the guilt or innocence of persons in jail is not the responsibility of the jailer; it is the function of the court. Continuous concern with this question will interfere with the work of the jailer. He should not be more relaxed among prisoners he thinks are innocent, and security conscious and harsh among those he feels are guilty. Differential treatment of prisoners results in uneven and undependable work habits. Furthermore, it is contrary to the system of justice. It is another way in which the jailer gives evidence to the prisoner that the system does not work and that the system and the people involved in it are dishonest.

The welfare of prisoners is the jailer's responsibility. At the moment of admission to jail the prisoner loses much control of his life and becomes the responsibility of the jailer. This is because the prisoner cannot make any major decision that requires freedom of movement. He cannot, for example, contact anyone outside of the jail without the approval of the jailer; he cannot choose to seek medical care if he is ill; and he may not be capable of protecting himself from others who may be sharing his cell.

The procedures of the jail must insure the health and welfare of the prisoners. In recent years, the courts have ruled in favor of prisoners who have brought suit against local governments that have not provided adequate medical care. There have also been successful suits against the government for not providing prisoners protection from other prisoners. The jail that is negligent in meeting the prisoner's needs in these areas is open to an expensive suit if a prisoner should not receive the care he needs. The jail employee who is either indifferent to or negligent of the welfare of prisoners is a liability to the jail.

The right of the prisoner to the protection of his health and welfare is a legal requirement, supported by court decisions. To withhold this right is punitive, and punitive actions are not the duty of the jailer. Finally, logically and morally, it does not make sense to take away a person's ability to care for himself and neglect to provide someone to undertake that responsibility. As long as society accepts the responsibility for deciding who shall be confined and for what reasons, it will also have to accept the responsibility for the health and welfare of the person whose freedom has been restricted. The jailer as an agent for society must assume this obligation.

Jails and prisons are normally safe places if each member of the staff does his job well. The tasks and responsibilities are so varied that a great deal of cooperation is necessary. The failure of any person to do his part can result in a security breakdown that may endanger other members of the jail. For example, sloppy counts, neglecting to insist on strict control of guns for law enforcement officers who enter the jail, careless searches of trustees, and careless cell searches can jeopardize the lives of jail personnel.

Conclusion

The discussion in this chapter pointed to the jail as a significant social institution, one that has made important historical contributions to the system of criminal justice and especially to correctional practice. After almost four hundred years of correctional development, the jail, which had been pushed into the background, is again being recognized as an important and influential part of the criminal justice system. Recognition of the jail's importance has had a number of

consequences. The jail must be viewed as an element of the correctional process that has an important role to play in program development and operation. Work release programs are only a beginning. In order to plan and participate in correctional effort, jail personnel must become more knowledgeable about crime and some of the more important theories of its causes. This means that the popular and simpleminded beliefs about the causes of crime must be discarded. Since there is little certainty as to why people commit crimes, the jailer must view each individual who enters the jail as a person with special problems who will need individual attention. All people are alike in some ways and different in many others, and they are especially different in the way they face and try to solve problems. It would be safe to say that each crime that is committed is an attempt to solve a problem. This is only a description of behavior, however; it does not indicate why crime was used to solve the problem. The jailer who views crime in this way will have taken an important step in developing a positive approach to understanding criminal behavior. He will also be developing a point of view that will give him a healthy, nonpunitive attitude toward prisoners.

Punitive methods and long-term confinement have not worked, and today the trend is away from the prison programs and toward community corrections. The jail is being restored to its place as an important community institution with a critical correctional role.

The chapters that follow will discuss policies and procedures that are the result of trends and modern developments in confinement practices. These developments are already making themselves felt in the changing roles of the jail and jail officers. New administrative forms are emerging to operate the programs that are being developed in the jail. The influence of the jail on the prisoner and the community is being realistically examined. There is recognition that the large numbers of individuals who go through the jail are not untouched by the experience. Jail personnel must therefore accept responsibility for their own behavior and its effect on the people who are confined.

The changing role of the jail is changing the role of the jailer. His job is no longer one of merely guarding prisoners; he is increasingly responsible for influencing their lives and, perhaps, helping them with their problems. He cannot successfully accomplish this without a great deal of training, the development of sensitivity, and an acceptance of the fact that the jail is in the business of corrections.

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2. SECURITY PROCEDURES

The role of the jail is changing. New ideas, new programs and new methods are modifying present practices. In spite of these influences, the basic goals of the jail remain unchanged: the safekeeping and welfare of prisoners; the protection of society by prevention of escapes; and the safety of jail personnel. If these three goals cannot be achieved it will not be possible to introduce new plans, programs or procedures into the jail. An additional requirement is the need to maintain a balance between security and correctional objectives. It is no longer sufficient that a jail merely be safe and secure; it must also correct.

This balance must be maintained under pressure of a diverse prisoner population with a wide range of security and correctional needs. Within this population are found the drunk, the aggressive homosexual, the first offender, and the sophisticated criminal. The escape risk must be identified and procedures applied that will hold him securely; the assaultive prisoner must be kept from harming others; and the suicide risk must be supervised so that he does not harm himself. The emotional needs of the prisoners result in a tremendous number of problems that must be met by a variety of correctional programs—but within the framework of security.

The three goals of the jail and the need to balance security with correctional objectives result in a complex array of tasks for the jail officer. These tasks must be performed in a hazardous environment created by the presence of prisoners whose temperament and past history are not known, and whose behavior is often unpredictable. This potential danger can be reduced, however, by the security procedures that are discussed in this chapter. The objective of security can be achieved if each officer coordinates his work with that of other jail personnel. Although the officer in the cellblock, for example, may be primarily responsible for keeping order and maintaining standards of cleanliness, he must make certain that prisoners get to sick call at scheduled times, that they are ready for court appearances, and that other activities do not occur when it is time for count. He must also plan his daily activities so that they do not interfere with other schedules. He must, for example, plan to search cells before or after meals and schedule cleaning at a time when all prisoners are available to participate.

Each officer's work supports the work of every other officer and contributes to the safety of everyone in the jail. The admissions officer, for example, influences to a great extent the work and safety of other jail personnel. His attitude toward the new prisoner may determine the prisoner's future behavior. If the admissions officer is hostile and insensitive toward the prisoner, other jail personnel will have a difficult time supervising him. If the admissions officer does a poor job of searching him, the prisoner may introduce contraband or weapons into the jail, endangering all jail personnel. The officer in the cellblock who carries keys to outside doors may have the keys taken from him and thus trigger an escape in which other personnel are injured. The officer who disregards regulations and carries a gun concealed in a shoulder holster may feel secure, but he is contributing to a potential escape attempt and the possible death or injury of fellow employees. A jail officer may not feel that it is important to search a trusty every time he enters the jail, but if this important task is ignored, contraband may enter the jail.

The procedures discussed in this chapter are all equally important. They are links in the security chain. A weakness in one link will result in the weakening of the security of the jail and possibly endanger the lives of both prisoners and personnel.

Admitting the Prisoner

Admission. The officer assigned to the admissions desk is responsible for the legal admission of all prisoners brought to the jail. He must therefore be thoroughly familiar with confinement orders and court commitment papers and be capable of determining their legality. Each jurisdiction has different forms and laws, but certain basic requirements are the same for all jurisdictions. The confinement order should contain a legal charge. Such statements as "Hold for Joe," "Hold for investigation," or "Will see Dr. Smith in the morning" are not legal charges and should not be accepted. In some jurisdictions the county attorney has approved the booking of prisoners on "suspicion of" charges. This does not make it legal. There is no statute in any jurisdiction that makes it an offense to be under suspicion of having committed an offense. A person can be suspected of committing a crime and if the evidence is sufficient can be arrested and jailed. But when he is booked he must be booked for the *offense*, and not the *suspicion* of having committed it. Each admissions officer should know what a valid charge is or have a list of valid charges available for reference. Care in admitting prisoners to jail will minimize the possibility of civil suits.

The prisoner must be admitted by the arresting officer. When the arresting officer cannot be present, the officer bringing the prisoner to the jail must have a citation that originated with and is signed by the arresting officer. This will eliminate the "hold for Joe" charges that sometimes appear on confinement orders.

Persons admitted to the jail for probation or parole violation should be accompanied by papers. The probation violator should be admitted with papers from the court; the parole violator should have papers signed by the parole board or the parole officer.

Prisoners sentenced to the jail are legally confined by the commitment order issued by the court. Some jurisdictions require that all commitment orders be signed by the judge, not his clerk. Generally, however, the signature or initial of the clerk is sufficient. Only rarely is a prisoner committed in error. Should this occur, however, the only protection the admissions officer has is a commitment order signed by the proper authority. Obviously, the name of the prisoner and the charge should be given correctly in the order.

The identity of the person bringing the prisoner to the jail should be known. In many instances, he may be a member of the sheriff's field staff. At times, however, a member of another law enforcement agency may bring in a prisoner. Prisoners in transit may be brought in by police or federal marshals. All these persons should be required to furnish proof of identity and to show papers that give them legal custody of the prisoner.

The admissions officer must also be familiar with the laws of the state regarding confinement of juveniles. In some states, juveniles cannot be admitted to a jail under any circumstances; other states permit juveniles in jails only upon written order of a judge or under special circumstances.

Often the admissions officer is faced with admitting an injured, sick, or unconscious prisoner. If medical care is available in the jail this is no problem. Most jails, however, even though they are not prepared to accept such prisoners, must do so under law. The statutes of some jurisdictions provide no clear instructions about what the jail must do. In any case, the admissions officer can make one assumption: if he admits an injured, sick, or unconscious prisoner, the jail is responsible for providing medical treatment.

Inventory of Personal Property. At the time of commitment, preferably at the booking desk, all personal property should be taken from the prisoner and listed item by item. Care should be taken in listing personal property to describe properly such items as watches, rings, and other kinds of jewelry. A ring, for example, should be identified by color of metal and color of stone. The inside band

should be examined for initials and other identifying marks. A platinum ring will contain a notation such as the following: .900 Plat. .100 Irid. A gold ring will be inscribed with "24 (or 10 or 14) carat." A watch can be described by color and kind of band and color of face. The make should always be listed; otherwise, the prisoner may claim that the Timex he brought in was a Bulova electric. All clothing should be described by color and by labels, if there are any. The fact that clothing has no labels should be noted; otherwise a Salvation Army handout becomes a Brooks Brothers suit. The condition of clothing should also be recorded, as for example, "one blue suit, Bonds label, tear inside pocket and at the elbow, two buttons missing from jacket front." The wallet should be described and its contents inventoried. Money should be counted while the prisoner watches, and the amount entered on a separate slip and signed by the prisoner.

All personal items received from an inmate at the time of booking should be placed in a sealed envelop signed by both the receiving officer and the prisoner, and the prisoner should receive a carbon copy of the receipt.

Bathing and Grooming. Every prisoner should be given a bath upon admission, and bathing should be a regularly scheduled activity in the jail. Personal cleanliness should be insisted upon, not only as a method of keeping the jail clean but because it contributes to the health and well-being of prisoners. Many persons admitted to jail have been living in filthy surroundings; if they are not given an opportunity to bathe, they may bring lice into the jail. The close living conditions of the jail make it a simple matter for lice to spread. In fact, it is common, where bathing is not a regular practice, for jail staff to become infested with lice and carry them into their homes.

Jail personnel should insist on personal cleanliness for all prisoners and make no exceptions to this requirement. Regular bathing will promote high morale and self-respect among prisoners. Furthermore, because of close living conditions, it would be unfair to other prisoners to permit some to remain unbathed.

Most persons, even though they are in jail, are concerned about maintaining their personal dignity. The admission process can be embarrassing and difficult. When possible, jail personnel should do whatever they can to permit the prisoner to maintain his privacy and dignity when bathing and during the search. Although bathing may be done in a common room, the prisoner should not be searched in full view of other prisoners. He or she should under no circumstances have to submit to an examination of body cavities before other prisoners.

Some jails have a policy of cutting long hair and requiring prisoners to shave their beards. This policy is based on the rationalization that removing excess hair is a method of controlling lice. Needless to say, the hair of women prisoners is not cut even though it may be longer than that of the men. This point is unfortunately lost on jail personnel who react emotionally to a prisoner who is expressing his individuality and perhaps his rebellion in a harmless way. The fact that a person is in jail does not give jail personnel the right to force their personal standards on him.

The unsentenced prisoner is a citizen with the same rights as any other citizen. As such, he has the right to determine the kind of hair style he will wear. The courts are beginning to review complaints based on forcible hair cutting. One western sheriff was sued successfully by two prisoners who had their hair cut when admitted to the jail. The judge ruled that the sheriff had violated their civil rights.

Search. Every prisoner entering the jail is a potential carrier of contraband or disease. The security of the jail, the safety of its personnel, and the safekeeping of other prisoners can only be assured when each prisoner entering the jail is examined and searched. This can be done immediately after admission at the time the prisoner is bathed.

All personal clothing should be searched, especially the linings, pockets, fly, waistbands, cuffs, seams, and collars. Shoes should also be examined for loose

soles or heels they may contain contraband. In many instances, jail clothing may be issued. This should not be used as an excuse to avoid searching the prisoner's clothing, however, especially if the clothing may be handled by other prisoners in laundering or fumigation.

After bathing, the prisoner should be searched for concealed contraband and to determine whether he has lice. In some jails, medical personnel may be assigned this task. Where this is not possible, it should be done by an officer regularly assigned to the job. All prosthetic devices such as artificial arms and legs should be removed and examined. Hollowed-out sections in these devices may conceal drugs, guns or money. When a prisoner is wearing a cast, special care should be taken to determine whether it is false and perhaps concealing contraband. Usually a call to the doctor who the prisoner claims applied the cast will verify that the injury was treated by him and provide the date. Careful examination may reveal whether the cast has been tampered with. A person with a cast should be referred to the jail physician for examination.

Strip Search. The search of the prisoner should be thorough and systematic. Bruises, other injuries, and identifying marks such as tattoos, scars, and birthmarks can be found and recorded during the search. The searcher should begin with the prisoner's head, running his fingers through his hair or using a large-toothed comb; he should next examine the ears, the mouth, and then the nose. (A flashlight is an excellent search tool.) The prisoner should be asked to lift his arms so that his armpits can be examined. Before proceeding to the pubic area, the officer should examine the trunk for any tape or bandages that may conceal injuries or contraband. The bandages removed should be replaced with clean ones before the search continues. The pubic area should be examined with the light for lice. The prisoner should next be ordered to turn around, bend over, and spread his buttocks so that the rectum can be examined. Again, the light can be used for this purpose so that the prisoner is not touched.

The search described here is a basic strip search and can be used for men or women. Any further searching, such as rectal and vaginal checks, is a matter of policy to be set by each jurisdiction. The jailer must be aware of the policy in his jail and of the circumstances under which it should be applied.

Naturally, admission for women should be completely separate from that for men and should be conducted by female staff members.

All types of drugs, contraband, and weapons have been found on offenders, hidden in areas such as those described. Capsules of heroin, amphetamines, and barbiturates are regularly discovered on prisoners under bandages on arms and fingers, between toes, and in body cavities. In a large midwestern county jail it was recently discovered that an inmate appeared to be under the influence of drugs three days after commitment. Close examination of the prisoner by a physician revealed the following items of contraband in the rectum: five capsules of heroin, a medicine dropper from a Vicks bottle, a bottle cap, one half of a double-edged razor blade, and five large rubber bands. These items had been deposited in the body opening in fingerstalls made from the fingers of a rubber glove. Contraband recently found in the vaginas of two female prisoners involved in a robbery included a .25 caliber automatic on one and \$2,400 on another, both wrapped in Saran Wrap.

Medical Examination

The admissions officer is responsible for deciding whether a prisoner should be admitted if his physical condition is questionable. He must therefore be familiar with jail policy regarding admission of injured persons and those who appear to be ill and in need of medical assistance. He must have a written policy statement from the administrator that will permit him, when necessary, to refuse to accept prisoners.

A physical examination at admission is essential to identify cases of communicable disease and other illness or injury, and to detect such special problems as narcotic addiction, diabetes, and epilepsy. In many jails, trained medical personnel are not always on hand to examine new prisoners, and the admissions officer must decide whether the newly arrived inmates need immediate care. This is a heavy responsibility. The decision is particularly difficult when the prisoner committed is under the influence of alcohol. Many prisoners committed in what is thought to be an alcoholic stupor are later found to be suffering from heart disease, diabetes, brain injury, or other illness or injury. Death from acute alcoholism is an ever-present danger. Chapter 5, Special Prisoners, discusses these conditions in detail.

The jailer, who must be responsible for the initial inspection of incoming prisoners, should ask the jail physician for help in learning what to look for. He cannot, however, substitute for a physician, and his policy should be to call the doctor whenever he is in doubt.

Descriptive information about a prisoner's physical condition should be placed in his file. For example, if a prisoner has an injury such as a cut, bruise, or scratch it should be noted in the record. Otherwise, the prisoner may claim that he has been assaulted by jail staff or that he was somehow injured in the jail. Such claims can result in court suits. In some instances a record of the prisoner's condition can have a bearing on the admissibility of confession. If the jail does not have proof that the prisoner had been injured prior to admission, it is possible that the prisoner's claim will be believed. Recording with a color camera the physical condition of prisoners who enter the jail with an injury will minimize claims of mistreatment. Where this is not possible, a full and accurate description, listing the location and kind of injury, should be recorded. Such a description might read as follows: Four-inch, dark purple bruise, right front ribs; scratches on bridge of nose and left cheek.

Examination for Lice

All new prisoners should be examined for lice and bloodsucking insects that commonly infest the body, especially the scalp and pubic region. If louse infestation is discovered, the prisoner should be isolated and given proper treatment, since lice can transmit serious disease. Lice move readily from person to person, and are transmitted through skin-to-skin contact, wearing infested clothing, sleeping in infested beds, and using infested combs or hats.

Examination for lice can take place during the strip search, as the same areas can conceal both contraband and lice. Usually a flashlight or lamp is used in the examination. Lice can be seen as they move about on the prisoner's body.

Identification

All prisoners newly committed to the jail should, of course, be fingerprinted and photographed; copies of the fingerprints should be sent to the Federal Bureau of Investigation, where identification will be checked against FBI records. If the accused has a prior record, the FBI will forward this information to the jail and the official responsible for the arrest. The FBI record will show whether the prisoner is wanted in another jurisdiction and will list any prison offenses. This information can be of value in determining a prisoner's security classification.

Photographs of prisoners can also be used to insure that the right man is released from jail. On numerous occasions, a photograph would have prevented the release of the wrong prisoner. Polaroid cameras can be used by the small jail that cannot afford the costs of a regular camera and developing, enlarging, and printing equipment. They are easy to operate and quite trouble free. One jail has added a money-saving procedure to its picture taking. A mirror is installed

behind and to one side of the subject being photographed, thus obtaining both front and side views on the same negative. The side view is a little out of focus but clear enough to identify the prisoner.

Personal History

Some personal information about the prisoner is necessary for the record for identification purposes and so that relatives can be notified in case of emergency. Information requirements will not vary significantly from jail to jail. Basic information will include the charge, the prisoner's age, sex, race, home address, medical background, and marital status, and any information concerning his employment.

The name of the prisoner's attorney should be listed if he has one, or recorded as soon as it is known.

The booking officer should ask no questions of the prisoner that could be construed as leading or pertaining specifically to the crime allegedly committed by the prisoner.

Jail Clothing

Inexpensive clothing such as T-shirts and washable trousers should be provided for all prisoners. The use of jail clothing helps to prevent the introduction of contraband, aids in the control of vermin, and eliminates the possibility of bartering, stealing, or gambling with clothing. Simple jail clothing is easy to launder, whereas the various types of clothing that prisoners bring in with them may require dry cleaning and pressing. The possibility of escapes decreases when inmates are dressed uniformly; an inmate in jail clothing cannot easily pose as a workman or visitor and leave the jail unrecognized.

Housing Assignments

Few jails have a formal procedure for evaluating prisoners, assigning them a custody classification, and deciding where they shall be housed. Even where a formal procedure is in operation, the immediate problems of assigning a prisoner to a cell must be solved soon after he is bathed and searched. The admissions officer may therefore find that it is his responsibility to decide whether a prisoner shall be placed in a dormitory, a single cell, or a multiple-occupancy unit. A prisoner's housing assignment may have serious consequences for him and for the jail if no attempt is made to evaluate him. For example, a violent prisoner may be placed in a double cell with a weaker, older prisoner whom he may assault. In some instances, youthful prisoners who have been placed in cells with aggressive homosexuals have been raped. In one instance, a mentally ill prisoner placed in a cell with an elderly vagrant assaulted and killed the older man. In this case, the county was sued on the ground that it did not provide the elderly prisoner the protection to which he was entitled.

Elderly and infirm prisoners should be housed away from more youthful and aggressive prisoners. They should also be housed in cells that are not too far removed from the dining room or from the place where sick call is held; if at all possible, they should not be required to climb stairs.

Some jails have a policy of placing all prisoners in secure quarters for initial evaluation before final cell assignment, a procedure which reduces the possibility of error in housing assignments.

Releasing the Prisoner

Every prisoner who enters the jail will be released at some time. Since release occurs in many ways, the jailer must be familiar with the various kinds of releases and the conditions under which they occur.

Bail. In nearly every case, a person accused of a crime and placed in jail to await trial is eligible for bail. Bail is a procedure whereby an amount of money is provided as a guarantee that the accused will be available to stand trial.

Completion of Sentence. The prisoner who has completed his sentence is no longer under the jurisdiction of the jail and must be released on the day his sentence expires.

Dismissal of Charges or a Finding of Not Guilty. When charges are dismissed or a prisoner is found not guilty, the court or the prosecuting attorney will authorize the prisoner's release, since there is no longer a reason for holding him in the jail.

Transfer to Another Institution. A prisoner is transferred to another institution when he has been found guilty and sentenced to either a workhouse or a prison. In order for his transfer to be completed, the proper papers must be drawn up to transfer legal control of the prisoner from the jail to the institution to which he has been sentenced.

Release to a Detainer. Here the prisoner may or may not have been convicted. If he has been convicted, the court may have suspended sentence in order for him to be turned over to another jurisdiction that has a charge against him. If the present charge has been dismissed, the detainer must be honored. In some instances, the court may have to issue an order for the prisoner to be held in custody until the jurisdiction that has issued the detainer can send for him.

Transfer to a Hospital. At times a prisoner's physical or mental condition will require that he be removed from the jail and admitted to a hospital. Unless the prisoner is committed to the hospital by a judicial process, his release from the jail will be considered a transfer and he will be carried on the jail records as a prisoner.

Temporary Release. Prisoners on temporary release are those who have been allowed to leave the jail for home visits, funerals, and other special occasions.

In all the releases described above, some kind of official approval must be obtained before a prisoner can be released from the jail. The jail officer who is responsible for releasing the prisoner must be certain of three facts.:

1. The release is official and properly executed. This means that the prisoner is being released legally and by an authorized person.
2. The identity of the person being released.
3. The identity of the person to whom the prisoner is being released.

Lack of attention to these three requirements has resulted in prisoners being released in error. Recently, one jail administrator received a court order to release a prisoner. After the prisoner had been released, it was discovered that the order was false. According to the judge whose name appeared on the order, the signature "looked pretty good, but it isn't mine." Not only the signature but the entire order, including the statement of the court clerk that it was a true copy, was a fabrication. According to the investigation, the order appeared to be quite authentic, but a close reading would have discovered questionable points. For example, the order cleared the prisoner of a sentence in another state, which the judge whose signature appeared on it would not have had the authority to do.

On many occasions the wrong prisoner has been released because a jailer did not take the time to check his fingerprints or his identity with the picture taken when he was admitted. In some jails, the releasing officer calls the name of the prisoner to be released and accepts anyone who steps forward. In other jails, a prisoner may be released on the basis of a phone call alone.

A pair of identical twins (identified here as John and Joe) were committed to a

Pennsylvania jail, charged with separate driving offenses. When the time for John's release arrived a call was sent to the cellblock where both were quartered. Joe answered the call, signed releases for John's property, and left the jail. Soon protests were heard from John, who claimed he had been asleep and did not hear the call. A comparison of pictures would not have prevented the release of the wrong twin; fingerprint comparison would have, however.

"This is Probation Officer Gordon Darby," said a caller to the jailer of a southern jail. "Please release Willie Tucker." Tucker had been arrested earlier that day on a charge of probation violation. The jailer reported the call to the captain, who called the probation officer for verification. The probation officer denied making the call. The phone rang again and the now familiar voice asked, "Have you released Willie Tucker yet?" The jailer put the phone down and stepped across the hall to the jail's pay telephone, where he found Willie Tucker.

Return of Personal Property

The return of the prisoner's personal property at the time of his release should be a relatively simple matter if the admission process was properly conducted. Any personal property that was taken from the prisoner on admission should be brought to him, and his property inventory slip and the copy kept in his property envelope should be checked by him and by the releasing officer. His property should then be removed from the envelope and compared with the property slip. If everything is in order, the prisoner should sign a receipt indicating that he has received all the property listed. A copy of the receipt should be kept in the jail file.

If the prisoner has any complaint about the return of his property, he should be required to make a statement indicating what the discrepancy is and describing any items he claims have not been returned. This statement should be signed by him and witnessed by a jail official. If property is properly inventoried when prisoners are admitted, there will be few disagreements over property return at discharge.

Control of Contraband

Any item that is not issued or not authorized in the jail is contraband. Control of contraband is necessary for several reasons:

1. To control the introduction of articles that can be used for trading or gambling;
2. To control the collecting of junk and the accumulation of items that make housekeeping difficult; and
3. To identify medications and drugs and items that can be used as weapons and escape implements.

Controlling contraband requires a clear understanding of what contraband is, of regulations that are designed to limit its entry into the jail, and of effective search procedures. The definition of contraband given above is simple and clear. However, this definition can become useless if the jail attempts to supplement it with a long list of approved items. If the jail permits prisoners to have packages, the problem of contraband control will be made difficult since the list of authorized items may grow long.

Frisk Search

The most effective method of controlling contraband is through proper search procedures. Prisoners must be searched when they are admitted to the jail and periodically while confined. The procedure for conducting a strip search was discussed above. This type of search is usually conducted during the admission process, either before or after the prisoner has his bath. Strip searches may also

be necessary at other times: after a visit if the prisoner is suspected of having received contraband, and any time jail personnel suspect that a prisoner may be carrying contraband.

The other type of search is the frisk. It differs from the strip search in that the prisoner is searched with his clothes on. The following method is recommended for conducting the frisk: The prisoner should be asked to remove all the items in his pockets and to place them in his hat. If he is not wearing a hat, the items should be placed on a table at some distance from the spot where the frisk is to be conducted. The prisoner should stand with his feet apart and his arms extended from his sides. The officer should begin the search by running the prisoner's collar between his fingers, feeling for any hidden items such as wire, small hacksaw blades, paper, etc. He should then proceed downward, running his hands over the shoulders and down the arms to the shirt cuffs, up under the arms and under the armpits, and down the shirt front, checking the pocket and ending up at the front of the prisoner at his beltline. The belt should be loose, and the officer should check the belt and trousers by running his hands around the prisoner's waist; he should then proceed down the buttocks to one leg. Both hands should be used to check each leg, and particular attention should be paid to the cuffs. After he has searched one leg, the officer should proceed to the other leg and the abdomen. The crotch should be checked at the time the legs and upper thighs are being searched. Figures 1 and 2 illustrate the correct sequence for searching male and female prisoners.

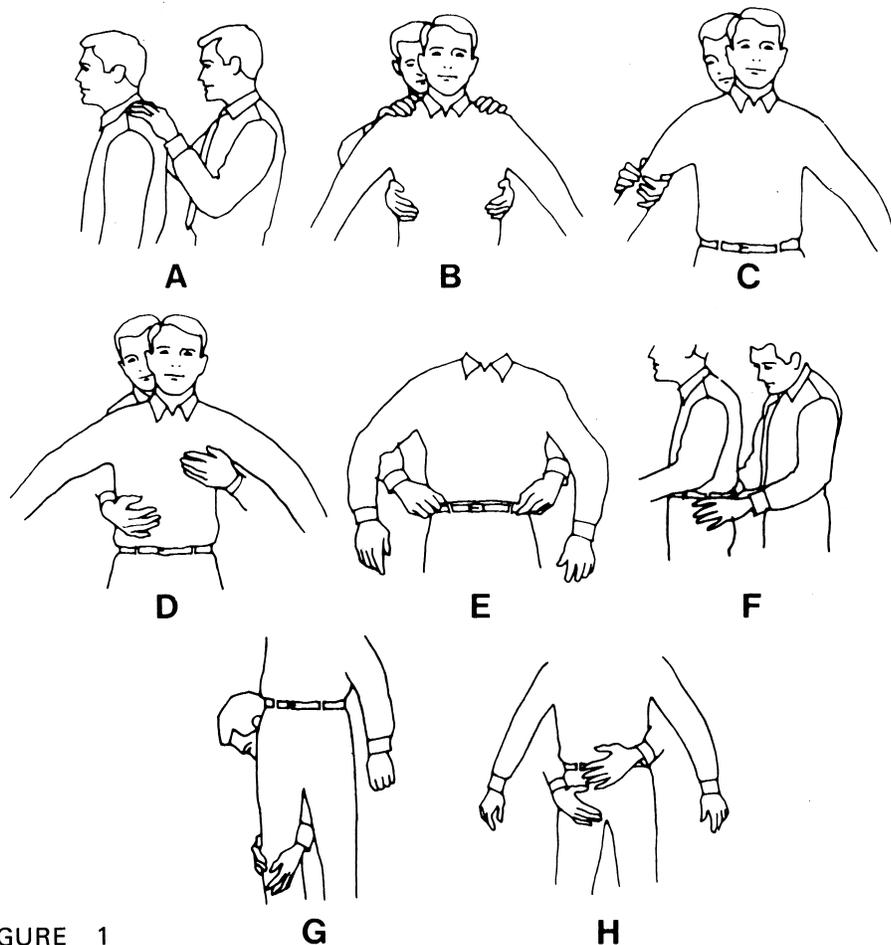


FIGURE 1

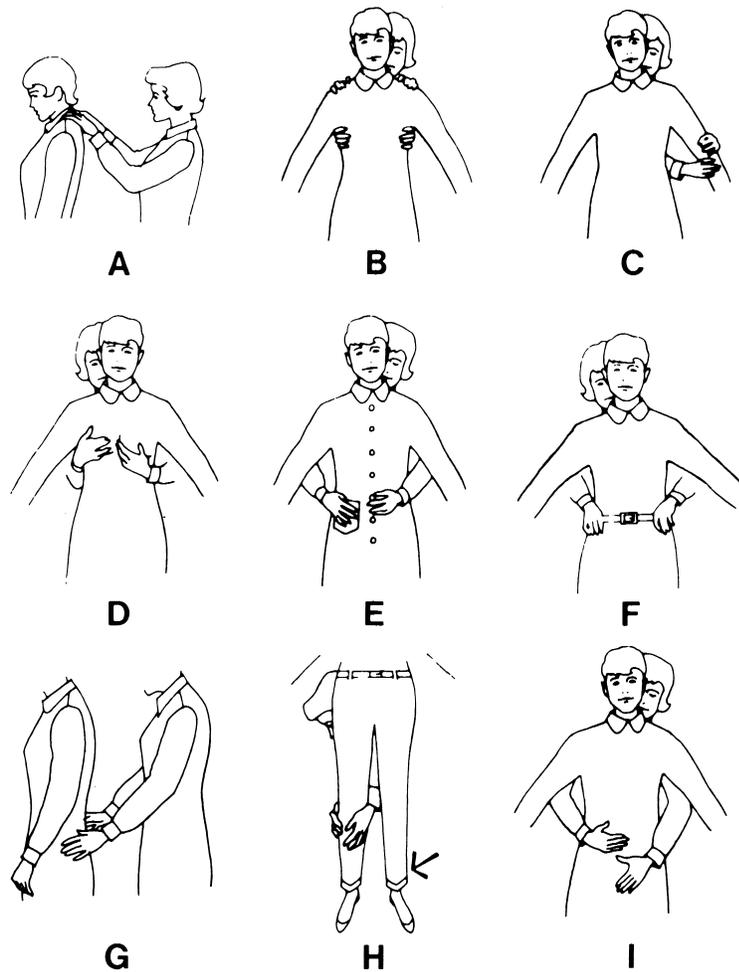


FIGURE 2

Prisoners often take advantage of an officer's natural reluctance to search the genital area and conceal items by taping them to the abdomen or suspending them from the waist down around the crotch. In some instances, prisoners will endure the discomfort of walking with a knife or saw blade in a shoe. Shoes do not need to be searched during a frisk unless the officer feels that a prisoner is acting suspiciously.

After the prisoner has been searched, the personal items in his hat should be examined. Cigarettes and packages of tobacco should be examined carefully. Searching is simplified if prisoners are not permitted to bring in opened packages, but this is not always possible. Where only unopened packages are permitted, they should be examined carefully. Cigarette and tobacco packages may be opened and resealed for purposes of concealing money or small bits of hack-saw blades; matchboxes can be used to conceal razor blades.

The following rules should be observed in searching prisoners:

1. Be systematic. Begin in one place and proceed in an orderly manner.
2. Make a good search each time. A poorly conducted search can be worse than none at all.
3. Do not conduct the search where it can be observed. Take the prisoner aside, at least out of the traffic pattern, and if at all possible, do not conduct the search in front of other prisoners.

Cell Search

Although proper procedures and well-conducted searches of prisoners will reduce the amount of contraband in the jail, cells must also be searched for contraband that has been missed or that somehow has found its way into the jail. Cell searches will not only reduce the amount of dangerous materials such as knives and drugs but will also keep down clutter.

The following procedure is recommended for searching a cell: Strip the bed of blankets, covers, and sheets, examine the blankets and covers for small pockets sewed on them or for items pinned to them, examine the seams of the mattress to see if they have been ripped open and re-sewed, look for cuts that have been made in any part of the mattress, run your hands over both sides of the mattress, feeling for any hard objects. Jailers have found knives, blackjacks, drugs, and many other contraband items concealed in mattresses. Look under chairs, stools, and tables for things that may have been stuck there and also at the bottom of chair and table legs for holes that may have been bored. These holes may be plugged with wads of paper or wooden stoppers and therefore hard to detect. Look under the rim of the wash bowl, floor drain, toilet, and bed. Searching these areas can be done effectively by the use of a mirror mounted on a rod as shown in Figures 3 and 4. This device can be used to examine the cross bars and channels. This method is recommended over the procedure of running the fingers over the channels or in other places that cannot be seen. Occasionally razor blades may be hidden in these areas. A wire can be used to probe inside the faucets and drains. Examine all books carefully; they are a favorite hiding place for notes, bills, etc. Pasteboard boxes and cigar boxes should be examined for false bottoms and compartments. Personal letters and papers should be taken out of envelopes, examined for wires, metal picks, or other contraband items, and replaced. Wire should be run through the hole in the center of spools of threads. Unscrew light bulbs if they do not light and look inside the socket for folded notes or pulverized drugs wrapped in paper.

FIGURE 3



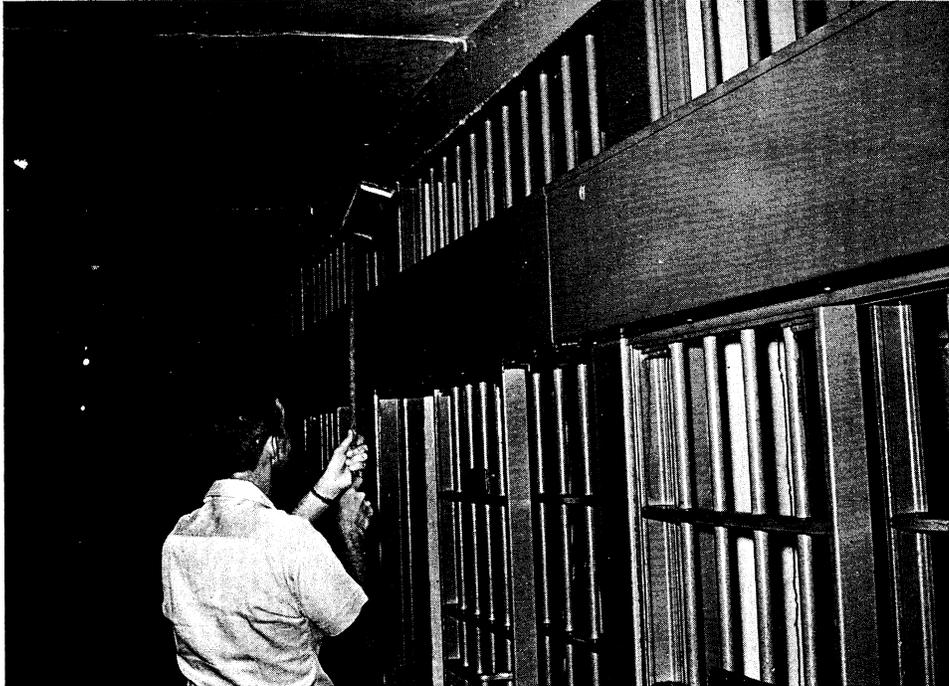


FIGURE 4

In searching cells, there are a few good rules to follow:

1. Be systematic. Search in an orderly manner. There are many potential hiding places in a cell, and if the search is not orderly, it will not be thorough. Begin in one spot in the cell and work around and back to it.
2. Leave the cell in its original condition. It makes little sense to insist on standards of cleanliness and neatness and then to violate them. If the prisoner has left his cell neat, he should expect to find it in the same condition after the search.
3. Always move prisoners out of the area to be searched.
4. List all contraband items discovered and state where they were found.

Security Inspections

Security inspections can be conducted at the same time cells are searched, although they can be conducted at any time. A security inspection should include examination of the bars to determine if they have been cut. The most effective method of checking for bar tampering is to strike the bars with a leather mallet. A bar that has been tampered with will sound different from a bar that has not been cut. Locking lugs in cell doors may be jammed with rags, paper, or filters from cigarettes. Bolts on ventilator covers may be removed and replaced with bread dough shaped to look like a screwhead; glass panels and protective screens in the waiting room may have been loosened.

Security inspections should be conducted continuously and systematically. An observable, set pattern should be avoided, however. For example, Cellblock A should not be inspected every Monday, Cellblock B on Tuesday, etc. It is also a good idea to double back and inspect an area again soon after it has been inspected.

Every jail officer should be constantly on the alert, however, for conditions that may lead to a breakdown in security. No condition in the jail should be considered routine. In fact, some escapes have occurred because the jail officer

saw what he expected to see. In one jail, for example, prisoners removed the ventilator and replaced it with a drawing on cardboard. When they were ready to make their escape, they simply removed the cardboard fake. In another instance, a group of prisoners made a pipe ladder and placed it unassembled in an obvious location in the exercise yard. The officers who saw the accumulation of pipe did not comment on it because they thought it was material for a remodeling job. Fortunately, one alert and curious officer inspected the pile of pipe and discovered that it was a ladder to be used for a jailbreak.

Counting Procedures

It is absolutely essential that all persons be accounted for, and the only sure way to accomplish this is to count individual bodies. A well-trained officer will, as he makes his rounds, routinely count the prisoners many times each day. However, at least one official count should be made on each shift and any time there is mass movement of prisoners from one area to another. Ideally, printed count slips should be used that show the location of each unit, the number of prisoners assigned to it, the number of prisoners on call out, and the number of prisoners assigned to work details. A place should be provided on the slip for the signature of the person who has conducted the count.

Counts taken in a dormitory or any area where prisoners may move about should be conducted by two officers. The prisoners should be lined up, and one officer should count while the other watches. The second officer is needed to prevent prisoners from moving out of line and being counted twice.

Cellblock counts can be made by one officer, provided all prisoners are locked in their cells. Jailers on the evening and morning shifts must make certain that prisoners who appear to be in their bunks are really there. The officer should see flesh or movement. Many escape attempts have succeeded because an officer glanced into a cell at count time and saw what appeared to be a sleeping prisoner, when in reality what he saw was a dummy. The prisoner himself may have been cutting bars or hiding in another part of the jail.

Many escape attempts involving dummies have resulted in severe injury to jail officers and guards. Recently, in a jail in the far west, 13 prisoners assaulted the officer on duty, took his keys, and escaped using the dummy-in-bed method. Quarters in the jail consisted of a large dormitory with an adjoining dayroom containing a television set and eating tables. In preparation for the escape the television was left on with the volume turned higher than usual. A prisoner lying in his bunk asked the officer to turn the television set off after the count. The officer, being alone, proceeded to count the prisoners in their bunks, some of whom evidently had their heads covered up. Assuming that all prisoners were in their bunks, he opened the door to the cellblock dayroom and started over to close another door which separated the dormitories from the dayroom. As he entered the room, he was assaulted by two prisoners who had hidden under the tables, and who were joined by the remaining eleven prisoners who had been in their bunks during the count. The escape attempt was successful. The officer was severely beaten, as were two others who came to his aid. When interviewed later, the officer who had been assaulted stated that he counted 13 bodies—or what appeared to be 13 bodies—in the bunks. He further stated he had not checked the bunks and had not been in the habit of lifting blankets to see if prisoners were in their bunks.

The procedures used for counting in prisoners' quarters should also be used for counts that take place in other parts of the jail—for example, the hospital, and for counting work details. Call-out forms showing the prisoner's quarters, work detail, name, and number should be used to ensure proper identification of prisoners in sensitive areas such as the hospital.

When a prisoner assigned to a work detail must be sent to other areas of the

jail, he should be given a call-out pass; the officer issuing the pass should call ahead and advise the officer at the receiving end of the time the prisoner left the detail. This will prevent loss of time should the prisoner visit along the way or be in the process of making an escape attempt.

The following rules should be observed in conducting a count:

1. Prisoners should not move about during the count.
2. The officer making the count should be able to see the prisoners he is counting. He should never rely on a roll call or a count of the number of meals served.
3. No one but a jail officer should conduct a count. Trustees or other prisoners should not participate in the count.
4. No interruptions should be permitted during the count. Visits should be delayed until the count is completed.

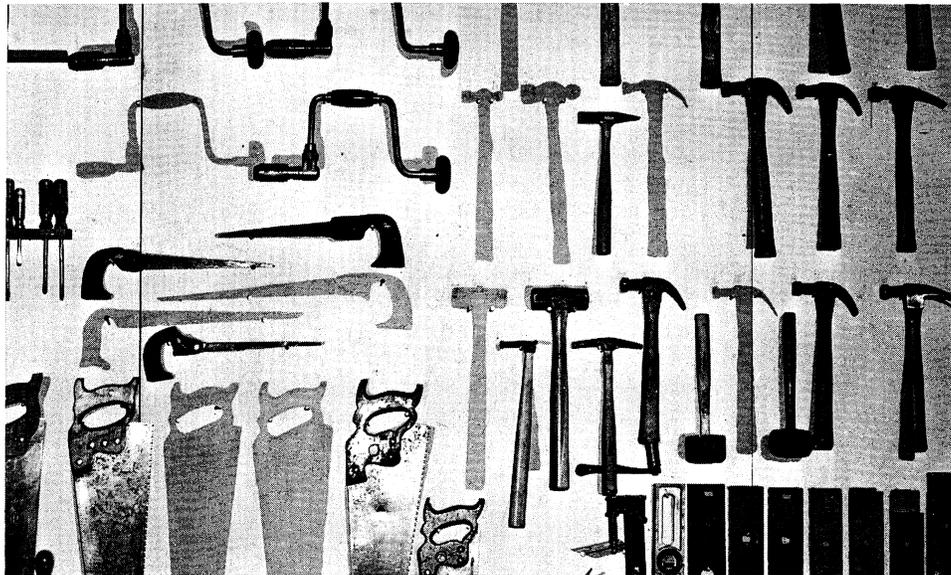
Tool Control

Tool control is an important procedure in any jail, large or small. All tools used within the jail should be numbered and kept in a locked tool-storage area which is secure and located outside the security perimeter of the jail. Tools such as bolt cutters, welding torches, pry bars, large wrenches, and screwdrivers should never be issued to inmates for use inside the jail. These tools should be made easily identifiable, for example painted red, and should be classified within the jail as "hot" items. Any "hot" tools that are to be used in the jail should be issued only to a jail officer. If it should become necessary for a prisoner to use this kind of tool, he should be supervised with extreme care.

All tools should be placed on a shadow board (Figure 5) in the tool room. Each officer should have a tag, preferably of metal, with his name stamped on it, which he must surrender for each tool he draws from the tool room. A daily inventory must be kept, with all tools being returned to the tool room before each shift change.

Knives and other tools needed for the daily operation of the kitchen should be placed in a locked steel box. Although a shadow board can be used for kitchen tools, provisions must be made for ensuring that they are secure. Since in most jails these tools must be issued to inmates in the food preparation program, the officer in charge of the kitchen should check out each tool, recording in writing

FIGURE 5



the name of the inmate who draws the tool and the time that it is issued. Strict control of tools contributes much to the security and safekeeping of both inmates and officers in the jail.

In a small jail where most of the work is inside and involves little more than a mop, bucket, and rags, controlling and supervising the use of tools may not be a problem. However, when a jail operates a large work program involving an auto garage, kitchen, and, in some cases, road crews, proper control of tools is of major importance.

The following are rules for control of tools by the work supervisor:

1. Tools should be checked out by the work supervisor, who is responsible for examining them to determine their condition. He can determine whether or not they are proper for the job, and whether they are in need of repair. Files, for example, may be worn and need replacement; shovel handles may be cracked; knives may need to be sharpened. If the supervisor does not check the condition of the tools, he has no way of knowing when a job is being done badly or incorrectly because of faulty equipment. The supervisor can also tell when tools are being misused. A tool that was in good condition when checked out and shows signs of abnormal wear after use indicates that the user needs instruction in proper handling of the tool. Abnormal wear may also mean that the tool is not the right one for the job.
2. The supervisor must make certain that the prisoner knows how to use the tool that is issued to him. This may not seem important, since generally the tools used in and around jails do not require a great deal of skill to operate. However, there are proper and improper ways to use any tool from a mop to a screwdriver, and the prisoner's ability to use the tool should be determined.
3. The supervisor is responsible for ensuring that the prisoners have been instructed in safety procedures. This requirement is particularly important where power equipment is used. Dough mixers, laundry equipment such as tumblers and pressers, power saws, and, in some cases, hand tools such as axes and saws can be misused. The supervisor must also make certain that the work is organized so that it can be performed safely.
4. All tools that are returned at the end of the working day should be inspected by the supervisor. This will eliminate arguments over the condition of tools with the person who has general responsibility for them. In no case should prisoners be allowed to return tools unsupervised. The supervisor may, for example, stand by and inspect each tool as the prisoner returns it. It is not necessary that the supervisor personally handle each tool himself.

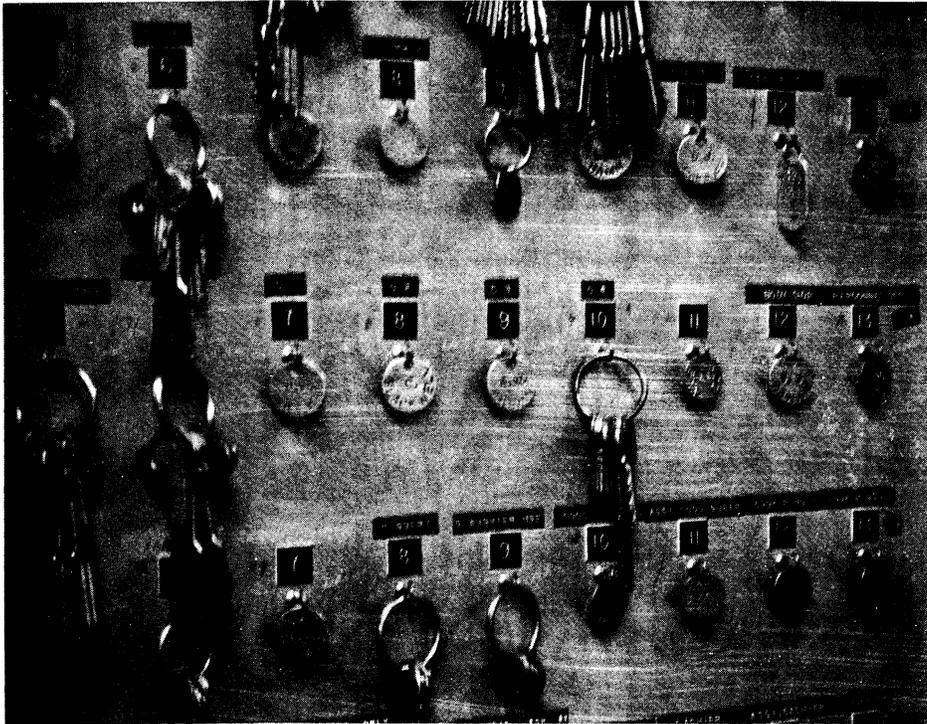
Key Control

Key control is an important factor in achieving security in the jail. It should be obvious that the jail cannot meet its responsibility for keeping prisoners secure if the key system is faulty. No matter what kind of system is developed for management of keys, the full cooperation and understanding of each jail officer are necessary if it is to work efficiently and effectively. The following are the essential elements of key control:

1. The jail should have a key-control center, which should be the only place where keys can be checked in and out. It should be secure from entry by prisoners.
2. The control center should have an accurate key book containing the following information:
 - a. Number of each key
 - b. Trade name of each lock and its location
 - c. Number of keys available for each lock
3. The key-control center should have a panel board with a hook for every key (See Figure 6).

4. A metal tag bearing his name must be used as a receipt by each officer who withdraws a key.
5. No key ring should contain both inside and outside keys. Each officer checking out keys should be responsible for making certain that he does not carry keys for outside doors with keys to cellblocks.
6. Any malfunction of a lock should be reported immediately both to the jail officer's supervisor and to the key-control center.
7. Any lock changes should be reported to the key-control center.
8. Prisoners should not be permitted to handle keys.
9. Jail officers should keep keys covered so that prisoners will have no opportunity to copy them.

FIGURE 6



Despite its importance, many jails lack an effective system of key control. Often there is no central control system at all, and where one does exist, it may be ineffective as a result of the casual attitude of jail officers. In some jails trusties are permitted to carry keys; in others, the jailer leaves keys lying on his desk where they are available to trusties. In some jails, where no attempt has been made to reduce the number of keys, there is a different key for every door, a situation which makes key control extremely difficult.

A jailer who carries both cell keys and keys to cellblocks is risking assault from prisoners who are attempting to escape. Once they have taken the cellblock keys, it is a simple matter for escaping prisoners to reach and open the doors leading out of the jail.

Control of Firearms

No weapon of any kind belongs in the jail. The jail officer who carries a weapon is always in danger of having it taken from him by a prisoner. A gun or club provides no security; in most instances, a jailer who is attacked has no opportunity

to use a weapon, since he is taken by surprise. Obviously, once a prisoner possesses a gun, all jail personnel are in danger. An unarmed jail officer who is assaulted may be injured, but the assault will not be fatal to him, and will not endanger other jail personnel.

To prevent escape attempts where guns may be taken from jail personnel, these rules should be followed:

1. No weapons of any kind should be permitted in the jail. Visiting officers should be required to surrender their weapons before entering the jail. When an officer brings in a prisoner, the prisoner should be admitted before the officer takes the weapon out of the holster. In this way there is no danger of the officer being rushed while the gun is out.
2. Strong, secure cabinets should be provided for the storage of visitors guns. The officer on duty at the gate is responsible for seeing that all weapons are stored away. The safety of all jail personnel is in his hands.

Prisoners are aware of the weakness of a security system that permits jail personnel to wear guns in the jail. They are also aware of the insecurity of the individual jail officer who, contrary to the rules, either wears a gun hidden in a shoulder holster or keeps one in his desk drawer. Many escapes, and the injury and death of numerous jailers, have resulted from officers carrying guns in the jail.

For effective gun control, the armory should be located outside the security area of the jail and the key to it should not be on the key board. If the jail has a safe, the key to the armory should be kept in it. Only under unusual circumstances do jail personnel need to enter the armory quickly. In case of an escape attempt, it should not be possible for prisoners to arm themselves from the jail armory.

The consequences of poor gun control are illustrated by the following incident. In a midwestern jail, the lone jailer granted a minor offender's request to make a telephone call. The prisoner was brought to the jail office and the jailer stood beside him as he started to make the call. Suddenly, without warning, the prisoner struck the jailer on the head with the telephone handset. With the jailer on the floor, the prisoner opened a desk drawer and removed the loaded pistol that was kept there. (The jail staff were not aware that the prisoners knew of the presence of the gun in the desk.) When the jailer revived, he was forced to release three additional prisoners from the cellblock and then to open a locked weapons cabinet containing shotguns, rifles, and a submachine gun. As the prisoners were removing the weapons, a police officer from a nearby city walked in and was disarmed. The sheriff's residence is attached to the jail and the sheriff's wife, hearing the commotion, called the city police. The chief and a patrolman responded to the call. The chief rushed into the office and was killed. The patrolman was shot in the spine but was able to wound one of the prisoners. Additional police arrived outside the jail as the prisoners started to leave. One escapee was killed at the door, and another got away under a hail of bullets, to be apprehended several hours later. The wounded policeman is confined to a wheelchair for life.

Usually, discussions of weapons control center around guns. Clubs and gas pens or small gas cans are also weapons, however. They contribute little to prisoner control and give jail personnel a false sense of security.

Control of Drugs and Medications

The jail officer has an important role to play in control of drugs and medications. He can fulfill his responsibility by following proper control procedures. To do this intelligently, he must understand drug control policy, its objectives, and the consequences of a breakdown in procedure.

Many serious problems can result from the lack of control of medicines and

medical supplies within the jail. Accidental death, suicide, riots, and murder have occurred when prisoners had an opportunity to misuse medicines. Narcotic addicts have been able to maintain their addiction by stealing drugs from the jail supply or by bribing other prisoners (and occasionally employees) to do so. Even nonaddicts often take any drug which they think will produce an unusual sensation to break the monotony of confinement. Prisoners under the influence of certain drugs may exhibit aggressive, irresponsible behavior which constitutes a threat to the security of the jail.

To prevent prisoners from stealing drugs, all medicines and medical supplies should be kept in a securely locked cabinet or safe. In the case of narcotics and other drugs likely to be misused by prisoners—for example, barbiturates, benzedrine and similar stimulants, antihistamines, tranquilizers, and preparations containing alcohol—careful records should be kept showing amounts purchased, amounts dispensed, and amounts on hand, so that any tampering with the supplies can be detected at once. Periodic inventories (usually monthly) of such drugs should be taken routinely by a responsible individual, and the inventory should be reviewed regularly (at least quarterly) by the jail physician.

Use of Security Equipment

Security equipment in the jail includes the steel of doors and bars, the locks, remote-control television cameras, telephones, radios, and metal detectors. The extent of its use will vary from jail to jail depending on size and age. The new jail officer must become competent in using security equipment; however, he must never reach the point where he depends on equipment to replace the human factor in security. Security procedures are designed to insure that prisoners are held safely and without harm. Security equipment if used correctly, will contribute to the safety and safekeeping of both prisoners and jail personnel.

Tool-hardened Steel. The use of tool-hardened steel will not ensure that prisoners will not be able to escape. Although it is claimed that only a tungsten carbide saw and wheel will cut through this type of steel, escapes have occurred from jails that used it in doors and cell bars. In a far western jail, two prisoners with long criminal records sawed through a bar of tool-hardened steel and made their escape. Investigation indicated that the men had sawed through the bar with a piece of cord that had been used to repair mattresses. The cord had been dipped in a powdered abrasive cleaner. A prisoner in an eastern jail was able to cut two thirds of the way through a bar in a ventilator grille with a 30-inch piece of hard-surfaced twine which he pulled through a "Solidare" toilet deodorizer pad and then dipped in scouring powder.

Locking Devices. Locks are an important part of any detention facility. Prison locks are built for great strength and almost continuous operation. The metals used for the working parts are noncorrosive, and their hardness is such that the key wears out before the lock. If a lock does not work properly, the key should be examined first for wear.

Television. Closed circuit television is a useful security device if properly used. Since the picture is usually not clear enough for identification of a moving person, the officer who is monitoring the screen must be certain that he recognizes the individual with whom he is talking. Before passing another officer through a check point, the monitoring officer must make certain that the officer is either alone or in control of the situation. The monitor should always make certain that he can see around the officer on the TV screen. Poor positioning of the camera or a casual attitude toward its use may lead to failure to detect a prisoner who has taken an officer hostage.

A TV camera will provide little help in supervising prisoners if the monitoring officer is not alert. In a midwestern jail a prisoner went into a corner of his cell out of range of the camera and hung himself. The officer monitoring the cell sus-

pected nothing and apparently did not think to check the prisoner when he did not appear on the screen for some time.

Metal Detectors. Metal detectors can be extremely helpful to the jail officer, for they make his work easier. These devices are of two types: the walk-through type and the paddle type. Both can be set to detect very small pieces of metal. However, since they will not detect plastic or wood, they can never replace a careful search.

Safety Vestibule. This door arrangement (Figures 7, 8, 9) is used to control prisoners entering or leaving multiple housing units, or to control the entrance to cellblocks. Both doors should be kept locked at all times when not in use. Only one door should be unlocked at a time when passing a person through. For example, the prisoner leaving the cellblock enters the vestibule, the door is locked behind him, then the other door is unlocked permitting him to leave the vestibule, and the door is locked behind him. It is impossible for a number of prisoners to rush a jail officer when the safety vestibule is used.

The devices discussed above are excellent tools for the jailer; they make his work easier and contribute to the security of the jail. However, they can never replace the human element in security. The alert, curious jailer who notices changes in the jail during his inspections and who has a healthy suspicion of all prisoners cannot be replaced by a TV monitor or a metal detector.

Emergency Plans

Maintaining the health and welfare of prisoners and protecting the community are two important objectives of the jail. These objectives cannot be fully met without emergency plans. Emergencies occur even in a well-run well-constructed jail. The jail administrator and his staff must therefore be carefully trained in how to handle emergencies.

Although the average jailer may not be called on to develop emergency plans, he is responsible for having a clear understanding of his duties when an emergency occurs. If the jail does not have emergency plans or training for its staff in emergency procedures, the jail officer should request that his administrator provide them.

The varieties of jail construction and procedure make it impossible to develop a single emergency plan that is useful for every jail. However, every plan should contain certain basic information and instructions for the jail officer, including the following:

1. The jail officer must know to whom he should report an emergency.
2. He must have a clear understanding of who is in charge during an emergency.
3. He must have a description of his duties for each kind of emergency. For example, the duties of a cellblock supervisor may not be the same for a fire, an escape, and a riot.
4. He must know how his duties in an emergency are coordinated with the duties of other jail personnel.
5. He must be able to use emergency equipment. In the case of fire, for example, he must know how to use fire extinguishers and hoses.

Many jailers no doubt feel that emergencies cannot happen in their particular jails. A jailer may feel that since his jail is fireproof, it is impossible for a fire to take hold, or that the jail is so well run and secure that it is not possible for an escape or riot to occur. Yet fires occur in what are considered fireproof buildings, and escapes and riots can take place in the best-run jails. It is a mistake for any jail officer to believe that emergencies will not arise in his jail. It is better for jail officers to be prepared for the emergency that never occurs than to be totally unprepared for an unexpected emergency.



FIGURE 7



FIGURE 8

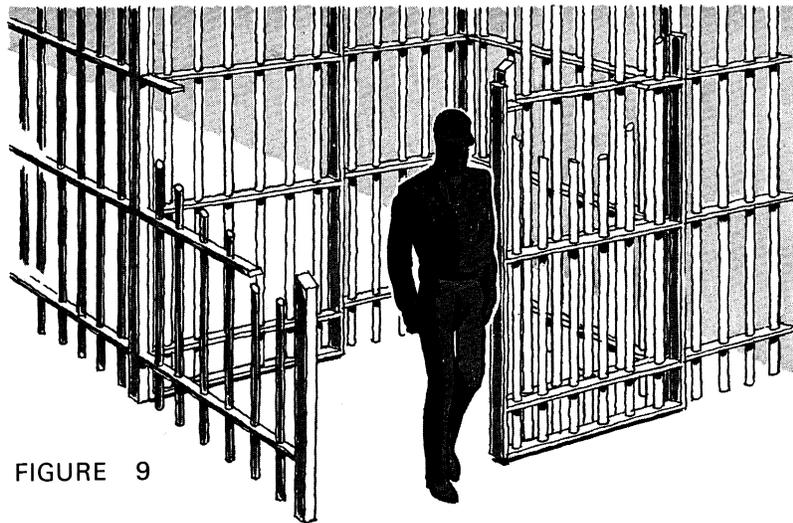


FIGURE 9

Transportation of Prisoners

Supervising the transportation of prisoners is one of the more difficult and dangerous jobs the jailer may be required to do. The large number of escapes and the number of escort officers killed or injured would seem to indicate that the job is highly risky. However, it need not be if proper procedures are followed. The jailer who is transporting a prisoner must follow certain rules:

1. The jailer should treat the prisoner firmly, but humanely and with consideration. Reasonable attempts should be made to transport the prisoner with a minimum of display. However, the embarrassment the prisoner may suffer at being seen in public wearing restraints is not as important as preventing his escape and ensuring the safety of the escort officer and others.
2. The escort officer should never assume that cuffs, irons or other restraints are foolproof and cannot be removed by the prisoner. The restraints should be checked at intervals to make certain they are secure.
3. The escorting officer must search the prisoner before the restraints are placed on him. The fact that the prisoner has spent the night in jail is no guarantee that he does not possess a weapon or some article that can be used to pick the handcuff locks.

One convicted murderer escaped from transporting officers by using a handcuff key fashioned from the small metal plunger of a ballpoint pen. The prisoner was wearing handcuffs, body chain, and leg manacles, and for added safety a plexiglass shield had been placed between the front and back seats of the car. As the car entered a highway tunnel, the prisoner lunged forward against the shield and at the same time reached between the seat and the door-post of the car, below the shield, to seize a revolver from the guard's holster. He ordered the officers to turn off the highway onto a little-used country road, where he forced them to surrender the key to his leg manacles and the other officer's gun. He then drove off in the officers' car after chaining them to a tree. Subsequent investigation revealed that he had hidden the handcuff key in his mouth while being searched prior to transfer.

4. Firearms should be carried by the escorting officer. However, they should be concealed and continuously protected so that they cannot be taken by the prisoner. If two men are escorting a prisoner, one should be unarmed so that he can approach the prisoner with no danger of losing a weapon.
5. Prisoners should not be told when and where they are going, the route or method of transportation, any stops or transfer points, or the time of arrival.
6. The prisoner should never be let out of the escorting officer's sight. If the distance to be traveled is great and more than one officer is escorting the prisoner, shifts should be arranged so that at least one officer is awake at all times.
7. If a prisoner escapes, the nearest law enforcement agency must be notified at once. The escorting officer must not waste time trying to find the prisoner.
8. The escorting officer may relax only after he has a receipt for the prisoner.

The basic rules above apply whether a prisoner is being taken to a courthouse a few blocks away, to a courtroom two floors removed from the jail, or many miles across the state to a prison, regardless of the method of transportation.

Use of Restraining Equipment

Handcuffs. There are several manufacturers of good handcuffs, but all handcuffs operate on the same basic principle. They are by no means foolproof.

Handcuffs should be placed on the prisoner with care. Each cuff should be tightened to a snug fit on the wrist, and enough space should be left between the wrist and cuffs to ensure proper blood circulation. The keyhole should be placed to the front, with the round part of the key-slot up (Figure 10).



FIGURE 10

As soon as he has placed the cuffs on the prisoner, the officer should deadlock the cuffs by placing the small, straight, metal pin on the top of the handcuff key in the small, round pin opening located in the shoulder of each handcuff. He should then press on the handcuff key until the deadlock device snaps into place.

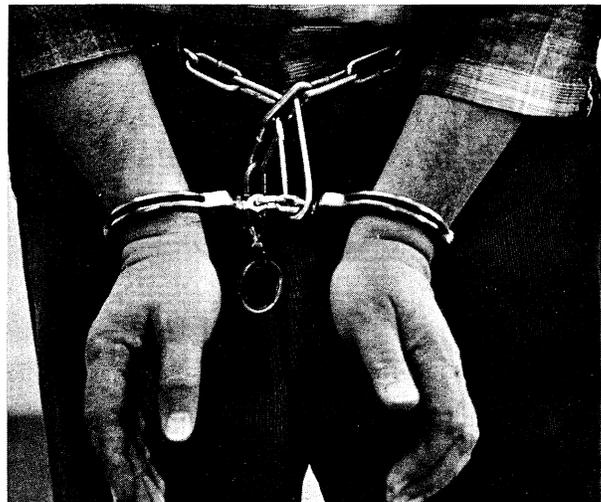
Handcuffs should be checked prior to use for defects in chain links, for malfunction of the deadlocking device, and for foreign objects in the locking chain and keyhole slot.

Chains. Chains are commonly referred to as *waist chains*. Those most often used by law enforcement personnel are the single and double chains. The single chain is approximately four feet in length, of single-link construction, having an enlarged link at one end and a metal spring-type snap on the other end. The double chain is of the same construction but approximately twice as long as the single chain.

Chains are used as restraining devices only in conjunction with handcuffs. The following procedures should be followed in using chains.

Single Chain. Figure 11. Encircle the prisoner's waist, threading the chain through belt loops. Pull the chain snug, put the snap link *through* the enlarged link, and pull snug again. Insert the open handcuffs through links on both sides of the chain. Take the loose end of the chain (there is normally some chain left dangling) and, after pulling it snug, snap it into the chain encircling the prisoner's body.

FIGURE 11



Double Chain. Figure 12. Using the snap end of the chain encircling the prisoner's body, thread the chain through belt loops, pull it snug, and insert the snap link end *through* the large link at the other end of the chain. Pull the chain snug again. Then thread the snap end of the waist chain through the second prisoner's belt loops.



FIGURE 12

Put the loose end of the chain *through* a link at the side or back of the second prisoner. Use two pairs of handcuffs, one for each prisoner, inserting the open handcuffs through links of the chain encircling the prisoner. Fasten the handcuffs as described above.

In the event that clothing has no belt loops, make sure the waist chain is drawn tight enough to prevent it slipping below the prisoner's hips.

Prisoners may be secured singly, by twos, or by threes, using a combination of one double chain and one single chain, or using a single chain for each prisoner, with an additional single chain running from one waist chain to the next.

If additional restraints are necessary, two pairs of handcuffs may be used for each prisoner. The second pair of handcuffs is inserted through the waist chain in the same manner as the first. However, the key opening of the second pair should be turned so that it faces the key opening of the first pair.

Leg Irons. When prisoners are transported by car, bus, or train, the use of leg irons is essential. Very simply, leg irons are oversized handcuffs made of heavier material than handcuffs and having a larger connecting chain (Figure 13). Before placing leg irons on a prisoner, the jailer should always make sure the prisoner is properly handcuffed and wearing a waist chain; this reduces the chance of injury to the jailer, should the prisoner become violent. Leg irons should be placed over socks or pants leg, and pulled up snug, leaving room for circulation. As with handcuffs, the leg irons should be deadlocked and the keyhole placed on the lower side.

Leg irons may be used in the following ways: one pair of leg irons to each individual prisoner; one pair of leg irons for two prisoners; or two pairs for three prisoners. However, for the best security, one pair of leg irons for each individual prisoner is recommended.



FIGURE 13

United States marshals' regulations state emphatically that leg irons are to be used on all prisoners in transit, and with good reason. Recently two United States marshals were transporting three juveniles from a county jail to a federal youth institution on a four-lane divided highway. The automobile the deputy marshals were driving was a two-door model with bucket seats. The prisoners were waist chained and handcuffed; however, since they wore no leg irons, their feet were free. While the car was traveling at approximately 70 miles an hour, the prisoners simultaneously lifted their feet and kicked the rear of the front bucket seats, severely injuring the deputy marshal acting as guard in the right front seat and causing the driver of the vehicle to lose control and cross the median into the path of oncoming traffic. This action by the prisoners resulted in the loss of the deputy's automobile, and both deputies were hospitalized. One prisoner was injured slightly.

A prisoner being transported by automobile, bus, or train should be waist chained, handcuffed, and leg ironed ahead of time. Different procedures should be followed when a prisoner is moved by plane. Safety regulations and standards set by the Federal Aviation Agency prohibit the use of restraints when transporting prisoners by commercial airline. When transporting a prisoner by commercial airline, the airline should be notified, the prisoner should be seated on the plane before the general public is admitted, and the prisoner and the escorting officer should be the last to leave the plane. Before leaving the plane, the officer should place handcuffs on the prisoner; other restraints can be used when in the auto. Although there are always exceptions, commercial airlines are usually willing to cooperate in the movement of prisoners.

The movements of a prisoner on an airplane should be closely supervised. His ability to escape may seem minimal, but his opportunities to embarrass the escorting officer are numerous. Recently, a prisoner on a plane was permitted to visit the men's room unescorted. On his return he apprehended the stewardess, held a knife at her throat, and demanded that he be taken to Cuba. This could have been avoided if the officer had accompanied him to the men's room.

Traveling with prisoners can be a problem during rest stops and meals. Rest stops can pose a special problem, since the prisoner's restraints may have to be loosened or removed. When this occurs, a rest room should be selected where there is no traffic, or where the traffic can be controlled—for example, a gas station rest room that has a side entrance. If an inside rest room must be used, it should be inspected to make certain that it does not have a window or another door leading out. If it has a second exit, one officer should position himself at that exit and the other officer at the door that is being used. Only enough restraints should be removed for the prisoner to be able to manage for himself. Leg irons, for example, may not need to be removed; only one handcuff need be removed, and it can be attached to the waist chain.

Fast-food-service restaurants have simplified the problem of feeding prisoners on the road. When such places are used, the prisoner can remain in the car. Usually he can feed himself without the removal of cuffs or waist chain.

Maintenance

Building a jail represents a major expenditure of tax funds. With proper care, a jail should remain in a state of good repair for many years. Whether or not it does will depend on the interest and ability of the jail staff, whose responsibility it is to carry out a continuing program of preventive maintenance. If such a program is not in operation, the physical condition of the jail will gradually deteriorate.

A jail in poor physical condition represents a danger to the staff and to the community, since it will not be secure. It is also dangerous for prisoners, for it may present such hazards as poorly functioning doors that cannot be opened during an emergency, or doors that cannot be locked, making it possible for some prisoners to attack others. In some instances, electrical breakdowns may cause fires or blow fuses, posing safety, security, and control problems.

A building deteriorates gradually. Washers wear out, pipes rust; somehow screws are loosened and lost from machinery; locks stick and keys wear out; wiring insulation becomes brittle and cracks; electrical switches wear out from use; paint breaks down and peels off of walls; and tile loosens and exposes the floor or wall. This deterioration is the result of normal wear and cannot be prevented. It occurs so gradually, however, that unless preventive maintenance is systematically carried out, it will not be noticed. In fact, deterioration of a building can be so gradual that it is taken to be a normal condition.

A preventive maintenance program can result in large savings to the taxpayer. For example, although a leaking faucet costs only a few cents to repair, if it is not repaired hundreds of gallons of water may be wasted at substantial cost. A missing tile may result in water damage to a floor or wall, and surrounding tiles may be loosened and ruined. A serious and expensive fire may be caused by bare wiring whose insulation could have been replaced for very little.

The jail officer is in an excellent position to make sure that preventive maintenance is carried out. He is the person most familiar with the physical plant and its condition, since he works in it every day. If his jail has a policy of revolving posts, he will see different parts of the jail at intervals, and can note physical changes. He will, for example, immediately notice a lock that sticks in a cellblock when he is reassigned to the area after several weeks. The officer previously on duty there may have become accustomed to the lock, since its condition changed

gradually. Or an officer may suddenly realize that the faucets in the mop room are leaking, a fact that may not have been apparent until he spent time in the cellblock and heard them dripping.

Although the jailer can contribute to preventive maintenance by careful observation during his daily tour of duty, a systematic approach is needed. Preferably, each jail officer should conduct a scheduled maintenance inspection at least once a week, listing any repairs that are needed and submitting a report to his supervisor. He should keep a copy of his report so that he can check to see if the repairs have been made.

In some instances the maintenance inspection can be combined with the security inspection, since any irregularities found, such as bars or locks that may have been tampered with, may require repair. However, because of the urgent need for immediate repair of locks, bars, and security windows, minor repairs may be forgotten. The jail officer must continue to report the need for minor repairs and, if necessary, make an oral report or request to have repairs made. Without this kind of effort, a preventive maintenance program cannot be effective.

Conclusion

Howard Gill, a correctional administrator and educator, insists that correctional programs cannot be successfully implemented without effective security. He states that security should be assured and then assumed. This means that the jail staff should be able to carry out security procedures quietly, without drawing attention to the performance of their tasks and without interfering with other jail activities.

The quiet confidence of the individual jail officer will have an effect on the environment of the jail—on other staff members, and on prisoners. This is not accomplished by the mechanical performance of security procedures, however. The behavior of the officer is important—his appearance, his attitude toward his work, and his attitude toward prisoners and their crimes. As a consequence, what he does and how he does it both contribute to the effectiveness of security procedures.

3. JAIL CLIMATE: THE SETTING FOR PRISONER SUPERVISION AND DISCIPLINE

The influence of the jail on the prisoner is not limited to the effects of educational or religious programs or the impact of specialized efforts, such as that of Alcoholics Anonymous. It includes the effects of the total jail environment—the climate of the jail. Climate consists of the physical and psychological elements which characterize each jail. Among these are jail rules, procedures and policies, attitudes of personnel, and physical conditions such as the colors of the walls, and the cleanliness and construction of living quarters.

It is typical of human behavior that an individual will, with constant exposure, become accustomed to his surroundings. Whether in a coal mine, a factory, or a jail, familiarity makes the abnormal seem normal and the unusual seem commonplace. To the experienced jailer, the doors and bars, the restrictions on freedom, and the lack of privacy are all routine; they are part of the work situation. Although at times the thought may cross a jailer's mind that a jail is not a normal place, he usually accepts the work situation unemotionally and gives little thought to what the jail represents to prisoners or how it affects them.

The knowledge of what jail climate is and how it is developed will give jail personnel a new and necessary perspective on the environment in which they must work. It will help them understand how this environment influences prisoners and affects their management and control. Knowing this, each staff member can better understand his own contribution to the climate of the jail. He can contribute to it in a positive or a negative way. To a large extent he can determine whether he works in a jail where the prisoners are cooperative and where there is a minimum of tension, or in a jail with many disciplinary problems, where the prisoners are hostile and uncooperative. He must also make a choice between actively and responsibly contributing to the climate, or permitting prisoners to do so. In the former case, he will be in control of his own behavior and that of the prisoners; he will also be in control of the jail. In the latter case, he will be permitting prisoners to control him. Eventually, they will be setting jail climate and ultimately be running the jail.

The rest of this chapter is devoted to a discussion of the impact of the jail experience and of its climate on the prisoner from his admission to his release from jail.

The Admission Process

The admission process is the prisoner's first and most impressive jail experience, and it is one that may stay with him throughout his confinement.

With confinement, the individual's role changes from that of citizen to that of prisoner. An individual's role is the part he plays in society and includes his identity (who he is to himself and to others) and what he does (his work and his social behavior). His identification as a husband, father, or worker, for example, arises from his social relationships. Being locked up has deep personal consequences because it is not simply a matter of being confined to a room that is impossible to leave. It also means loss of responsibility for a large part of one's activities. It means becoming someone else, someone less, in a new and unfamiliar place.

The change from citizen to prisoner begins with admission to the jail, and the effect on the individual's identity is almost immediate. Identity is a complex thing, involving both the tangible and the intangible. It includes such tangible characteristics as a person's usual outward appearance as determined by clothes, jewelry, and hairstyle. The intangible elements are his role and his activities: the work he does, his eating habits, his opinion of himself, and his relationships with his family and friends.

The admission process begins with the systematic removal of all the tangible items that contribute to identity. Street clothing is replaced by jail denims or coveralls, and watches, rings, and other valuables are taken into safekeeping. The change is immediate and very obvious. Jail clothing is not typical of that worn by the average person. Certain items, such as belts, are missing, and usually the fit is only approximate. Trivia such as loose change, keys, a cigarette lighter—items that are taken for granted—are gone.

In some jails the prisoner is permitted to keep his personal belongings and street clothing. While this may seem to lessen the impact of confinement, it cannot completely offset the effects of the change in circumstances and the interruption of daily habits.

Other methods used in admitting prisoners are often humiliating. For example, the booking desk may be located in such a way that questioning is done within the hearing of other prisoners or personnel. Bathing may be done with others who have been admitted at the same time and under the close supervision of a jailer. The prisoner may be searched at this time, and depending on the policies of the jail, the search may be quite thorough and include examination for lice and a search for contraband in the body cavities. All of these procedures often take place in full view of others. To most persons an invasion of privacy is a difficult emotional experience. This is especially true for women prisoners.¹

The vagrant, the experienced criminal, and the average citizen who may be admitted to jail for nonpayment of a fine all have a desire for privacy and can be embarrassed by public examination. The person with jail experience is familiar with the admission routine and may give the impression that he is not embarrassed by it. Frequently, however, embarrassment may be replaced by irritation and hostility. The vagrant, who is usually only too familiar with the process of admission, does what he is told without offering resistance.

In some jails, admission procedures include a haircut. The prisoner who wears his hair long or has a beard and sideburns is likely to get a haircut in many jails. The haircut further changes the prisoner's appearance and contributes to a change in his identity.

Of equal importance is the change in routine and familiar ways of doing things. Meals in a jail are drastically different from those in free society. In some jails prisoners are fed in the cell; in others, they are fed cafeteria-style. But procedures in restaurants and cafeterias in the outside world bear little resemblance to the serving of meals in jail. In many instances the only utensil allowed prisoners is a spoon. Only rarely are prisoners permitted to eat at small tables; long trestle tables are usual. Generally, partitioned trays are used instead of dishes. Most prisoners find such mealtime arrangements abnormal, and the strangeness contributes to the prisoner's feeling that he is not himself.

In many jails prisoners are allowed to shave either twice a week or every other day, but they must use razors provided by the jail. In some instances, the razors have a locked blade, like those used in mental hospitals. Shaving is done under supervision, usually after bathing.

When a person enters a jail, he can no longer make decisions affecting his own welfare or the welfare of his family. In most instances his contact with the outside world is limited to one phone call when he is admitted and to letters and visits. His means of communication is cut off or at least seriously limited. The result is a feeling of helplessness and dependence on others. For example, if the prisoner needs legal assistance, he may not be able to contact an attorney himself but must rely on a relative to contact one for him. If he has an automobile that is parked in the street, he must write to someone to have it moved. In some jails he may need to ask the jailer to let him out of his cell to use toilet facilities.

¹Ward, *Women's Prison, Sex and Social Structure*, p. 12.

If he is ill, he must depend on the jailer and the medical facilities in the jail. And if his family is having financial or emotional difficulties, he can do nothing but hope that his wife will be able to handle the problem.

In civilian life, the average person takes orders on the job from his supervisors and must follow certain rules. In the work situation the need to follow orders is balanced by the rewards of the job—a paycheck, approval from others, and a feeling of responsibility. None of these rewards are available to the prisoner. In fact, he is made to realize rather quickly that if he does not comply with the rules and regulations, he will suffer disciplinary penalties. In many instances the courts have shown interest in the record of the prisoner's behavior while confined, giving him incentive to avoid disciplinary measures. In other instances the jail is permitted to give good time to the sentenced prisoner, making it possible for him to shorten his sentence. But these rewards cannot be compared with those of the work situation in society.

The prisoner's relationship with his family and friends also undergoes a change. If he is married, he can no longer meet his responsibilities to his family. In some instances his wife may be forced to seek employment or apply for welfare. This demonstrates to the prisoner that he is incapable of meeting his obligations and that he can be replaced as a provider. The fact that, because of his confinement, the wife is no longer dependent on the husband can result in the wife's assuming a higher status and becoming the responsible head of the household. This change in roles and status can have serious consequences for the prisoner. For example, his wife may discover that she really does not need to depend on the prisoner, and she may refuse to play the part of a dutiful wife.

The prisoner's relations with his friends are altered by the fact that they are free and he is confined. Confinement means failure of one kind or another. It may be failure to be successful at crime or failure to perform adequately in society (this failure is demonstrated by drunkenness and disorderly conduct, inability to pay a fine, failure to meet support payments, etc.). The prisoner may be forced to ask friends for assistance such as a loan to pay his fine or to redeem property from the pawnshop. He may need favors such as transportation for his wife so that she may visit him. In any case, he becomes dependent on his friends to a degree that was not necessary in the past and that may make him very uncomfortable.

By the time he has reached the final steps in the admission process, the individual has made the change from citizen to prisoner. He may not understand how it has happened, but he will be aware that a significant change has taken place in him and in his relations with his family and friends.

In some ways admission to a jail is similar to entering a hospital. The individual's role changes from that of independent private citizen to patient. The surroundings and routine are unfamiliar. Tests and examinations are no less embarrassing than a strip search and, in fact, may be more painful. Although the stay may be short and admission voluntary, the patient often feels that he has lost control over his life. This is especially true when the doctor orders laboratory tests and treatment procedures without informing the patient. The patient must also depend on the hospital staff or his family to do many things for him that he was accustomed to do for himself.

A study of medical patients' feelings upon admission to a hospital illustrates clearly that the change in environment can have emotional consequences.

Not knowing what to expect, the patient fears the worst. And the process of hospitalization during the first hours after his arrival lends to such fears the support of reality. The series of procedures that follow immediately after admission are perceived by the patient as an attack on his body.

As a first step, he is deprived of body symbols. Although he may have been ambulatory at home awaiting admission to the hospital, he

now has to surrender his clothes and his jewelry, and he may be given a hospital gown.

Depriving the patient of all his body symbols is a way of stripping status and self-assurance from him.²

The change of role from citizen to patient may be more acceptable because illness is understood to be beyond his control and hospitalization is for his benefit. However, the adjustment to a new way of living can make hospitalization a difficult experience.

Entering military service represents another example of role change. All the elements of a change in identity are present: the loss of civilian clothing and its replacement by new, stiff, sometimes poorly fitting uniforms; public interrogation for the records; mass movements; loss of privacy; semiprivate physicals; and completely new routine. Finally, there are the drill sergeants who seem to have complete control over the individual and who require compliance under threat of court-martial. The person who is experiencing the change from civilian to soldier can be confused about his identity and feel helpless and angry until he adjusts.

Commitment to a jail, admission to a hospital, and induction into military service are similar in that they all involve lack of privacy, temporary loss of identity, loss of control over one's life, and dependence on others. In entering jail, however, the individual bears the additional burden of social disapproval, rejection, and the awareness of significant personal failure.

Adjusting to the Jail

It is doubtful that anyone has ever felt happy or comfortable about being arrested. Arrest and confinement are stress-producing situations and as such result in unpredictable behavior. The jail is a strange environment for the individual who is newly admitted, and the shift from the freedom of the street to the restrictions of the jail is very complicated. The prisoner must adjust to a new kind of society with new rules and regulations, new expectations, and new ways of behaving. Adjustment to the jail environment requires rapid learning: The individual must learn rules of behavior that may include prohibitions of general and specific conduct. Such rules regulate visiting hours, correspondence, freedom of movement, and personal cleanliness.

The prisoner will be required to learn to conform to schedules for every phase of prison life: wake-up time, lights out, meal times, sick call, bathing and shaving times, and recreation time. Where large numbers of people are confined, schedules may be very tight and require that the prisoner move quickly. If he does not become familiar with the rules and regulations, the prisoner may find himself in violation of them, or he may miss an activity. For example, if reporting for sick call or visiting the commissary requires that a member of the jail staff be notified at a certain time, the prisoner must be aware of this procedure or miss sick call or a chance to use the commissary.

At the same time that he is learning the formal rules of the jail, the prisoner must learn the informal rules—the social system of the jail. This includes the way jail staff and other prisoners deal with one another. Jails and prisons, like hospitals, try to achieve a certain uniformity in the manner in which personnel deal with inmates, and they succeed in this to a remarkable degree. It would be unrealistic, however, to expect that all jail personnel will be able to behave toward all prisoners in the same way at all times. This means that the prisoner must adjust to some degree to the individual differences of the jail personnel. These differences may not be great, but they must be taken into account by the prisoner. For example, while one jailer may ignore a small infraction of the

²Coser, *Life in the Ward*, pp. 42-43

rules, another may issue a warning, and a third impose a penalty. Where one jailer may be generally pleasant to everyone, another may have a formal, no-nonsense attitude. In a jail, where the burden of adjustment is on the prisoner, these individual differences can be important.

Finally, the prisoner must adjust to other prisoners. This may require very little effort if the jail has only single-cell housing. In a jail that has two-man cells, six-man cells, bullpens, or dormitories, however, the lack of privacy is emphasized by the necessity for adjustment to new kinds of social living. It is not possible for the prisoner to choose his cellmates or select the person who will live next to him in the dormitory.

Group living in jail will be governed to a certain extent by rules and regulations, such as those prohibiting gambling and fighting; but the regulations by no means cover the total area of human behavior. In a group situation, each prisoner must adjust to all the others. The man who was accustomed to family living must now regulate his life according to a new schedule and with a group of people far different from his family. The loner must learn to get along in a group which he cannot leave. The easygoing, footloose vagrant is suddenly put on a schedule and must to some degree think about others. The emotionally upset prisoner who wants to sit around and worry about his troubles finds no opportunity for privacy. In fact, he may be asked to be the fourth in a card game. And the drunk may be nursing a hangover while steel doors clang and other prisoners loudly laugh and talk.

Stress and Critical Times

Adjusting to the jail environment, while stressful for all newly admitted prisoners, is much more difficult for some than for others. The prisoner may also be subject to stress at various times during confinement. Stress points are referred to as "critical times," and are periods when events increase the emotional pressure in the prisoner so that he may lose control of himself. Such outbursts are rare, but they can and do occur, and the jailer should be aware of the danger points so that he can adjust his behavior accordingly. This may mean taking a little more care with giving orders, ignoring a small rule infraction, and acting sympathetic or neutral. Prisoners are most likely to feel emotional stress during admission to jail, during searches, following court appearances, and after family visits.

Admission. When the prisoner is transferred from the custody of the arresting officer to the jail, the focus of his hostility may shift from the police to jail personnel. The receiving jailer knows nothing about the circumstances of the arrest and the way the prisoner was handled by the arresting officer. It is possible that the prisoner is usually hostile and that the arrest has intensified his hostility.

The jail officer must take care to present an appearance of calm understanding. He should never carry on a long, loud conversation about the prisoner's behavior with the arresting officer. Any sensitive receiving officer can tell at a glance when a prisoner is hostile and should not be further antagonized by a discussion of his behavior. It is a good idea to speak quietly and unhurriedly to the prisoner when giving him directions and asking him questions.

The realization that he is faced with confinement may panic a prisoner, and he may attempt to escape during admission. Jail personnel must be especially alert for this kind of reaction and develop procedures to prevent it. In some instances, a hostile or indifferent attitude on the part of the admitting officer will trigger an escape reaction. This is more likely to happen when the receiving unit of the jail is outside the security area.

In cases where the prisoner has enjoyed high status in the community, arrest and confinement and the change from citizen to prisoner may be so stressful for him that he will attempt suicide. An apparently well-adjusted, hard-working

family man who is charged with embezzlement may react this way. Similarly, the person whose arrest and confinement follow a series of personal misfortunes may be so despondent that he will attempt suicide. The jailer should recognize that the prisoner in this case is a special problem. (Situations such as this will be discussed in detail in Chapter 6, Special Prisoners.)

Searches. Persons experienced in law enforcement and corrections know that most prisoners dislike being touched. The search therefore requires expertise and a proper attitude on the part of the searcher toward the search and the prisoner. Any time a search takes place should be considered a critical time; the close personal contact during a search increases the danger of an attack on jail personnel.

Before he begins the search, the jailer should quietly and simply explain what he is about to do and tell the prisoner that he will not be touched any more than is necessary. The search should be made slowly, and if the jailer has any doubts about the prisoner's reaction, he should explain to the prisoner at each step what is about to take place. A strip search can be carried out without touching the prisoner except to run through his hair. This step should be explained to him.

It is also good practice to allow a little time for the prisoner to cool off from arrest and admission to the jail before searching him. If the booking and the inventory of personal items is done slowly, the prisoner may have cooled off sufficiently so that he may be searched with less danger of a violent reaction.

Court Appearances. Situations that arise in court can cause emotional reactions in a prisoner and make it difficult for him to control his behavior. For example, unfavorable testimony may be presented under conditions that arouse strong emotions. This may occur where a close family member is a complainant, as in cases of child abuse, or when the prisoner feels that a witness is lying but is unable to prove it.

The periods before and after sentencing are critical. Before sentencing, prisoners are very anxious, and often they relax after sentence is pronounced. In some instances, however, prisoners react strongly to a sentence they feel to be excessive. It should be noted that on occasion even a very short sentence can arouse strong emotions in a prisoner.

It is advisable that the newly sentenced prisoner be interviewed by one of the jail staff. If the prisoner is judged to be very upset by his sentence, he should be placed in a cell by himself for a short while and closely supervised. It may also help if a staff member explains the consequences of the sentence. If, for example, the sentence is to be served in the jail, the prisoner may be eligible for good time or for work release. If he is going to a prison, he will be eligible for parole. Conversation with the staff member may also give the prisoner an opportunity to talk out his anger at his sentence and thus rid himself of some of his emotional reactions.

Family Visits. A prisoner looks forward to visits, and generally visits serve a useful purpose. They provide an opportunity for the prisoner to maintain contact with his family and friends and permit him to participate in family decisions. On occasion, however, a visit can be an emotional experience that leaves the prisoner upset and difficult to manage.

This occurs when genuinely bad news is brought to the prisoner by visitors—news of illness in the family, children who are having problems in school, or neighborhood or financial problems that border on emergencies. At such times, his true helplessness becomes obvious to him, and concern and frustration can contribute to loss of control.

It is good practice for the jailer to talk to the prisoner immediately after a visit. If the prisoner has received bad news, he may react emotionally by attempting escape or suicide. It pays to listen to a prisoner's problems and if possible to refer him to someone such as a social worker, the chaplain, or the jail ad-

ministrators, who can help him. Even when nothing can be done, a sympathetic listener can be invaluable to a prisoner's morale.

Girl friends and wives can create jealousy, misunderstanding, and suspicion during visits. In jails where prisoners serve sentences of one year or more, the occasional wife or girl friend who eventually visits when pregnant by someone else poses a problem that cannot be easily solved. In such instances, the jailer must demonstrate sympathy and understanding and be willing to listen to the prisoner discuss his problems.

Problems are also created by wives who purposely upset prisoners by either distorting facts or trying to arouse suspicion. For example, a wife may complain that there is no food in the house or that she has been rejected for welfare when this is not true. Or, if the jail is difficult to reach by regular transportation, she may attempt to give the impression that she has been brought by a male friend. There have been occasions when a wife or girl friend has parked the car with a male driver where it could be seen from the jail by a trusty. It does not take long for a prisoner to hear about this and be upset by suspicion and jealousy.

Personnel Influences on Jail Climate

Staff Attitudes. The emotional effects of confinement have been discussed to give jail personnel some awareness of the ways prisoners behave and the reasons for their behavior. With this knowledge, jail personnel may be able to control their own behavior and thus avoid placing unnecessary additional stress on prisoners. The attitudes of jail personnel can become a factor in shaping the behavior of prisoners. The jailer should never feel that he is reacting to the prisoner; on the contrary, he should always feel that the prisoner is reacting to him. The emotional effects of confinement have been discussed with this in mind. The jailer must understand how prisoners feel about being placed in jail and accept the responsibility for controlling their behavior by establishing effective relationships with them.

The responsibility for developing jail climate rests with the jail staff. If a prisoner is hostile and uncooperative, the jail staff need not respond to his hostility by being overly polite, cautious, and timid about giving him orders. A jailer who does this is reacting to the prisoner. Instead, the staff's attitude should indicate to the prisoner that his hostility is recognized and accepted. A job is not put off because a prisoner is hostile but is done impersonally and without giving him an obvious reason to become further provoked. A hostile prisoner may, for example, refuse to cooperate in a shakedown. The jailer who is responding to the prisoner's hostility may begin the shakedown by telling him in an apologetic tone that it is something that has to be done and then proceed to do a quick and careless search.

The jailer who is interested in maintaining control does not apologize for the search. He may tell the prisoner that the regulations require a search at this time and tell him where and how to stand. There can be no objection to a matter-of-fact explanation of the reason for the rule, and there should be no argument. The jailer should not sound hostile or defensive in giving his instructions, but firm.

The experienced prisoner can sometimes manipulate the staff and take away the psychological advantage from the jailer. This can be done in a number of ways.

Prisoners may complain to the jailer on the morning shift that the jailer on the evening shift gives more food. Not wanting to be the "bad guy," the jailer who has been criticized will give greater portions. Or, prisoners may claim that another jailer allows them to stay up after hours to watch TV or opens a certain door or window to improve the ventilation. Usually when this occurs, there is

insufficient communication between shifts, and jailers do not know that prisoners are manipulating them.

A prisoner may complain that his request for permission to make a phone call has not been answered. If records are not kept, it is difficult for an officer on another shift to determine the truth of the matter, and he may allow an unauthorized call to be made.

Prisoners sometimes have "jailer of the month" or "best in the block" awards. Unfortunately, other staff members may wonder what the jailer who receives the award has been doing wrong to be singled out for this distinction. They may suspect that he has been lax in enforcing rules or that he has given prisoners extra food or coffee. It is also possible that the jailer is innocent of any wrongdoing and that his selection as jailer of the month is an attempt by prisoners to manipulate jail staff.

Any situation that will draw a purely emotional response from a jailer may be exploited by prisoners. If the prisoners are successful, they will have taken the initiative in determining the jail climate. The jailer who becomes angry when a prisoner swears at him and who swears back or impulsively threatens punishment is reacting to the prisoner and is no longer in control of the jail climate. Prisoners are quick to recognize inexperience, lack of knowledge, or fear in staff members, and they will fully exploit these deficiencies. Prisoners will test new employees, and the latter's efforts to disguise inexperience will frequently cause them embarrassment. Prisoners will accept and respect the new employee who acknowledges that he finds it necessary to consult his supervisor before answering a question or granting a request.

Lack of experience can have serious consequences if prisoners know that a jailer will overreact. A suicide or attempted suicide can be an unsettling emotional experience for the new or untrained jailer, and if a prisoner knows that he can get an emotional reaction from the staff, he may stage suicide attempts. This is most likely to occur with young, impulsive prisoners. The reaction of untrained staff is usually fear, anger, or confusion. Knowledge about and adherence to proper procedures is the best defense against this type of manipulation.

Rules and regulations should be based on behavior standards set by the jail staff. In some jails, lists of rules have become longer and more detailed over the years in response to prisoner misbehavior and represent an attempt to cover every area in which objectionable behavior might occur. Where this has happened, it is because the jail staff has given up the original goals of determining prisoner behavior and has taken defensive action by responding to isolated prisoner acts. It is better to review current practices and revise or otherwise clarify existing rules than to make new ones.

In some jails loss of control has progressed to the point where "con bosses" have pasted their own rules over the legally approved rules of the jail. Here it is clear that development of climate and control of the jail have passed to prisoners.

Knowledge and ability to perform on the job are important factors in self-confidence. Any jailer who recalls his first day on the job can evaluate the effects of inexperience on self-confidence. The new jailer will feel anxiety and some nervousness during his first shakedown, on his first tour of the cellblock or dining hall, or when he first gives orders to prisoners. The experienced jailer can cite any number of other routine procedures that he approached with apprehension when new to the job.

The jail employee who is lacking in self-confidence usually reacts defensively. Often he is apprehensive, and his insecurity is demonstrated by the way he behaves and reacts to prisoners.

Overreaction is another product of insecurity based on inexperience or lack of training. The jailer who overreacts lacks confidence in his ability and is there-

fore sensitive to any action or situation that seems to threaten his authority. The jailer who, for example, expects that his orders will be carried out immediately and without question is overreacting. He may view a prisoner's actions as disrespectful and threatening and consider his attitude hostile when there is no evidence to support this interpretation. Silent insolence is one example of prisoner behavior that can unsettle and infuriate an inexperienced officer.

The self-confident officer, on the other hand, is flexible, impartial, and relaxed in his relationships with prisoners.

Flexibility and Willingness to Make Decisions. Decision making requires the ability to gather facts, consider alternatives, and apply the appropriate policy or principle. For example, a jailer may recommend that a prisoner be allowed to receive a letter even though the writer is not approved, if the prisoner has not received mail for some time and the letter is innocent and friendly. Or the jailer may allow prisoners to continue watching television after lights out because a movie is not over.

Willingness to Perform All Necessary Tasks. The jailer knows the various jobs for which he is responsible and does not hesitate to perform them. He is not apologetic or reluctant about personal or cell searches, censoring mail (if that is the jail policy), supervising visits, etc.

Impartiality. Every jailer has personal feelings about the prisoners under his supervision, but this should not interfere with the fair and impartial performance of his duties. The jailer should accept his feelings about prisoners but not express them. All prisoners have the same rights and privileges, and although the jailer realizes that individual differences must be taken into account, he is willing to treat all prisoners alike.

Relationship with Prisoners. The self-confident jailer is not easily threatened by prisoners. He does not regard failure to follow directions or sloppy work as a personal affront. Nor does he take rule infractions personally. When prisoners misbehave or attempt to manipulate him, the relaxed jailer does not lose control of his emotions but instead recognizes what is happening and views it merely as a problem to be solved.

Expressions of hostility toward prisoners are out of place in the jail. The hostile jail officer will use poor judgment in his relations with prisoners and permit his hostility to show. For example, body searches will be conducted in a rough manner with no regard for the prisoner's feelings. Or cell searches will leave a cell in complete disorder, in contrast to the neatness and order in which it was found.

The hostility demonstrated by jail officers provokes a hostile response from prisoners. As a consequence, insolence and disciplinary problems increase. The self-confident jailer does not find hostility necessary to do his job. On the other hand, he does not permit the possibility of arousing prisoners' hostility to interfere with his job. Generally, prisoners will recognize the difference between the jail officer who is performing his duties in a proper manner, and the one who uses routine procedures as an opportunity to express his hostility toward them.

The jailer must have a positive attitude toward his work. This means that he will treat his job with respect, recognizing that it is difficult and sometimes hazardous. A person who has a low opinion of his work will not have a high opinion of himself or of others who are similarly employed. He will not reflect self-respect or receive respect from others. Careless dress habits are an indication that an individual is disinterested in his appearance and in other people's opinions of him. Sloppy dress is to some extent a form of self-degradation. Lack of self-respect will also be reflected in the individual's general behavior and slack approach to his work. He may carry keys where they can be seen by prisoners; he may walk slowly and casually when a job requires speed. Lack of self-respect and appreciation of the difficulties of the job often lead to careless performance.

Language as a Contribution to Climate. Although a positive attitude toward his job will be reflected in the jailer's appearance and interest in his activities, the most important aspect of his work will be the manner in which he treats prisoners. If a jailer is to receive respect he must also give it. This means that the jailer must treat the prisoner as a person—as an individual with problems, perhaps, but nevertheless as a person.

Language is an indicator of attitudes. Jail personnel are concerned with getting cooperation from prisoners in the simplest, most direct way, and this cannot be done by cursing at them. The jailer will find it difficult to use correct language in dealing with prisoners who use gutter language among themselves and on occasion with jail personnel, but the jailer who responds in kind to a curse lowers himself in the eyes of the prisoners and loses their respect.

Use of correct language also includes the proper use of forms of address. Addressing prisoners as "Mister Brown" or "Mister Davis," for example, serves to remind both the prisoner and the jailer that the prisoner is an individual with an identity. It also promotes a formal atmosphere and lessens the opportunity for conflict.

Staff Behavior. Jail personnel will find it easier to be courteous to prisoners if they are courteous to each other. It makes little sense to attempt to treat prisoners as individuals if the same requirement is not expected among staff members. In their relationships with each other, jail staff must therefore show consideration and courtesy. The jailer should never express a personal opinion—either positive or negative—of another staff member to prisoners. If a staff member refers to the jailer who miscounted as stupid, prisoners will be quick to agree, and if a number of situations of this kind occur, the jail staff will find that they have lost the respect of the prisoners. After all, why should prisoners think more highly of jail staff members than the jailers think of each other?

Gossiping among jailers about their own and other jailers' activities will also be detrimental to prisoners' attitudes toward jail personnel. Who got drunk and did what with whom are subjects that should not be discussed in the jail and never in front of prisoners.

Prisoners cannot be expected to accept the rules and regulations of the jail if jail personnel do not follow them. A jailer's failure to agree with or follow a rule should never become the subject of staff-prisoner gossip. If prisoners know that a jailer disagrees with a rule, they will use this as an excuse for ignoring it.

Problems and differences of opinion arise in any work situation and often result in improvements in the organization. The place to air differences of opinion is in staff meetings and not in the hearing of prisoners, who could misinterpret the situation and use it as an excuse for disagreement with the administrator of the jail. Prisoners should never be given the impression that jail personnel are in conflict, as they may attempt to manipulate the situation and cause difficulties for the staff. When the jail staff appears to lack unity, whether or not the lack is real, the jail climate will be negative.

Procedures and Environment

Up to now discussion has centered on the human factors in jail climate—the attitudes and behavior of the staff, the problems the prisoner faces in adjusting to the jail. The physical and procedural elements of the jail environment—rules, regulations, quality of food, programs, and physical surroundings—also contribute to the creation of an orderly atmosphere in which prisoners understand what is expected of them and do not view the staff as hostile and disinterested.

Published Regulations

Clear and effective regulations are basic to an orderly jail climate. The times, places, and length and frequency of visits, for example, should be governed by regulations. If the jail is large enough to have a dining hall, regulations that permit the feeding of many prisoners in an orderly and efficient manner are necessary. Similar regulations may cover laundry, commissary, recreation, and other activities. Regulations inform prisoners how things are done in the jail, and when and where activities take place. Knowledge of the regulations eliminates confusion and assists prisoners in adjusting in the jail. To be effective, regulations must be reasonable and easily understood.

Clear, reasonable regulations are an indication that the jail staff is in control. Vague regulations or no regulations at all are an invitation to the prisoners to take over the operation of the jail. If the administration of the jail is poorly organized and staff members are untrained, the regulations will reflect this. Some jails resemble an ant hill during the morning hours. The area around the control desk is a picture of confusion with phones ringing, jailers searching for commitment papers, prisoners standing around being booked or in preparation for court appearances, attorneys and bondsmen trying to visit prisoners, and trustees mopping floors or doing clerical work. This kind of disorganization results from poor administration and indicates to the prisoner that the jail staff has very little understanding or control of the jail's activities. Under such conditions the knowledgeable prisoner often succeeds in imposing his own version of order, including kangaroo courts, smuggling of contraband, and gambling. In some jails prisoners may be responsible for training new officers and keeping employee time and attendance records.

Rules

Rules are an expression of staff expectations about prisoner conduct. By eliminating confusion in the prisoner's mind as to what behavior is correct, they make a major contribution to order. Rules are also a reflection of staff attitudes. If the jail staff is overly concerned with prisoner behavior, the rules will show this concern. They will be long and detailed and rigidly enforced. The result will be an excessive number of disciplinary reports and a tense jail atmosphere. In such an atmosphere, it is not unusual for every prisoner to commit at least one rule infraction during his stay in the jail. In a jail with a healthy climate, only some prisoners are disciplinary problems.

Rules are also standards of conduct that the staff can use to judge prisoner behavior. Without rules, each staff member would apply his own standards, and the result would be conflict in staff expectations and a great deal of misunderstanding. For example, what one jailer might consider normal talking, another would consider loud. What one might view as youthful horseplay, another might see as a willful attempt to cause disorder.

There will always be individual variation in interpreting the rules, but this can be minimized by careful wording. Well-phrased, reasonable rules promote understanding and reduce conflict between prisoners and staff.

In many jails new prisoners are not given any information about rules and regulations. Usually in such instances orientation is done by other prisoners. This is an excellent method for the prisoners to take over the jail since the experienced prisoners will have an opportunity to develop their own rules and impose them on the new admissions. Obviously, jail staff must assume responsibility for prisoner orientation if they are to maintain control of the jail.

Clean Surroundings

There was a time when the climate of a prison was judged by the smell of baking bread. Persons touring the institution would be pointed in the direction of the bakery and asked to judge the institution on the verdict given by their noses. In most institutions, however, whether they were prisons, jails, or mental hospitals, the characteristic odor was that of the disinfectant used to cover up the results of inadequate housekeeping and poor sanitation. Some jails now use a disinfectant with a more pleasant odor, but in many the smell of disinfectant is still disagreeable and overpowering. Prisoners are confined in restricted, dimly lit quarters that may have little if any ventilation. Careless housekeeping can make intolerable an environment that is already depressing or irritating, and the person who must spend day after day in such conditions cannot help but be affected by them.

In order to offset the effect of gloomy surroundings, some jails have experimented with the use of pastel colors. Corridor walls and cell interiors in some jails have been painted cream, yellow, light blue, or green, and the effect is light and airy. Cleaning is easier, since the light colors show dirt, and the prisoners' housekeeping efforts can be monitored. In contrast, dull colors collect dirt and do not show the need for cleaning until the accumulation is too great to ignore. Changing the interior of the jail by the use of bright colors must, of course, be accompanied by close supervision of prisoners' cleaning efforts. Without constant supervision, even the brightest and most cheerful-appearing jail will soon become odor-filled, grimy, and cluttered, and prisoner morale will suffer.

Food

Meals take on much greater significance for the prisoner than they have for the person in free society, possibly because there is very little to do in a jail and the meal becomes an interesting event, or because the prisoner has no choice in what he will eat.

Whatever the cause, food can become the basis for serious problems in the jail. The variety and condition of the food, whether it is served warm or cold, and the condition of its preparation and serving all contribute to the jail climate. Meals, more than anything else, are a visible indicator of whether or not jail personnel are concerned with the welfare of the prisoners. Monotonous meals, of poor quality, result in unhappy, dissatisfied prisoners, and discontented prisoners are more difficult to manage.

Conclusion

Admission to jail must be recognized as an emotional experience for the individual and a time when he must adjust quickly to a new environment. The surroundings are new, the procedures are unfamiliar, and old ways of behaving must be discarded for new. The prisoner must learn not only rules, procedures, and the expectations of jail personnel, but how to get along with other prisoners. At the same time, he must make the difficult change from private citizen to prisoner and cope with the feelings of helplessness and failure that accompany admission and confinement.

The initial impact of the jail on the prisoner will to a great extent determine how he reacts to the jail experience. The jailer is a part of this experience, and the way he controls his own behavior may determine how successful he will be in anticipating and controlling the behavior of the prisoner. The jailer needs to understand his own emotions and to recognize the need to keep them under control. He must also be able to recognize emotional conflicts within the prisoner and learn how to minimize them.

The climate of the jail is determined by staff attitudes and behavior toward prisoners and the problems they display. Jail personnel make a significant contribution to jail climate by demonstrating self-confidence, agreement among themselves on goals and procedures, positive attitudes toward prisoners and each other, and pride in themselves and their work. Jail personnel must demonstrate that the jail is under their control and that the development of the jail climate is their responsibility. This means that the policies and procedures, the rules and regulations, originate with and are controlled by the jail staff, not the prisoners.

Other factors that contribute to jail climate include cleanliness, ventilation and good lighting. A dark, dingy jail will have a gloomy atmosphere. It will be difficult to keep clean, and may, in fact, make it difficult to motivate prisoners toward cleanliness. Much has been written about the importance of food in confinement and its influence on the morale and behavior of prisoners. Although a good food program is not a guarantee against the occurrence of riots or other prisoner misbehavior, it does demonstrate to the prisoner that jail personnel are interested in his welfare.

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4. SUPERVISION OF PRISONERS

A positive jail climate may not eliminate the unpleasantness of confinement, but it will help make the jail experience bearable for both the prisoners and the jail officers. The attempts by jail staff to preserve prisoners' self-respect by treating them as individuals will contribute to improved morale and reduce tension among jail personnel and prisoners. A positive jail climate will also provide the environment for effective prisoner supervision. The cooperation that is a necessary ingredient of supervision cannot exist in a hostile atmosphere. It requires at the very least a measurable degree of respect and trust.

Jail personnel can neither avoid the responsibility for the safety and welfare of prisoners, nor delegate the responsibility to other prisoners. The assumption of responsibility by jail officers forms the basis for any feelings of trust prisoners demonstrate toward them. This responsibility is achieved by effective supervision of all prisoner activities, during work and leisure time. The requirement for a broad range of supervisory activities calls for a wide array of techniques that can be applied according to the supervisory situation.

Supervision involves two or more people in a relationship in which one of them is in a position of authority. Supervision can be defined or described in a number of ways. Basically, it is the sum total of all the techniques used by superiors to influence subordinates to achieve specific objectives. The goal may be the completion of a task as in work, the achievement of orderly activity as in recreation, or the accomplishment of specific kinds of behavior as in parole supervision.

Directing the activities of others is a social process, in which the personality of the supervisor is as important as the techniques he uses. Although little can be done about personality, supervisory behavior and supervisory techniques can be learned, and the effective supervisor not only learns them but makes them a part of his way of thinking and behaving on the job. Anyone who is willing to learn and apply the supervisory methods that are discussed in this chapter can be an effective supervisor.

Effective supervisory techniques result in conformity. The prisoner is not merely responding to the techniques, however. He may also be motivated to cooperate by hoping for a reduction in his sentence if he is convicted or for early release from jail for good conduct; he may hope to be made a trusty, or to be placed on work release.

It would be an error for the jailer to believe that prisoners follow orders because they are afraid of jail personnel. Generally, prisoners want to cooperate. If they did not, it would be impossible for the jail to operate, as is evident in extreme situations such as riots.

Objectives of Supervision

The overall objective of supervision in the jail is the development of an orderly environment. Without this, security cannot be achieved or daily program activities carried out. The jail is a small, restricted place, and activities must be coordinated to reduce confusion to a minimum.

The prevention of escapes and the safekeeping of prisoners are aspects of jail supervision that generally require the physical presence of jail personnel. Too often, procedures and electronic or mechanical equipment are considered sufficient to ensure the safety and safekeeping of prisoners. Effective security can only be achieved through competent, knowledgeable personnel.

Another objective of supervision is control. Control of the jail is maintained through the effective supervision of all activities of all the prisoners in the jail. Jail officers must personally initiate all activities in the jail and see that they are completed. These include determining objectives, developing policy and

procedures, supervising activities, and setting standards and evaluating results. The tasks and responsibilities involved in control cannot be delegated to prisoners.

1. *Determining objectives*: This is the responsibility of the jail administrator and involves both general objectives—such as the safekeeping of prisoners, the protection of society, and rehabilitative efforts—and more specific goals such as maintaining a clean and sanitary plant.
2. *Developing policy and procedures*: Policy and the reasons behind it are the basis for procedures. With respect to supervision, jail policy should require that all prisoner activities will be supervised by jail personnel, because jail personnel, and no one else, are legally responsible for the care and welfare of prisoners. Specific procedures for supervision—where, when, and under what conditions it will take place—are based on this policy.
3. *Overseeing activities*: This includes planning work, giving instructions to workers, coordinating their efforts, and determining when the work is completed.
4. *Setting standards and evaluating results*: The supervisor must determine whether an activity has been completed in a satisfactory manner. If it is a task such as cleaning, this can be done very simply. If the activity is recreation, the supervisor must determine whether or not it was carried out in an orderly manner, that all materials were accounted for, and that participants left the area in an orderly manner.

Operating a jail is a complex job. If control is to be kept in the hands of the staff, the staff must originate planning for every aspect of jail life—not only the general schedule (working hours, lights out, and sick call time) but specific tasks such as cell cleanup and laundry pickup.

Supervisory Techniques

The effective supervisor is not born; he becomes effective through training and experience. There is no question that some supervisors have personal qualities that make them more effective than others. Generally, however, the use of certain techniques will result in an effective supervisory approach.

The knowledge and behavior required for effective supervision can be learned. The effective supervisor must know his job well, must be self-confident and consistent in temperament, and must be able to communicate with others and to recognize individual differences.

Job Knowledge. In order to give directions, a supervisor must understand the goals of the organization and its policies and procedures. He must also know his own job and have a good grasp of the job he wants the prisoner to perform. He must know where the job is to be done, the kinds of materials to be used and their location, and the amount of time that the task should require; he must be able to evaluate the work according to the standards of the jail. Without all this knowledge, the supervisor is not in a position to give orders, and in fact may find himself asking prisoners for information.

Self-Confidence. Job knowledge results in personal security and self-confidence. The self-confident jailer knows what he wants done, by whom, when, and where. He can give orders, instruct, evaluate, and decide when a job is done. Self-confidence results in flexibility. The effective supervisor can evaluate a situation and arrive at a decision based on facts. Another by-product of self-confidence is the supervisor's preference for respect rather than popularity. There are popular jailers in many jails, but they are not necessarily effective supervisors.

Consistent Temperament. The effective supervisor is even-tempered and consistent in his relationships with prisoners. He leaves his personal problems at home and does his best to display the same mood from day to day. Although at times this may be impossible, he at least remains in control of himself and

does not take out his frustrations on those working for him. He is objective, and prisoners working for him know what to expect. His standards do not vary from day to day depending on his mood.

Communication. Communication includes giving orders, teaching, correcting, and evaluating. To communicate effectively, the supervisor must:

1. Have a goal in mind. The supervisor must know and make clear what the final result of a task should be. For example, it is not sufficient for the supervisor of a cellblock to order the place "cleaned up." He must specify what he wants cleaned, and what the final condition of the area is to be.
2. Give clear and understandable orders. The orders that the supervisor gives should tell the prisoner as much as he needs to know to perform a job or participate in an activity. The orders may be brief or detailed depending on the assignment. Orders for a simple assignment may be oral. However, the supervisor must assume the responsibility for determining whether the prisoner has understood them. He may ask the prisoner to repeat the order, or to state what the final result should be.

If an assignment is complicated orders that are long and detailed, may be written. Regulations concerning visiting and mail, for example, should be written, as they are usually complicated and prisoners will need to refer to them periodically. Whether orders are written or oral, however, they must be in understandable language.

3. Tailor the instructions to the individual. The supervisor must realize that some prisoners will understand orders better than others, and that he must take time to explain his orders to those who need further instruction. This will minimize confusion among members of a work crew and prevent prisoners from assuming the responsibility for interpreting orders for those who do not understand them. A supervisor who allows a prisoner to clarify orders is in danger of losing control of the work situation.
4. Make periodic checks. The supervisor must make periodic checks to see that a job is being done correctly, and if there is a time limit, to see if progress is being made. When a job is complicated, the supervisor should ask prisoners to let him know when each part is completed so that he can check to see if the work is being done correctly before the next step is begun.

Recognizing Individual Differences. Failure to recognize individual differences among prisoners is a common supervisory error. It is the natural result of the often-stated but erroneous belief that all prisoners should be treated alike. It is not possible to use the same approach on all prisoners for a number of reasons. Temperamentally, all prisoners are different, and they respond differently to supervision. While one prisoner may require firm handling and a no-nonsense approach, another may respond to relaxed, casual, minimal instructions. The immature prisoner needs firm handling or he will play at the job or forget instructions. The steady, more mature prisoner will need little instruction and very little supervision.

A prisoner's mood may change from day to day depending on his circumstances. Even a prisoner who is usually cooperative may require a more sympathetic approach if he has been upset by bad news from home.

The difficult prisoner who is extremely sensitive needs a special approach. This may be nothing more than assurance that the supervisor is concerned with him and his problems and is willing to spend time with him. Some prisoners need and want close supervision. They need to be told that they are doing the job correctly and that their work is good.

Other prisoners are not especially interested in the supervisor's praise; they are willing to do the work to avoid trouble. These prisoners may resent constant checking and consider long instructions as nagging. They wish to be left alone to do their job without interference. Close supervision may cause such a prisoner to lose his temper.

Correcting and Praising. Performance can be evaluated while work is in progress or when a task is completed.

Correction requires a great deal of sensitivity and understanding of individual differences. Some prisoners accept correction well and appreciate being told whether they are doing a job well or badly. Others are extremely sensitive even to well-meant criticism. The supervisor must approach the problem of correction according to the temperament of the individual prisoner.

Praise is easy to give and to receive. A job well done should be mentioned. Even when the task is simple, a word of appreciation will motivate the prisoner to do well on his next assignment. When a prisoner must be corrected, it is advisable to use praise as an opening comment. The supervisor should point out that a part of the job has been done well, or indicate that the effort has not been totally wasted; for example, "You certainly worked hard unloading that truck. On the next load, use the four-wheel truck from the storage room and not the laundry cart. The cart has only three wheels and is hard to steer when loaded. It is also too light for those cases."

Prisoners who have little enthusiasm for their work or lack confidence in their ability need more attention than others. Praising these individuals lets them know that they are doing their work correctly and that their efforts are appreciated.

Praise must be handled carefully; if given too often or too easily, it becomes worthless. Once a supervisor has established standards for quality or quantity, he must maintain them. If he praises a prisoner, it must be for work that is up to standard and for effort that is worthwhile. Otherwise, the prisoner may suspect that the supervisor is trying to manipulate him.

Evaluation

A prisoner's performance in jail is judged not only by the quality of his work but by his behavior and by the kinds of activities he participates in while confined. His supervisors will include those who oversee his work and those who supervise him during recreational and cell-hall activities. An evaluation of a prisoner's performance may be needed by the probation department for the presentence report which assists the judge in sentencing. If the prisoner is transferred to a prison, the evaluation may become a part of his record and be used to determine his work assignment and security classification.

The evaluation can have serious consequences, and it is the supervisor's responsibility to make it accurate and honest. To do this, the supervisor must know the prisoner well, must recognize his limitations, must observe any changes in his attitude, and must view him objectively.

Knowing the Prisoner. Brief and superficial contact in a work situation is not sufficient basis for evaluation of a prisoner. If the supervisor does not know a prisoner very well, he should say so: "This prisoner worked for me only two days. During that period, he accepted his assignment without complaint and did as he was told." Or, "This man was in the cellblock under my supervision for one week. During that time he kept his area clean, stayed by himself, and did not present any problems to me."

Recognizing Individual Differences. If the prisoner follows orders with difficulty because he is handicapped in some way, this should be indicated in the evaluation: "This man has difficulty understanding directions and needs constant supervision and instruction. However, he tries hard." Or, "This man has been having serious family problems. However, he is doing his assignment even though he is having difficulty keeping his mind on his work." Or, "This man is not physically able to work hard for long periods of time. He is doing well considering his condition."

Recognizing Change. People change, and not always for the worse. Some prisoners who come into jail belligerent and hard to control settle down after a period of time. Any evaluation of performance should indicate this change: "This man was sullen and belligerent when he was first admitted. He took orders very poorly and argued with the supervisor. His record shows a number of disciplinary reports. However, in the last week, he has improved. He no longer argues about the assignments, he finishes his work quickly, and on one occasion he assisted another prisoner who was having difficulty." Or, "This man has been the last one to finish his work and has always needed to be corrected in some area of his assignment. However, the quality of his work has improved, and he is no longer the last to finish."

If a prisoner's performance has changed for the worse, the supervisor should attempt to find out why, and should give the reason in the evaluation report: "This man's work and conduct have become steadily worse in the past few weeks. He seems to be having difficulty with his wife, which may explain it." Or, "This man's work and conduct have gone downhill since he was found guilty. It seems that he is anxious about the kind of sentence he will receive."

Being Objective. It is sometimes difficult for a supervisor to be objective in evaluating a prisoner, especially when the prisoner is not a likeable person. The best way to achieve objectivity is to give examples. It is not enough merely to state, for example, that a prisoner works slowly, because the reader of the report may not have the same standard for slowness as the supervisor who is writing it. It is better to say that the prisoner always finishes last, and to tell at which point in the work he stops. If the supervisor feels the prisoner is lazy, he should tell in what way, and if the prisoner avoids assignments, his methods should be described. If the prisoner is hard to supervise, the reasons should be given; for example, "The prisoner is argumentative, pretends that he doesn't understand orders, and delays the work by continually asking for more detailed instructions."

Staff-Prisoner Relations

The relations between jail staff and prisoners are influenced both by the closeness of jail quarters and the requirement that prisoners be supervised in all their activities. The supervisor maintains his effectiveness in this restricted atmosphere by preserving the structure of authority that surrounds the supervisory relationship. While the supervisor demonstrates a friendly interest in prisoners' attitudes and behavior, he is alert to any effort to undermine the supervisory relationship. The supervisor's actions in influencing prisoners' attitudes and behavior are the major factor in preventing the undermining of his authority. Following these guidelines will help the supervisor to develop an effective relationship with prisoners.

1. *Be friendly, but avoid familiarity.* The jailer can demonstrate friendliness and sincere concern for prisoners by being courteous, patient, and willing to listen to their problems. When necessary, he can give them assistance within the limits of the rules and regulations of the jail.

Familiarity occurs when a jailer makes personal reference to his activities during his off hours. A jailer's description of his behavior at home and during his leisure hours exposes him to close examination by the prisoner. Certain personality characteristics and small peculiarities will be interpreted as weaknesses by the prisoner, who will refer to his knowledge of the jailer's life and behavior in the presence of other prisoners.

The recitation of personal anecdotes is another kind of familiarity that should be avoided. The prisoner must not be given any evidence for concluding that the jailer is stupid, incompetent, or weak. All too often prisoners have negative opinions of jail staff, and it is an error to give them any support for their opinions.

References to drinking, marital problems, and other personal matters should not be made in conversations with prisoners.

The supervisor must not use nicknames in addressing prisoners. If he does, it will not be long before prisoners are calling the supervisor by his first name. Although it is possible to maintain a supervisory relationship on a first-name basis, it cannot be done in jail.

The supervisor must not exchange confidences with prisoners. For example, he must not discuss his unhappiness with his job, his relationship with his superior, or his hopes and fears about the future. He may be drawn into such a discussion because a prisoner is talking about his own personal problems, and the supervisor may feel that he can best demonstrate his sincerity and interest by an exchange of confidences. A supervisor who does this, however, is encouraging familiarity.

2. *Avoid gossiping with prisoners about other prisoners.* The jailer's opinion of a prisoner may eventually get back to the man being discussed. If the jailer's comments have been uncomplimentary, the prisoner will become angry. If the jailer gossips about one prisoner, it will be assumed that he gossips about others. Obviously, a jailer should never make negative or personal comments about other staff members. When prisoners make remarks about staff members, the jailer to whom these remarks are directed should refuse to respond, and if the comments are negative, he should take disciplinary action.

3. *Give advice carefully.* Generally, persons seeking advice are only asking for approval of their own ideas. Where prisoners are concerned, giving advice can be risky. The supervisor must make certain that he fully understands the prisoner's situation before he attempts to tell him what to do. This is particularly true with respect to marital problems and employment plans. The jailer must also realize that the prisoner may blame his advice for any future failure.

4. *Avoid favoritism.* It is possible to recognize individual differences among prisoners without giving any one prisoner special privileges. If there is a disagreeable task to be done, everyone on the work crew should be required to take a turn. If a man is excused it should be because he is not physically able to do the job.

5. *Keep promises.* The supervisor must know the limits of his authority. For example, he must not tell the prisoner that if he behaves and works well, his sentence will be reduced. The decision to reduce a sentence can only be made by the court. Nor may a jailer promise that the prisoner will be given good time when, in fact, his sentence is too short for him to be eligible. All too often a prisoner is promised something by a jailer only to discover later that the jailer does not have the authority to keep his promise. The result is that the prisoner feels he is being manipulated and becomes difficult to manage.

Supervision of Prisoner Activities

In many jails, opportunities for work are limited to housekeeping, and the major efforts in supervising prisoners are concentrated in the cellblocks or dormitories and involve nonwork activities. The objectives of supervision in such instances are assuring the safety of prisoners, preventing escapes, and coordinating activities such as visiting, recreation, and dining. Lack of a work-oriented program leaves prisoners with more time for visiting among themselves and establishing relationships with jailers. In any event, no matter what techniques are used to supervise prisoners, their safety and security is the responsibility of the jail staff, and this responsibility cannot be delegated to other prisoners.

Supervision of Prisoners by Other Prisoners

It would be difficult to find a more dangerous situation in a jail than one in which prisoners are permitted to supervise the activities of other prisoners. This kind of arrangement is an indication that jail personnel have lost control of the jail. The history of jails is filled with examples of such situations. Unfortunately, in spite of continual warnings, serious incidents, and law suits, this practice continues in many jails.

Kangaroo courts in jails are historic and unfortunately continue to this day. Only recently, four members of a county jail kangaroo court were bound over to a grand jury on 15 counts of physically, financially, and sexually abusing two other prisoners. The ringleader of the group, who had served as judge, protested that it was not a kangaroo court but a sanitary court, whose purpose was to see that cells were kept clean. He claimed that the "court" was doing a good job and that it was approved by the jail officials. The four prisoners were charged with taking money from other prisoners, torturing them, and forcing them to take part in unnatural acts.

Courts set up by prisoners to victimize other prisoners are called by various names—sanitary court, banking court, orientation court. The purpose of the latter is to initiate new prisoners. In all cases, these courts owe their existence to the irresponsibility or incompetence of the jail staff.

The presence of the con boss, unfortunately still tolerated in some jails, is another example of loss of control of the jail. Con bosses have varying titles—keymen, railmen, tank bosses. As is the case with the "courts," allowing such prisoners to supervise others leads to abuses such as beatings, sexual assaults, and extortion.

Trusties in a jail should not enjoy a privileged position. The fact that they may require less supervision does not give them any legal responsibility or authority over other prisoners.

Loss of control of a jail takes place over a period of time. It is the result of the unwillingness or inability of the administrator and staff to develop rational procedures and to assume responsibility for the welfare of prisoners. Often a new and inexperienced administrator who inherits a poorly managed jail will allow bad practices to continue. In some jails the administrator delegates responsibility for jail operation to a head jailer who, in turn, exercises little control over his staff and the prisoners. Many times practices are allowed to continue because to improve them could mean total reorganization of the jail, and the effort required appears to be too great.

Surveillance as a Method of Supervision

The major difference between surveillance and other forms of supervision is in the degree and kind of contact between the supervisor and the person supervised. In the case of a jail, surveillance is used to monitor rather than to direct activities. A guard on a tower, for example, is involved in surveillance. He has minimal contact with the prisoners but monitors their activities. Similarly, a person who monitors a cell corridor or an entry way with a television camera is involved in a surveillance operation.

Surveillance has only limited usefulness and cannot replace the supervision that demands close contact with prisoners. Furthermore, mechanical and procedural methods of supervision are never safe, for personnel tend to depend on the equipment or the procedure and to ignore human factors. For example, a sign declaring an area off limits will not ensure that prisoners will stay out. Any employee who relies on the sign alone is jeopardizing the security of the jail. For many years, the military services used red lines as off-limit markers in their detention facilities. Too often the staff relied on what they must have considered

the almost magical properties of the red lines as a guarantee of prisoner behavior, rather than accepting responsibility for ensuring that the rule was obeyed. There is no substitute for person-to-person supervision.

Supervising Housing Units

The competence of a jail administration is most evident in the supervision of housing units, and may be measured by the cleanliness of the cells and the personal well-being of prisoners. In a jail that is operated with a sense of purpose, prisoners will take pride in keeping themselves and their quarters clean, and alert supervisors will keep misconduct and escape attempts to a minimum.

Cleanliness. Cleanliness in the jail is the responsibility of the staff, and a clean jail is one indicator of effective supervision. Cleanliness has a positive effect on prisoner morale, particularly when prisoners have contributed to achieving it. Keeping the jail clean provides prisoners with a worthwhile activity and reduces the chance that vermin will become established. The importance of physical surroundings and their influence on prisoner behavior is discussed in Chapter 3, Jail Climate. There can be little doubt that a prisoner who lives in a clean cell is less likely to be a problem than one whose cell has dirty floors, dusty bars, and a dirt-encrusted washstand. The dirt in his cell will contribute to his poor attitude and will be reflected in the prisoner's personal appearance, as he will make little effort to keep himself clean.

High standards of cleanliness can be achieved and maintained by the establishment of written regulations specifying when and where cleaning is to be done. The jail staff must be consistent in their interpretation of the standards of cleanliness established by the jail administrator and see that they are met. This means that jail staff must:

1. Agree on what the standards are. If possible, standards should be objective. It is difficult to describe a "clean floor." It is possible, however, to agree within certain limits what "clean" is.
2. Enforce standards uniformly. Pet specialties must be avoided. If one jailer is only interested in clean windows, and another in clean bars, only windows or bars will be clean when those jailers are on duty.

Maintaining Order. Maintaining order in housing units is a supervisory responsibility which includes supervision of housekeeping, prevention of escapes, and control of prisoner behavior to avoid disorder and rule infractions.

The monitoring of prisoner activities sometimes requires nothing more than the presence of the jailer. In some instances, the fact that a jailer is within hearing is sufficient to prevent misbehavior. At other times, the supervisor must be extremely alert to detect any wrongdoing. The jail is responsible for the safety and welfare of prisoners, and prisoners must be prevented, for example, from entering each other's cells for purposes of theft or sexual assault. The jailer's presence may discourage such activity.

Not all jails have sufficient personnel to watch each cellblock, and certain kinds of housing arrangements add to the difficulties of supervision. Some jails have more than one man to a cell; some have dormitories. In others, cells face and open to a common area or bullpen. With living arrangements such as these, the jailer is well advised to vary the times of his patrols. Otherwise, prisoners will time his rounds, and misbehavior may take place when it is known that the jailer will not be around. The patrol is not a foolproof method of supervision. It is impossible for a jailer to enter a cellblock without being heard, and it is therefore very difficult to surprise prisoners committing violations of the rules. This is not sufficient reason, however, for ignoring the effectiveness of irregular patrols.

Inspections are another technique for maintaining order, and inspection of housing units may include shakedown of individual cells. The objectives of inspection are to determine whether standards of cleanliness have been met,

to eliminate clutter and contraband, and to detect escape attempts.

High housekeeping standards are related to prevention of escapes. In one jail, prisoners who were preparing for an escape attempt used hacksaw blades to saw the bars of their cell. During the day they disguised the work with soap and cigarette ashes. Although high standards of cleanliness might not have prevented the escape attempt, the accumulation of dirt on the bars would have been easy to see in a clean jail. Inspections for cleanliness can reveal such items as hacksaw blades in cell door channels and may prevent the hiding of contraband in messy cells.

Finally, inspection demonstrates to the prisoners that jail personnel are interested in their activities and in their efforts to keep the jail clean. Prisoners, like everyone else, take pride in their efforts. The jailer who demands a high standard of cleanliness and expects prisoners to keep their living quarters clean must also demonstrate his interest by inspecting after the work is completed.

If a supervisor is to be effective in maintaining order in housing units, he must be aware of prisoner behavior and sensitive to any changes in prisoners' moods. A jailer with some experience can tell by the way prisoners act whether something is wrong. He will notice, for example, that prisoners in the dayroom are a little more noisy than usual, or a little quieter, or that they are not in the usual groups, and he will try to find out what is responsible for the unusual behavior. The probabilities range from a "court" meeting to sexual misconduct.

In some instances, prisoners may be more friendly than usual and attempt to delay the jailer on his patrol. This may indicate that an escape attempt or some misconduct is going on in another part of the cellblock. Occasionally, even ordinary behavior may be hiding misconduct. In one jail, during the Christmas season, a group of prisoners sang carols in their cells while another group in a bullpen area climbed a pipe to the ceiling, broke through to the roof, and escaped.

While cell and personal shakedowns, inspections, and patrols are essential to the prevention of prisoner misconduct and escapes, jailers must also observe certain rules to ensure the security of the jail. Two of the most important are these:

1. The jailer supervising the cellblock should never carry the key to the cellblock or any outside key. Escapes have occurred when this rule was not followed. It is a simple matter for prisoners to take keys away from a jailer if they are given the opportunity.
2. The jailer should never enter the bullpen area or open a cell door unless another jailer is standing by. The jailer is most likely to be attacked or taken hostage at these times. Obviously, in a cell holding more than one or two prisoners, an extra jailer may not be of much assistance. However, the possibility of assault or an escape attempt is reduced if the jailer is not carrying an outside key and is accompanied by another jailer.

Supervision of TV

Television can be an important and effective aid to supervision if wisely used. Some jails have used TV to good effect as a means of motivating prisoners. For example, prisoners are permitted to view television in the cellblock or dayroom as long as cleanliness standards are met.

Watching television is a privilege. When jail staff do not exercise sufficient control over TV viewing, however, prisoners begin to consider television a part of the jail environment. Jail staff can ensure that control remains with them by establishing viewing hours and making the final decision on programs to be watched. If at all possible, the staff and not the prisoners should have control of the on/off and channel selection switches. Any abuse of TV viewing should result in immediate removal of the set or restrictions on its use.

Television is not a substitute for supervision or for recreational programs, and

the jailer cannot assume that it will keep prisoners out of trouble. TV is merely an aid to supervision and can be useful in providing some motivation for prisoners. It is also a tool for control, for it is one privilege that prisoners will not want to lose by misbehavior.

Dining Room Supervision

Food takes on great importance for the person who is confined. Although poor food has not been established as the principal cause of problems in the jail, it does contribute significantly to many of the difficulties that can arise in prisoner management. Complaints about jail food usually center around the blandness and sameness of the diet, the absence of certain favorite foods, and the temperature of the food when served. Because the jail administrator must be aware of prisoners' opinions and jail conditions, complaints about food must be passed on to him.

Most jails do not have dining rooms, but for those that do, supervising large numbers of prisoners in the dining area can be a serious problem that requires special procedures and techniques. The objectives of dining room supervision include maintaining order, assuring fair distribution of food, and controlling utensils. These goals should be clearly stated in the rules and regulations for prisoners.

Order must be maintained in the serving line as well as during the meal. Problems arise in the serving line when prisoners attempt to skip ahead of others because they either want to be served first or to be with their friends. Arguments and fights may result when other prisoners object. Where skipping in line is not a problem, horseplay may take place in the serving line. All of these activities must be prohibited. If a warning from the jailer is not effective, he must remove the prisoner or prisoners involved from the line unless such action will cause a greater disturbance.

Food serving can be a problem for several reasons. Prisoners who are serving must be supervised to assure that each prisoner receives a fair share of the meal. Particular attention must be paid to those prisoners who are serving meat or dessert, to prevent them from favoring their friends or from being pressured to give more food to prisoners who threaten them. The supervisor must be stationed behind the serving line where he can step in and solve such problems as they arise.

Special care must be taken in assigning prisoners to food service (and to the kitchen). Prisoners with filthy personal habits and sex offenders, particularly homosexuals, should not be permitted to serve food, since they may be resented by other prisoners. In any case, where food is being served, it is the supervisor's responsibility to inspect the servers and make certain they are clean. Particular attention should be paid to clothing, hair, and fingernails.

Jailers supervising the dining room may either be stationed at key locations or walk about the room. In either event, they must be able to step in quickly when an argument develops among prisoners who are eating or between prisoners and waiters. Immediate action is vital to prevent an argument or fight from spreading and perhaps becoming a major disturbance. The efforts of two or more supervisors may be required to localize the dispute and escort the prisoners involved out of the area. Jailers must always keep in mind in supervising the dining hall that a prisoner who wants to argue with a jailer has a ready-made audience. For this reason, the jailer may, if the situation is not critical, delay correcting a prisoner who has broken a rule until he can talk with the prisoner privately.

For budgetary reasons, many jails require that prisoners eat all the food they take. Enforcing this rule too strictly and without regard for individual circumstances, however, may cause problems. The supervisor should not be too con-

cerned about the occasional prisoner who has miscalculated the amount of food he is able to eat or has found that he cannot eat appealing but unfamiliar food. He should concentrate his efforts in preventing waste on the chronic waster—the prisoner who repeatedly takes more bread or potatoes than he can eat. Such a prisoner will leave the dining hall with at least one slice of bread or a large portion of potatoes untouched. The chronic waster is an administrative problem, and rather than confront him and order him to clean his tray, the supervisor should report him to the jail administrator.

To keep track of utensils, a supervisor should watch prisoners as they leave the dining hall to see that all utensils are deposited in the proper container. Trays can also be scraped at this time, and the supervisor can determine whether food is being wasted.

Feeding in Cells

In most jails, meals are served in cells by one or two trusties using a food cart. Special problems that require close supervision occur in this kind of serving situation. The rule against prisoners taking more than they can eat applies here as well as in the dining room. The prisoner serving the meals must be supervised to ensure that he does not give more to some prisoners than to others, and that he makes his rounds quickly so that the food does not get cold. Cold food is the basic problem with food-cart serving, and the blame may lie either with the trusty who moves too slowly or with the jailer who permits the trusty to work slowly.

The trusty who is assigned the task of delivering food to the cells must be instructed to keep talk to a minimum and should be supervised to see that he follows instructions. The supervisor must accompany the trusty through the cellblock and must know how many persons are being fed so that he can keep track of the utensils and make certain that they are returned. The supervisor is also responsible for determining whether food is being wasted. In cells where more than one man is confined, and especially in eight- and twelve-man cells, preventing the stronger prisoners from taking food from the weaker ones may be a problem. This may be alleviated to some extent by making seconds available.

Supervising the return of utensils is particularly important when prisoners are fed in their cells. Disciplinary action must be taken if prisoners attempt to retain utensils. Periodic shakedowns are one way of preventing this. Ideally, and particularly in the case of multiple-occupancy cells, shakedowns should take place immediately after the meal if utensils are not returned, although manpower may not always be available for this purpose.

Supervision of Sick Call

Sick call procedures depend on the size of the jail. In a small jail sick call may be very informal, and prisoners may verbally request to see the doctor. In larger jails, procedure may require that requests be written. The goals of sick call supervision are to assure that medical complaints receive the proper attention, to keep order during the sick call, and to supervise the taking of medication.

Even though there is a formal procedure for sick call, any person wishing to see the doctor should be permitted to do so. There should be no deadline for submitting sick call requests. The jailer is responsible for forwarding to the proper authority any medical complaint made by a prisoner. It is not the jailer's responsibility to decide whether or not a prisoner is sick.

Two types of problem prisoners frequently encountered are those who go on sick call to avoid work and those who continue to claim illness when they apparently are well. Usually, only a few prisoners in a jail will try to get out of work by claiming to be ill, and it is wise to permit them to go to sick call without harass-

ing them. It is always possible that such a prisoner might become critically ill and perhaps die because he was discouraged from seeing the doctor.

The prisoner who uses medical complaints to manipulate the staff is a continual problem in any jail, and the only solution is to allow him to go on sick call. This type of person is a medical problem, not a supervisory problem. He becomes a problem to jail staff when they react emotionally to his demands for medical attention. This problem is illustrated by the following case. A prisoner well known to the staff for continual complaints of illness went on sick call claiming that he had a stomach ache and did not feel well. The prisoner was not only a constant complainer, but he had an unpleasant personality and a poor attitude, and on numerous occasions in the past he had gone on sick call when it was obvious that he was not sick. On this particular day, the jailer spotted him in the sick call line and was ready to send him back to his cell, when someone thought to take his temperature as a routine measure. The prisoner was found to have a fever, and further examination resulted in an emergency appendectomy. If the prisoner had not been checked, he might easily have suffered a ruptured appendix and died. This is not an isolated example. Such cases can occur whenever jail personnel take a personal view of prisoner behavior and ignore set procedures. Sick call procedure is a critical area of supervision, and ignoring it can have serious consequences for both the jailer and the prisoner.

Order must be maintained in the sick call line, and medical personnel should not be expected to maintain it. If there is a long wait, restless prisoners may indulge in horseplay, talk loudly, and wander around the area. Rules should be posted for all to read concerning behavior during sick call. If long waits are usual, misbehavior in line will be reduced if magazines are provided for prisoners to read. If this is not possible, prisoners should be permitted to bring their own reading material. An effort should be made to keep prisoners occupied so that the waiting period does not become too boring.

The doctor handling sick call is generally very busy, and he should not be kept waiting for patients. Although it may not be possible for all the prisoners to be in the sick call at one time, the jailer should make certain that enough patients are present so that the doctor can start to work as soon as he arrives.

The taking of medication must be closely supervised to make sure that prisoners do not store up drugs. Prisoners should be given only one dose at a time, and medication should be administered in the presence either of a jailer or of medical personnel. One procedure for supervising the taking of medicine is the medication line. The supervisor of the line must make certain that each prisoner swallows the dose given him. There are various techniques for doing this. The supervisor may require each prisoner to show that he has placed the pill in his mouth, or to take water with his pill. Pills can be hidden in the cheek and under the tongue, and if the supervisor suspects that a pill has been hidden, he should inspect the prisoner's mouth with a tongue depressor. Prisoners also on occasion attempt to hide pills in their hands, generally at the base of the thumb in the fold between the thumb and forefinger.

Prisoners try to accumulate pills for various reasons: to get "high"; to exchange with other prisoners for candy, cigarettes, and other items; and occasionally for a suicide attempt. The danger of overdosage cannot be overemphasized. The cause of a recent jail suicide was traced to the negligence of the jail officer in administering sleeping pills prescribed by the physician. The pills had been prescribed for an extremely nervous prisoner who was to be tried for a serious offense. The physician had ordered the pills to be given one at a time, and the prisoner was to have not more than three during a twenty-four-hour period. The jailer gave the prisoner the pills as instructed but made no effort to make certain that he took them. When the prisoner had accumulated a sufficient number of pills, he took them all. On the morning when his case was to come to trial, he was found dead.

The trading of pills can be extremely dangerous. The person who takes a pill that was not prescribed for him can become seriously ill if he is allergic to the drug or if his physical condition is such that he cannot handle it. A person with heart trouble, for example, may have a fatal reaction to some drugs. Another aspect of hoarding drugs for trade is the self-imposed danger to the person who does not take a drug that he vitally needs. For example, an epileptic prisoner who succeeds in palming his pills may have a seizure and seriously injure himself.

When drugs are administered other than in the medication line, strict procedures must be followed. The medicine should be placed in an envelope on which is written the prisoner's name and the number of pills, the dosage, and when it should be given. As the prisoner is given each dose, the jailer must watch him take it, write on the envelope the time the dose was given, and then place his initials after the time. When the medication has been exhausted, the envelope must be returned to the medical section to be inserted in the prisoner's medical record. Where liquid medication is prescribed, it is advisable that the jailer pour the amount into a paper cup for the prisoner.

The importance of good medical records cannot be overemphasized. Many problems have been created in jails because good records have not been kept. In one instance, a prisoner awaiting trial complained of pain from an ulcerated toe. The doctor was called and after examining the prisoner, prescribed medication. The medication did not help and the doctor prescribed another medication over the phone. After four weeks the toe had to be amputated. Two months later, the prisoner had to have his leg removed below the knee. The prisoner's charge that the jail had been negligent and had not provided him with medical attention could not be contested because the jail did not keep adequate records.

In another incident, a federal prisoner filed a suit in which he charged that he was denied medical care. He claimed that while he was confined in a county jail awaiting trial, a jailer had slammed a door on his hand, and he was refused medical attention. The jail had a full-time nurse who kept complete records on all prisoners who attended sick call. Investigation revealed that the prisoner had attended sick call on three different occasions after he claimed to have been injured, but that he had made no mention of an injured hand. When the prisoner was confronted with this information, he withdrew his suit.

Records must be kept of all medical actions. A jailer must not accept verbal orders from medical personnel unless he is assured that the written order is being forwarded to him. Where no policy on medical care, records, and control of medication exists, the jailer must be aware of the problems such a situation can create. Where policy is written, each member of the jail staff must be familiar with it.

Supervising Visits

It is generally agreed by jail and correctional administrators that visits are good for prisoner morale. Visits keep a prisoner in contact with his family and friends—the people to whom he will return after his release. Visits may reduce the possibility of marital problems, and they give the prisoner an opportunity to solve some of the practical problems caused by his confinement. His family may, for example, pick up his paycheck, take home his clothes, or move his car.

The jailer who supervises visiting must be competent and alert, must exercise good judgment and must be able to meet the public. He may not be called upon to demonstrate all these qualities all the time, but he must be prepared to act quickly and competently when the need arises.

The degree of supervision required depends on the physical arrangement of the visiting area. The most common arrangements involve the use of telephones and glass, wire mesh, tables, or, for minimum security, lounge furnishings.

1. *Telephones and glass.* This type of arrangement results in total separation of the prisoner and his visitor. Since it is the most secure, it requires minimal

supervision. In some jails, supervision involves nothing more than checking visitors in and matching them with the proper prisoners. If the number of visitors is small, the length of the visits may not be limited.

2. *Wire mesh.* The mesh screen that separates the prisoner from his visitor permits no physical contact and is fine enough to prevent the passing of contraband. Supervision is necessary to keep noise to a reasonable level and to discourage tampering with the screen.

3. *Tables.* The table that separates prisoners and visitors has a four- to six-inch board down the middle to discourage the passing of contraband. Very close surveillance is required, however, as contraband can be passed over the board or dropped on the floor under the table while the supervisor is distracted.

4. *Minimum security.* In some jails, the visiting room is furnished as a lounge and the prisoner and his visitor are permitted to sit together. This type of visiting is the least secure and presents the greatest opportunities for the introduction of contraband.

The smuggling of contraband into the jail during visits can be prevented or minimized by proper procedures and an alert staff. Poor or nonexistent visiting procedures and poor supervision can result in situations such as that in a southeastern jail. Male and female visitors could be found in all areas of the jail visiting through the bars, and no attempt was made to supervise the visiting. In a midwest jail that lacked a visiting room, visiting was conducted through a screened grill in the dayroom of each cellblock. When six visitors and six prisoners were visiting, the result was confusion and a high noise level. Jailers were assigned to each unit to supervise the visiting and on one occasion, a visitor dropped a hacksaw blade into a wastebasket while the supervisor was not looking. The hacksaw blade was later passed to a prisoner by a trusty. As a result, the prisoner sawed through the bars and made his escape.

In many cases, jails that have secure and easily supervised visiting rooms do not use them. The reason given is that all the prisoners are local people and therefore are not a problem. There is no assurance, however, that a local prisoner will not attempt to escape, or will not assault a jailer in the process.

Any physical contact between the prisoner and his visitor presents an opportunity for the introduction of contraband. Drugs, money, and other contraband items may be passed, for example, when a prisoner is permitted to kiss his wife or girl friend. It is difficult to determine what is a reasonable length of time for a prisoner and his visitor to embrace, and the jailer must use his own judgment.

Certain procedures must be followed to prevent the introduction of contraband into the jail. For example, each prisoner can be given a strip search after a visit, or prisoners may be issued visiting clothes that must be changed after the visit under the supervision of the jailer, or the jailer can do a random search, searching any prisoner he suspects or possibly every third prisoner. Some jails have a policy of searching every visitor, but this presents special problems.

The jailer who is responsible for supervising visiting must be aware of what is going on between visitors. He must be careful not to be distracted by noise or unusual behavior. If at all possible, he must be able to call for assistance, so that he or another jailer can handle a problem without a lapse of supervision. If visitors or prisoners become loud, they should be told that they are creating a disturbance and that the visit will be ended if the noise continues. It should be pointed out to them that their behavior is interfering with the visiting of others. If the disturbance continues, another jailer should be called and the prisoner escorted back to his cell.

The visiting room supervisor must not become involved in conversation with prisoners or visitors. Any visitor who has a question should be referred to the administrator of the jail. In any case, the visiting room supervisor should regard any unusual activity as a distraction that could result in the passage of contraband.

Professional Visits. Every prisoner has the right to visit with an attorney of his own choosing. These visits must be permitted to be confidential. This means that although the visit may be supervised, the jailer must not listen to what is said and must not repeat any conversation that he might accidentally overhear. Supervising these visits can be a problem if they take place in the regular visiting room while other visiting is going on. The supervisor may be distracted if the prisoner needs to sign papers or review materials with his attorney. Some jails solve the problem by providing special rooms where the prisoner and his attorney can visit unsupervised. In such instances, jail personnel must have assurance that no contraband items will be given to the prisoner.

Generally, visits by clergymen for purposes of counseling prisoners should be treated as professional visits and receive the same consideration as visits by attorneys. Although prisoners may have an opportunity to attend religious services, the need for personal religious counseling may also arise. The conversation between a prisoner and his minister is privileged, and should be permitted to take place in privacy.

Special Supervisory Situations

The supervisory techniques and practices discussed thus far apply in the management of all prisoners in the jail. This section will deal with the supervision of prisoners in special situations. Many jails have had difficulty with trusties, juveniles, and women, and supervision of these groups requires certain procedures in addition to the usual supervisory techniques. It should be obvious by now that generally the same supervisory techniques apply to men and women, to juveniles and trusties, and to prisoners who are taken out of the jail for special visits, but the circumstances in which these methods are applied may vary.

Supervision of Trusties

“The first blow from that hammer was like a light bulb exploding in my head. He kept pounding me and yelling, ‘I’m going to cut your throat if you don’t give me those keys.’ ” Those are the words of the jailer who recounted the nightmare that confronted him one night while he was sleeping at the county jail. He was attacked without warning by a hammer-wielding trusty prisoner who was trying to escape. The jailer was in critical condition at the hospital with extensive injuries including a broken leg. The prisoner was still behind bars and faced with additional charges of assault and battery with intent to kill.

It would be helpful if the term *trusty* could be eliminated because it is so misleading. A trusty is a person who requires less supervision than other prisoners. He is not trusted to work alone, he is never given any authority over other prisoners, and he has no special privileges. The trusty designation simply means that the individual has been screened and evaluated as a person who is easy to supervise, dependable under minimum supervision, will probably not escape, and will not cause serious disciplinary problems.

Prisoners are usually selected as trusties because they are known to the jail staff. They may be local persons who, it is felt, will not try to escape. In some jails trusties are “regulars”—people who are in and out of the jail because of drinking. Unfortunately, using such a prisoner as a trusty frequently gives jailers a feeling of security, because they are usually on friendly terms with him. But chances are that this trusty will, at some time, bring in contraband or assist other prisoners to escape.

The selection of trusties is the responsibility of every member of the jail staff. Before a prisoner is selected as a trusty, any jailer who has information on him should contribute it to the person or group who will make a final decision. Evalu-

ation for trusty status involves three major areas: security, work habits, and behavior in confinement.

1. *Security.* Has the prisoner ever attempted escape? Although this information is in the prisoner's records, it may be known to only a few members of the jail staff. Does he have any problems—a pending divorce, the possibility of a new criminal charge, difficulty with other prisoners—that may result in his attempting escape? A jailer may have heard the prisoner discuss a situation that is causing him concern.

2. *Work habits.* The screening group should investigate the prisoner's work habits: how he accepts orders, his ability to understand directions, and the quality and quantity of his work. A prisoner whose record is below average in these areas will be a problem under minimum supervision.

3. *Behavior in confinement.* Both formal and informal disciplinary reports must be reviewed. Equally important is information about a prisoner's day-to-day behavior from jailers who know him. If a prisoner has difficulty with some jail staff members, this fact should also be noted.

Kinds of Work Assignments. Since a trusty prisoner requires minimum supervision, he should be assigned to work in areas where close supervision is either unnecessary or impractical.

Within the jail, jobs that require a certain amount of freedom to move about may be given to trusties. Assignments such as delivering supplies from one part of the jail to another and cleaning areas that are not restricted to jail and maintenance personnel fall into this category.

Only trusties should be assigned to work outside the jail. Such jobs may include garage work, cutting and trimming the lawn, unloading trucks, and perhaps painting and other maintenance.

Limitations of Responsibility. No assignment should be given a trusty classification if it involves responsibility for other prisoners or can affect them in any way. Such work as feeding prisoners, acting as medical orderly, or filing documents should be closely supervised by a member of the jail staff.

The following incident illustrates the consequences of poor prisoner supervision and a misunderstanding of the trusty classification. A trusty working in an infirmary was given the responsibility for serving meals to bed patients. One elderly prisoner whom no one liked practically starved to death because the trusty made a practice of picking up his tray and scraping it before the man had begun to eat. The elderly prisoner tried to report the problem, but no one would listen until the doctor noted that the man had lost considerable weight and was suffering from starvation.

In this instance, the work assignment did not require a trusty classification and the prisoner should not have been permitted to work unsupervised at a job that involved the health and welfare of other prisoners.

Housing of Trusties. Whenever possible trusties should not be housed with other prisoners. Since trusties are less closely supervised, there is always the possibility that they will bring contraband into the jail. It is also possible that other prisoners may force a trusty to smuggle in material that can aid them to escape.

Any trusty working outside the jail must be searched before he is allowed to return to his cell. Trusties working inside the jail should be searched at intervals.

The following incidents illustrate the problems that can arise when jail personnel become lax in exercising supervisory responsibility:

Two prisoners escaped from a western jail when a trusty took the keys from the office while the jailer was on patrol through the jail. He used the keys to release a felony prisoner from his cell and to let them both out of the jail.

A trusty routinely made store trips to pick up odds and ends for jail personnel and, obviously, for selected prisoners. On one occasion he

made a side trip to a barbershop where he obtained two bottles of bay rum. During the night, he and two other prisoners became intoxicated and created a disturbance.

In a midwestern jail, the prisoner assigned as trusty was allowed access to one of the guard corridors on the outside of the jail. He fashioned a rope from a mop and lowered a weighted sock to the ground. A friend outside placed a hacksaw blade in the sock, and the trusty was able to cut the locking devices from the window security screen. He again lowered the rope and a gun was sent up. The gun was used that night by the trusty and two prisoners who escaped from the jail using the jailer as hostage.

Supervision of Juveniles

Juveniles do not belong in a jail. However, when detaining a juvenile in a jail is unavoidable, it becomes the jailer's responsibility to make certain that he is provided every possible protection, and that an effort is made to help him avoid any experiences that might be harmful. This means that the juvenile must always be separated as completely as possible from adults so that there can be no communication by sight or sound. Exposure to jailhouse chatter or even to the daily activities of adult prisoners may have a harmful effect on the juvenile. Under no circumstances should a juvenile be housed with adults. When this occurs, the jailer must check with the jail administrator to make certain that the administrator understands the kinds of problems that may arise. There is always a possibility of sexual assault by older and physically stronger prisoners, with great damage to the juvenile.

Keeping juveniles in separate quarters is not all that is required. Juveniles present special supervisory problems because they are more impulsive and often more emotional than older prisoners. Their behavior may therefore be more difficult to control, and more patience and understanding are required in supervising them. Constant supervision would be ideal for this group and would eliminate numerous problems.

Juveniles in close confinement are likely to become restless, mischievous, and on occasion destructive. Their tendency to act without thinking can turn a joke into a tragedy. Sometimes their attempts to manipulate the jail staff can have serious consequences. A fake suicide attempt, for example, may result in death because the juvenile goes too far and there is no one around to interfere.

Where juveniles are housed together in one cell, the stronger ones may abuse the weaker, and disagreements between cellmates can result in fights which may cause injury to one or both parties. The possibility of sexual assault also exists in such situations. A midwestern county was sued by the parents of a juvenile who was sexually assaulted by his juvenile cell companions. Apparently the area of the jail where he was housed was remote and not supervised.

Juveniles tend to be more abusive and hostile than older prisoners. They may also present serious security risks, since they often make impulsive escape attempts or assaults on personnel that older prisoners with more mature judgment would not attempt. The jailer must therefore exercise caution, follow security procedures, and use the proper supervisory techniques in controlling juveniles.

Supervision of Women

The supervisory techniques discussed in this chapter apply equally to men and women. The basic problem is to keep the two groups separate. The following conditions must be met if difficulties are to be avoided in jails housing both male and female prisoners:

1. Women prisoners must be completely separated from male prisoners, with no possibility of communication by sight or sound.
2. All supervision of female prisoners must be by female employees. In the larger jail a full-time matron should provide constant supervision. Smaller jails may have a part-time matron who retains the key to the women's section and is on call as needed.
3. Male employees must be forbidden to enter the women's section unless they are accompanied by the matron.

Supervision of Religious Activities

Religious services may require minimal supervision. The jailer in charge should make certain that the prisoners are orderly when going to a service and that the service begins on time. When the service is over, prisoners must move out immediately and return to their cells. They should not be permitted to stand around and talk with each other or with the minister. If religious counseling is to be done, it should take place at another time.

In some jails, outside visitors participate in the services. For example, the minister may bring a choir or interested lay persons who wish to attend services in the jail. Prisoners must not be permitted to sit among the visitors. At the end of the service, the visitors should be instructed to remain in their places until the prisoners have been returned to their cells. Under no circumstances should prisoners and visitors be permitted to mix.

Supervision of Recreation

Recreation is vital for persons who are locked up for long periods of time, and well-organized recreation programs have proven to be a positive contribution to the physical and mental health of prisoners. Recreation is a wholesome way of expending energy that might otherwise find an outlet in misbehavior. If the jail has a recreation program, the following supervisory practices should be observed:

1. *Control of equipment.* Equipment should be given out by prisoners under the supervision of a jailer. The equipment should be charged to the prisoner, who is also responsible for its return. The jailer should know the condition of the equipment so that when it is returned, he can detect any misuse.

2. *The use of prisoner umpires and referees.* In large jails where organized games are played, prisoners should be permitted to select their own umpires and referees. However, the recreation supervisor must be constantly on the alert for disagreements among the players. Unless there is an obviously poor call, the supervisor should permit the umpire to make the decisions. It should be pointed out to the players that they may select a prisoner as umpire on the condition that they abide by his decisions. It is helpful if a rule book is available for reference in settling disputes.

3. *Personnel participation in recreation activities.* Supervisors and other jailers must not participate in prisoners' recreational activities. The jailer's job is to keep order and generally to make certain that the recreation period is conducted according to schedule. Any participation on the part of a jailer should be interpreted as a lapse in supervisory responsibility. The supervisor does not have time to play games and still do his job.

Jail personnel place themselves in compromising situations when they compete with prisoners. Although the jailer may be more skilled than prisoners, there is always the possibility that he is not. There is no point in demonstrating ability or lack of it to prisoners. The jailer who gets involved, for example, in weight lifting, wrestling, or boxing will often find that the experienced prisoner is much better at these activities than he.

All too often, participation can lead to over-familiarity, and the jailer may

find himself being addressed by his first name. This is the first step toward losing supervisory control.

Prisoner Supervision Outside the Jail

Occasionally it is necessary to take a prisoner out of the jail to attend a funeral, and on rare occasions a prisoner may be required to attend a juvenile court hearing or some other type of public hearing. In the case of public hearings, his attendance may be made mandatory by court order. The prisoner's presence is necessary in such instances even though he may be a security risk. Security precautions to be taken in these cases are described in Chapter 2, in the section on prisoner transportation.

Attending the funeral of an immediate family member is a privilege that is granted by the jail administrator to prisoners who are not considered to be serious escape risks. Since the prisoner and the jailer who accompanies him to the funeral will be in a public place, certain supervisory procedures must be followed:

1. Whether the prisoner is to wear handcuffs to the funeral home and whether the cuffs are to be removed during the visit are administrative questions and must be decided before the trip.
2. The prisoner must receive some orientation regarding his behavior. He should be told the time he will be going, the length of time he will be able to remain, and where he can go in the building. He may, for example, be permitted to sit with his relatives without cuffs. However, he may not walk out of the room in which the service or visitation is being held without the escorting officer. He should also be told that no request of his or his relatives will be considered. Prisoners and their relatives tend to seek permission for the prisoner to go from the funeral home to the church to attend the funeral, or to go home for a short visit. The request is made in an emotionally charged atmosphere and the officer who must refuse it may be made to feel guilty as a result. This can all be avoided if the prisoner is clearly told what to expect.
3. The officer should remain in the rear of the room and keep the prisoner in sight. He should try to remain in the background so as not to embarrass the family.
4. The escorting officer must at no time leave his prisoner with anyone else. He has been charged with the prisoner's safekeeping and remains in charge until the prisoner is returned to the jail.
5. Contraband control is always a problem when a prisoner is permitted to go to a public place. Since it is difficult if not impossible under these circumstances to prevent the passing of contraband to the prisoner, the escorting officer must search the prisoner before he is returned to his cell. Usually the prisoner is wearing civilian clothing on these occasions, and the clothing should be removed in the officer's presence and then searched.
6. The officer must be aware of the impression he makes in public. Both he and the prisoner must be clean and neat. No matter what the attitude of the prisoner or his family, the officer must keep control of himself and remain calm. Sometimes family members lose control and emotional scenes take place. The officer must not get involved in these situations, and he may find it necessary to step in and remove the prisoner. It is wise for him to have exits well in mind for such a purpose. He may be able to take the prisoner into a nearby office to get him away from the scene.

Conclusion

The jail officer's responsibility for the safety and welfare of all prisoners requires the use of a wide range of supervisory skills. These skills are considerable and are made more complex by the variety of circumstances in which they must be applied. Prisoners must be supervised while working, in their living quarters, on recreation breaks, during meals, and when taking medication. The suicidal prisoner must be carefully supervised so that he will not harm himself; the aggressive and hostile prisoner must be closely supervised so that he will not harm others. Order must be maintained and escapes prevented. Considerable supervisory ability is needed if the jail officer is to respond to each of these situations appropriately and effectively. Clearly, supervision in a jail is difficult because it requires interaction with people who are under stress. The interaction between prisoner and jailer will have consequences for the jail, the jail officer, and the prisoner, for it will affect the prisoner's desire to cooperate. The ability to achieve prisoner cooperation through the use of supervisory techniques is the mark of a professional jailer.

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5. DISCIPLINE

Chapter 3 discussed the importance of staff attitudes and their effect on prisoner behavior. The principles and techniques discussed in the previous section—sensitivity to individual differences, change in moods, ability to evaluate, and giving specific instructions—are all useful in handling prisoner misconduct and preventing serious disciplinary problems. It would be unrealistic, however, to expect that these techniques will completely eliminate disciplinary problems. When prisoners cannot or will not respond to positive staff attitudes and proper supervisory techniques, disciplinary measures must be used.

Prevention

Teaching people how to behave can be difficult. The person who attempts to do so must have a clear idea of the behavior he expects, the ability to communicate his expectations, and the patience to accept mistakes until the behavior is learned. Important factors are time and opportunity; time for the person to learn and opportunity for him to make mistakes while learning. It is unrealistic to expect anyone to learn how to do something on the first try. Obviously, the longer a person practices, the better he performs—at work and in general, everyday behavior, as well as for example, in athletics. The goal of prisoner discipline in jail is to teach acceptable behavior. If prisoners are to learn to control their behavior they must be given an opportunity to learn in an atmosphere that encourages learning and rewards self-control. A positive jail climate and effective supervisory techniques can provide this atmosphere.

Rules and Standards of Behavior

The proper operation of a jail requires order. Rules and written explanations of acceptable behavior are one means of letting prisoners know what is expected of them, and of avoiding the confusion that can result when there are no general standards for conduct. Prisoners do not know how to act when each jail officer has his own behavior standards—one officer may be sensitive to loud talking, another may demand immediate obedience, and a third may be concerned only when there is fighting. Written rules, regulations, and explanations of behavior standards help to prevent such confusion.

Rules and procedures of whatever kind are useless unless they are understood and enforced, and unless they are up to date. Rather than depending entirely on written rules and procedures, some jails conduct orientation sessions for newly committed prisoners for discussion of these matters. Group sessions of this kind provide an opportunity for questions and answers. Also, some procedure should exist for illiterates.

The Jailer's Responsibility

Every jail officer has a responsibility to assist prisoners in achieving acceptable behavior and self-control. He can accomplish this by using the supervisory techniques discussed in Chapter 4 and by using a positive approach in teaching discipline. Finally, he must set an example for prisoners by demonstrating self-control himself. Prisoners cannot be expected to control their behavior if jail personnel show by their attitudes and their behavior on the job that they themselves cannot maintain self-control. The jail officer who loses his temper and swears at a prisoner is demonstrating a loss of self-control and a lack of self-discipline. The fact that a prisoner may have sworn at the officer or been insolent in some other way does not change the situation. Prisoners may on occasion test an officer to determine whether he has the ability to control himself in a difficult situation.

The jail officer must control not only his emotions and behavior but his desire to personally punish prisoners who misbehave. There was a time in jails and prisons when individual officers could take punishment into their own hands. This led to so many abuses that formal procedures for handling prisoner discipline were established for all but the most minor infractions. These procedures provide a sensible safeguard for all concerned.

Recently, an officer at a city institution was arraigned on a 15-count indictment charging him with assault, coercion, official misconduct, and reckless endangerment. He was accused of forcing three prisoners to do 150 deep knee-bends. According to the district attorney, the prisoners were punished for "horsing around." One prisoner collapsed after the exercise and had to be helped to his cell. The following day, his kidneys failed, and he had to be hospitalized for two weeks. In this instance, although the jail had a formal disciplinary procedure, the officer had chosen to ignore it.

Informal Discipline

The teaching of discipline requires many of the same techniques as supervision, and the effective supervisor will also be effective in handling disciplinary situations. Like supervision, the teaching of discipline requires patience, understanding, confidence, and sensitivity to others. It also requires the ability to evaluate—to see persons as individuals with individual problems.

The handling of disciplinary situations requires the development of good judgment and the ability to decide what situations should be reported as violations, and how they should be reported. Disciplinary problems can be handled simply by reporting everyone who violates a rule and letting whoever is in charge of administering discipline take the responsibility for action. This is an easy solution to the problem of evaluating prisoner behavior and a way of avoiding the responsibility for interpreting rules and teaching discipline. But even the jailer who attempts to pass on to others the responsibility for discipline must decide what constitutes violation of a rule. The following questions provide guidelines for consistent interpretation of rule infractions:

1. Does the misbehavior violate rules that are intended to preserve order and security? Any number of violations fall into this category: planning or attempting escape; possession of a weapon; fighting; sawing cell bars; attacking an officer; excessive and persistent noise.
2. Does the misbehavior threaten the safety of the jail staff or prisoners? Most of the violations listed above would do so.
3. Will the prisoner stop his misbehavior if the officer is present?
4. Does the misbehavior arise from emotional problems or willful resistance to authority, or does it stem from the normal give and take of day-to-day contact between prisoners and jail personnel?
5. Does the misbehavior present an opportunity for the jail officer to involve the prisoner in a learning situation?

To answer these questions, the officer must be able to evaluate the prisoner, the behavior, and the circumstances in which the behavior takes place. He must then take action that will both stop the behavior and insure that it is not repeated. When a serious violation occurs, direct action, such as stopping a fight, and eventual segregation of the prisoners may be necessary. A less serious violation requires techniques that will help the prisoner to learn acceptable behavior.

Handling insolence is an excellent example of the decision-making process in discipline. Insolence can be vocal, such as name-calling, or silent—a stare, carrying out an order slowly. If a prisoner refuses to work altogether, the jailer must decide whether his refusal is the result of emotional factors or hostility. Should an officer report a prisoner for refusing to work when a discussion with

him might reveal that he has a physical disability and should be seen by the doctor? Should the prisoner who has a fear of heights be reported for refusing to climb a ladder or scaffold, when he could just as easily have been assigned a job on the ground? How much food must be left on a tray to provide grounds for a report for wasting food—a slice of bread, a slice of tomato, a spoonful of mashed potatoes? To what extent is the objective of saving food accomplished by reporting this kind of violation? If the disciplinary situation is to be used to teach, then in this case the objective is not simply to avoid wasting food, but to teach the prisoner to judge how much he is able to eat, and the value of the food he eats. Once he develops judgment in these areas, he will be better able to avoid wasting food.

Is the prisoner who is involved in horseplay in line threatening the security of the jail and therefore to be reported? The presence of the officer may be sufficient to stop the activity.

Serious and clear-cut violations will obviously require little decision making. Fights, escape attempts, and serious disturbances can be readily evaluated by an experienced officer. Borderline acts that can be handled by asking questions and by a little calm discussion require the exercise of good judgment. These incidents generally arise from the normal give and take among prisoners or between prisoners and jail personnel. Insolence, for example, may be due to a bad night's sleep, and if the prisoner is given the opportunity to apologize, the need for a formal report may be avoided. Often the use of good judgment in small conflicts and misunderstandings will prevent serious incidents. An officer who is known to be understanding and fair is much more effective than one who reports everything that might be considered a violation.

On-the-Spot Correction

The following steps are suggested when a prisoner should be corrected on the spot:

1. If the presence of the jail officer is not sufficient to stop the prisoner's misbehavior, it will be necessary to call it to his attention. The prisoner may not know he is doing anything wrong. Horseplay, for example, can at times be simply the expression of boredom or the release of energy, and be completely unthinking. The prisoner may be made aware of the jail officer's disapproval when he hears his name called.
2. The jail officer should explain why the prisoner's behavior is not acceptable. This may not always be necessary. When the prisoner is familiar with the rules of the jail, he will realize that his behavior is wrong and why. If there is a question concerning the prisoner's understanding of the reason for the rules or the consequences of his behavior, an explanation may be necessary. In cases where the problem lies in the prisoner's attitude, or is a matter of silent insolence, it may be well for the jail officer to take the time to talk to the prisoner. The prisoner's attitude may be the result of a misunderstanding, or he may be disturbed over some problem with other inmates or with his family. If the officer is able to establish communication with him, the prisoner may talk out his problem.
3. The officer should point out correct behavior to the prisoner. It makes little sense to tell a man he is behaving in an unacceptable manner, and to explain why, and then to neglect to inform him of how he should behave.
4. The prisoner should be advised that a repetition of his behavior cannot go unnoticed and made to realize the serious consequences of a repetition. Otherwise, he may feel that the correction is of little consequence. In such cases, the prisoner should not be threatened with any specific punishment but should be informed that a formal report will be filed if the behavior continues.

5. A notation should be made in the record that a warning has been issued, so that the prisoner cannot subsequently claim that he did not know any better. This is particularly true for minor offenses that can become chronic—skipping places in line, having a dirty cell, making excessive noise.

Formal Disciplinary Methods

Formal discipline is an organized procedure for handling serious infractions. The reason for establishing a formal procedure is to separate the reporting and enforcement functions from the judging function. In a sense, this is similar to the separation of police and the courts in the judicial system. The formal procedure includes written charges (the formal disciplinary report) and a hearing that in some ways resembles a judicial hearing. Where this method is used, the burden of determining guilt and giving punishment is taken from the reporting officer, who may not be objective.

When to Write a Formal Report

A formal report should be written if the infraction jeopardizes the security of the jail, threatens the safety of staff or prisoners, or is a violation of the law. Violations in these categories are usually clear—assaulting prisoners or staff, attempting escape (sawing bars, removing vents, etc.), possessing contraband (knives, keys), refusing to follow orders. These violations are serious because they can contribute to disorder and eventual loss of control of the jail.

A formal report should also be submitted when a prisoner continues to misbehave in spite of informal correction and repeated warnings. When a prisoner has been warned a number of times about horseplay, for example, and ignores the warnings, his behavior should be formally reported. In such a situation, the officer has demonstrated his desire to help the prisoner by discussing his behavior with him, and has given the prisoner a number of opportunities to learn proper behavior. Since it is obvious that the prisoner has not profited from the informal approach, the formal method must be used.

Contents of the Formal Report

The formal report serves a very specific purpose: It informs the person who must judge the prisoner about the violation and the circumstances surrounding it. This person must depend to a great extent on the reporting officer's ability to present the case clearly and completely. The following information should be included in the formal report:

1. The full name of the prisoner.
2. A complete description of the prisoner's behavior. For example, "Dison reported to work 20 minutes late, arriving at the kitchen at 6:20. When I assigned him to the pot-washing crew, he told me that he had had that job yesterday and didn't want to work on it today. He said, 'Why the hell are you picking on me again, screw?' He turned away from me and sauntered off toward the pot room. When I followed him in, he sat down and started to complain that it was too early, that he had not had his coffee yet, and that it was too early to do this kind of work."
3. Time and place—when and where the offense occurred. These two important facts lend validity to the report.
4. The reporting officer's location at the time of the violation. If the violation occurred on a tier, for example, the officer should describe where he was standing at the time: "I was standing at the stair of Tier 2 observing prisoners returning from recreation when I saw prisoner Sawyer turn and strike prisoner

Adams. This violation occurred in front of Cell 6, which is six cells away from the point where I was standing.”

5. Witnesses. If the violation is serious—for example, violation of a criminal statute—it is wise to include information on witnesses. If, for example, a prisoner has been sexually assaulted, he should be able to identify his assailants and possibly to provide the names of persons who may testify in his behalf. In many such cases witnesses are difficult to find. Prisoner witnesses should not be included for general institution violations and should not be expected to testify against other prisoners except in the case of serious violations. When possible, other officers who observed the violation should be identified.
6. The reporting jailer’s response. “Officer Young and I immediately stepped in and separated prisoners Sawyer and Adams. I held prisoner Sawyer’s arms against his sides and turned him away from Adams.” Or, “I called to prisoner Peters and told him to move a little faster as he was holding up the line.”
7. The prisoner’s response to the jail officer. “Prisoner Sawyer continued to struggle after I pinned his arms to his sides, kicked at me with his heel, and shouted, ‘Let me at that jerk.’” Or, “Peters just looked at me and slowed down to the point where the prisoner behind him ran into him.”
8. Past warnings. If the behavior has been persistent, the jailer should indicate that warnings have been given. “I have called Peters aside on two previous occasions and have discussed his slow walk in the line. I have told him why it is necessary that he not hold up the other men when returning to his cell from recreation. Both times he agreed with me and promised to avoid holding up the line.”

Documentation of Disciplinary Actions

The disposition of a disciplinary report, whatever the action taken, should be documented. Documentation begins with the written violation report and continues through the disciplinary hearing. Any inquiry into the reasons for a disciplinary action can be satisfied if documentation is complete. Documentation also permits periodic evaluation of prisoner behavior and provides source material for examination of disciplinary policies and procedures. It is also a means of defending occasional prisoner legal actions.

Suggested Guidelines for Discipline

Public censure should be avoided. If a prisoner misbehaves in the presence of other prisoners, he should be called aside and his behavior discussed with him out of their hearing. An audience can have a negative effect on the prisoner. If he is corrected before other prisoners, he may react with hostility because he feels that he is being ridiculed or embarrassed in public. In order to save face, he may become abusive or insolent. In calling the prisoner aside, the jail officer should take care to avoid giving the prisoner an opportunity for a show of resistance.

When a prisoner is corrected in the presence of other inmates, he may play to the crowd by acting tough. If the crowd responds by heckling the jailer, or by shouting advice to the prisoner, the situation may become uncontrollable, or the jailer may feel that he is helpless and has no choice but to walk away. In line, in a mess hall, in a dormitory, or in a multiple-occupancy cell, the jail officer may be well advised to delay discussing a prisoner’s behavior until he can talk to the prisoner alone. He should do so as soon as possible, however. There is little to be gained by discussing the prisoner’s behavior with him when it is no longer fresh in his memory.

In all disciplinary situations, the jailer must take an impersonal approach. There

are occasions when a prisoner's behavior is directed at the jail officer; he may be insolent, refuse to follow orders, curse, or spit on the officer. It is understandably difficult for the jail officer to consider such action as anything but a personal attack. Whether or not this is the case, the jail officer must consider the prisoner's behavior from the viewpoint of the safety and welfare of all persons in the jail, and of its effect on order. The prisoner may be acting as he does for any of a number of reasons. He may be fighting the "system," and the jail officer represents the system. In a sense, there may be nothing personal involved; the jailer is a symbol against which the prisoner can vent his hostility. If the jailer reacts in a personal way he is falling into a trap; he is losing control, demonstrating a lack of self-discipline, and setting a poor example. A jail officer who demonstrates that he can be reached by prisoners will lose his effectiveness. Finally, a jail officer's emotional reaction to misbehavior can trigger an increased reaction from the prisoner. The jailer who swears back at the prisoner cannot find fault if the prisoner becomes angry and launches into a long string of curses. He has established that he and the prisoner are on the same level, and the prisoner demonstrates that he recognizes this.

The jailer who reacts emotionally to a prisoner's behavior may make a mistake in his report of the incident. He may have overreacted to the prisoner's behavior, or he may not have observed what he thinks he has. The disciplinary officer is then faced with the difficult task of supporting a member of the staff and at the same time being fair to the prisoner. Many disciplinary systems break down at this point. Usually the disciplinary officer makes the mistake of supporting the reporting officer by finding the prisoner guilty of the offense; he soothes his conscience by punishing the prisoner lightly.

This problem can be avoided, or at least minimized, if the jailer is consistently accurate and fair in reporting infractions. If the jailer does his work in a professional manner and does not become personally involved, he should feel no more embarrassment at his report being dismissed than a police officer feels when a jury finds a defendant not guilty in a case he has investigated.

If the disciplinary officer or the jail administrator insists that the jailer is always right, the prisoner's belief that the system is rotten is confirmed and the goal of self-control is lost.

The jailer must never threaten the prisoner with punishment. When the disciplinary procedure is properly administered, the reporting officer has no control over the determination of guilt or punishment, and he therefore cannot follow through on threats of punishment. As in any situation in which a jailer promises and cannot deliver, he loses status in the eyes of prisoners. This is due less to his having shown himself to be powerless than to his having demonstrated poor judgment.

If the objectives of discipline are to be attained and the prisoner taught self-control, he must be permitted to make some mistakes. The learning process is never perfect, and some experimentation must take place before acceptable behavior is learned. For this reason, rules must be flexible and punishment used sparingly. If a prisoner is punished too quickly he will be more concerned with avoiding mistakes than with learning. Furthermore, punishment if overused loses its effectiveness. The prisoner who has experienced solitary confinement or lost good time has little left to lose. Threats of further punishment will have little effect on him. It therefore makes good sense for jail officers to practice preventive methods and use informal correction whenever possible.

Control of Problem Prisoners

Problem prisoners are those who have not responded to supervisory methods or positive disciplinary techniques. They are hostile to authority and unable to accept rules and supervision; they may be seeking recognition as "tough guys"

and trying to be leaders. These prisoners are not mentally ill and need very direct methods of control. Although prisoners of this type may not appear with any frequency in the jail, when they do, they challenge all the skill of the jail officer. At such times the difference between the professional and the nonprofessional jailer becomes apparent.

The Violent Prisoner

The jail officer should not make the mistake of expecting violence from prisoners, for if he does, he may see the threat of violence even in ordinary behavior. Most prisoners are not violent and, in fact, are quite cooperative. The jailer should not expect violence, but he should be trained and prepared to respond quickly when violence occurs. The prisoner who attacks another prisoner or a staff member must be subdued, if at all possible, before serious injury occurs.

The following guidelines are suggested for handling the violent prisoner.

1. The jail officer should never attempt to subdue a violent prisoner alone. He should always have the help of one or more staff members. If a jail officer attempts to handle the situation alone, he may be overcome and injured. Furthermore, the struggle will become a personal contest. Under these circumstances, neither jailer nor prisoner can afford to lose. When more than one officer takes part, however, the prisoner can permit himself to be controlled without losing status. After all, he may brag, it took three men to put him down.
2. If possible, a direct confrontation should be avoided. A man who refuses to leave his cell, for example, should not be forcibly removed without good reason. It is possible that after the prisoner has cooled down he will come out voluntarily. Jail personnel should not remove a prisoner from his cell merely to prove to him that it can be done. Obviously, any prisoner can be made to follow orders if enough force is used.
3. Precautions should be taken to ensure that the prisoner is not harmed. Seldom, if ever, is it necessary for jail personnel to strike a prisoner. If he is resisting, he should be controlled without blows. The protective shield (Figures 14, 15, 16) is an excellent device for subduing a prisoner with little chance of injury to him or to jail personnel.

FIGURE 14





FIGURE 15



FIGURE 16

It is seldom possible to pick the time and place for subduing a violent prisoner. The occasion for a confrontation may arise in full view of other prisoners. A prisoner may attack another prisoner or a jailer during recreation, for example, or two prisoners may start to fight in a cell. Incidents such as these require immediate response—the prisoner or prisoners involved must be subdued as quickly and efficiently as possible. When other prisoners are watching, the action must be stopped before it spreads; for this reason, two or more officers should take part. The officers should take care not to strike the prisoners; otherwise the spectators will sympathize with the violent prisoners and unrest may follow.

The jailer must exercise great care in subduing a violent prisoner before an audience of inmates. If the situation is not handled correctly, violence may spread. Although following the steps outlined above reduces the chance that a situation will get out of control, the jailer should think twice before he steps in to control a violent prisoner and choose the method that involves the least risk to all concerned.

The Uncooperative Prisoner

Not all uncooperative prisoners are violent. Prisoners display uncooperativeness in such nonviolent ways as refusing to work or clean their cells, to participate in recreation or other programs, or to eat. This failure to cooperate makes special demands on the understanding of the jail officer. The violent prisoner can be subdued, but the uncooperative prisoner presents a different kind of problem; he clearly demonstrates the limits of the use of force. If, for example, a prisoner lies down on the floor of his cell or on his bunk and refuses to move, there is little that anyone can do legally to force him to move. This kind of behavior is extremely frustrating to the jailer.

The jail officer's reaction to a situation of this kind is extremely important. First, he must accept the fact that there is little he can do to force the prisoner to cooperate. Second, he must realize that his responsibilities are limited. He can talk to the prisoner, attempt to find the reason for his behavior, and perhaps convince him to cooperate. If he fails in this, he has no alternative but to submit a report to the administrator. Once he submits a report, the problem is out of his hands. If the prisoner continues to refuse to cooperate force may be used, but the decision to use force is an administrative decision.

The prisoner who refuses to clean his cell can be treated as a simple disciplinary problem. If talking to him has no results, a formal report can be submitted. The prisoner in a multiple-occupancy cell who refuses to cooperate in clean-up, and who refuses to accompany the officer to the disciplinary hearing, poses a different problem. If he is ignored, other prisoners may follow his example. On the other hand, they may resent his behavior and perhaps assault him. If the decision is made to remove him from the cell, he may have to be carried out. Ideally, other cell occupants should not be present when a prisoner is forcibly removed.

Summary

Positive discipline is a method of teaching self-control and involves many factors: the physical environment of the jail, operational procedures, rules, programs, staff attitudes, and jailers' supervisory abilities. The teaching of discipline is constant; it takes place whenever a jail officer and a prisoner meet. Discipline means much more than punishment. Punishment should be used as a last resort and only for demonstrating disapproval or arresting improper behavior. Punishment cannot be effective in the long run unless it is accompanied by instruction in correct behavior.

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6. SPECIAL PRISONERS

Alcoholics, diabetics, epileptics, the mentally ill, and certain other groups of prisoners present special problems for the jailer. Often such prisoners require professional attention. While the jail officer is not expected to substitute for the physician, psychiatrist, or psychologist, he will find it necessary to have some knowledge of the various types of special prisoners and the problems that can arise in supervising them.

The jailer must always remember, however, that regardless of the category into which a special prisoner falls, he is still an individual, and different from every other prisoner in that category—whether he is an alcoholic, a homosexual, emotionally disturbed, or suffering from a chronic physical illness.

Who Should Not Be Admitted to Jail

A jailer sees people from a wide range of backgrounds, in varying stages of health, and with needs ranging from simple housing with minimal security to close security with continuing supervision and care. The first decision that the jailer must make is whether to admit the person who is brought to jail for detention. This will be determined by the policy of the jail administrator and the law of the jurisdiction in which the jail is located. If the law requires that every person brought to the jail be admitted, the jail must then assume responsibility for any necessary medical care. If the jail can refuse to accept persons who are ill, injured, or otherwise in no condition to be confined, then the jailer must be able to evaluate the prisoner's condition. In either case, the jailer must be able to recognize the unusual and be aware of the consequences of his actions. The safety and welfare of all prisoners may depend on the jailer's ability to recognize the sick or injured. Furthermore, the jailer has both a moral and a legal responsibility for prisoners' health and welfare. Increasingly, the courts have recognized the legal rights of prisoners and have in some instances permitted civil suits against the jail, its officers, and the municipality, when jail personnel have not exercised reasonable care or provided medical attention.

The Unconscious Prisoner. Since only a medical examination can determine the seriousness of an unconscious person's condition, a jailer who assumes the responsibility for admitting an unconscious prisoner must also make arrangements for immediate medical care. The person who appears to be a "common drunk" who has passed out may, in reality, be suffering from a stroke, diabetic coma, or other illness which could result in death unless he receives prompt medical care. The drunk may have fallen, been assaulted, or in some other way sustained a head injury requiring immediate treatment. Any person brought to jail unconscious should, without exception, be immediately examined by the jail physician or referred to the nearest emergency medical facility.

Weekend drunks are usually all handled in the same way and given the same care—which may be inappropriate or superficial. In many cases, all that such a prisoner requires is a safe place in which to overcome the effects of alcohol. The "drunk tank" may be appropriate for this purpose. If, however, the prisoner shows what appears to be an advanced state of intoxication (to be described later), he should not be admitted without medical clearance, or if admitted should receive immediate medical care. Similar procedures should routinely be followed for drug addicts.

The Wounded or Injured Prisoner. A person with an injury that needs more than simple first aid should not be admitted unless immediate medical care can be given. Unfortunately, the degree of injury is often hard to determine by external examination. Detaining a person who may need emergency treatment could result in serious harm to him, or even death. In all questionable cases, the jailer should decide for the safety of the prisoner and obtain medical care.

A Basic Rule. If the law permits, a jailer should refuse to admit, without medical clearance, unconscious persons, persons who appear to have passed out from the effects of alcohol or drugs, and persons with more than clearly minor injuries. Complaints of chest pain, shortness of breath, severe headache, high fever, or continuing diarrhea are all reasons for requesting a medical evaluation before admission. Many problems that arise with special prisoners can be prevented by a medical screening. If the jailer has no choice about admitting prisoners, he is still responsible for seeing that medical care is provided after they are admitted.

Medical Care

Division of Responsibility. Every jail is expected to provide an adequate level of medical care. Many special prisoners are admitted with medical problems which do not require hospitalization, but which do require continuing medical attention. Prisoners may also develop medical problems requiring specialized treatment while they are confined. In all such cases, although the jail physician is responsible for the prisoner's care, the jailer also has a number of duties.

Medical Records: What Should Be Recorded. Keeping complete medical records on all prisoners is extremely important and is the responsibility of the jail staff. The record should begin at the time of admission with a description of the prisoner's physical condition which includes any cuts, bruises, or other injuries, any physical complaints, and any strange or unusual behavior he may exhibit. Any medicine found on the prisoner at the time of admission should be taken from him, noted in the record, adequately labeled, stored in a safe place, and immediately called to the attention of the physician, so he may advise on dispensing it. Continuation of certain medications such as insulin is vital. All examinations, treatment services, and medicine received by the prisoner during his stay in jail should be written into the record. The chronic complainer should never be ignored; every medical complaint should be noted. One prisoner whose complaint of abdominal pain and vomiting was ignored was later found to have a ruptured appendix, a condition which could have been avoided if medical help had been requested.

The Importance of Medical Records. Complete and accurate medical records are important for two reasons. They provide necessary information for the physician to use in his treatment of the prisoner, and they serve to protect the jail administrator and other officials. If an inmate suffers a serious illness or injury, or if he dies, the jail will be required to produce complete medical records showing not only his condition at admission but all medical contacts during his incarceration. Inadequate or incomplete records may result in legal action against the jail administrator and others involved in the prisoner's care and treatment. Even if a prisoner dies from natural causes, good records are essential.

Medical Services. The sheriff or chief of police usually has the administrative responsibility for obtaining medical care for prisoners in his jurisdiction. The kind and amount of medical service provided will depend on the number of special prisoners the jail receives. Large or specialized institutions may need the services of a full-time physician who can arrange for specialized consultation whenever it is needed. Because of the unusual medical needs of the special prisoner, it is important that the jail have an agreement with a nearby hospital which permits the transfer of a sick or disturbed patient without delay. The agreement should include permission to use the hospital's emergency room. Of primary importance is dependability—the jailer must be able to count on having medical service on a regular basis and in particular during an emergency.

The Jailer's Role. No jailer should be expected to substitute for the physician. However, since even under the most ideal arrangement, a physician will not always be available, the jailer should equip himself to handle emergencies

by taking a basic course in first aid, and keeping these skills up to date. He should consult with the physician about how to deal with emergency situations.

Restraints

Occasionally, a prisoner must be prevented from harming himself or others. This can be done by limiting his living space, by restricting his capacity for physical movement, by specific medical or psychiatric therapy, or by using a combination of these methods.

Limiting Living Space. For certain kinds of harmful or disruptive behavior, confining the prisoner to a small area for a short period of time may be all that is necessary. For example, a prisoner who "blows his stack" and physically threatens another prisoner or a jailer may often be effectively handled simply by locking him in a single cell until he cools off.

Physical Restraint. When a prisoner's disruptive or self-destructive behavior cannot be controlled by locking him up, it may be necessary to restrict his ability to move. The prisoner who bangs objects against the bars or breaks up his cell furniture may have to be handcuffed with leather or metal cuffs until he becomes reasonable, or until the reason for his behavior is determined. If a mentally disturbed prisoner bangs his head against the wall or floor, it may be necessary to immobilize him on a bed with his arms and feet strapped apart and with leather or cloth straps across his body. This extreme procedure should be used only until a physician can evaluate the situation. Physical restraint should not be continued for long periods of time. This is particularly true when a prisoner fights the restraints to the point of exhaustion, or when his straining against the cuffs or straps is causing injury.

Sedation. The jail physician may quiet the prisoner by administering a tranquilizer or sedative. Sometimes it is necessary to transport a disturbed prisoner to the hospital or a belligerent convicted offender to prison. In these cases, the physician may also consider the use of a sedative.

Basic Rules. In managing a disturbed, disruptive, or threatening prisoner, the jailer should use the least restraint necessary and for the shortest period of time. If at all possible, the least uncomfortable restraint should be used. The restrained prisoner should be seen by a physician as soon as possible. Whenever restraints are used, a report should be submitted to the jail administrator.

Attitudes

Importance of Feelings. The feelings and attitudes of jail staff members toward special prisoners affect their ability to cope with the problems of this group. Lack of information or inaccurate information may lead to negative attitudes on the part of the jailer which interfere with the successful handling of special prisoner problems. If, for example, a jailer is frightened by a prisoner who is having an epileptic seizure and does nothing as a result, the prisoner may suffer an injury which could have been prevented.

Recognizing Feelings. We use words such as *like*, *dislike*, *prefer*, *favor*, and *hate* to describe our positive and negative feelings. All of us have prejudices, and to deny that we have them is to fool ourselves. The jailer needs to be aware of his own dislikes, particularly toward special prisoners. He may, for example, feel hatred toward homosexuals, whom he views as "queers," and on the other hand feel extreme sympathy for the physically ill prisoner whom he feels has a "real problem." In either situation, the jailer's attitude will be reflected in his dealings with the inmate, and the result may be ineffective treatment: the homosexual may be mistreated and the physically ill prisoner allowed to escape. If the jailer is unaware of his personal attitudes, they will interfere with effective handling of a prisoner. The following incident illustrates this point:

A policeman noticed a man staggering toward a drugstore and assumed he was drunk. Because of his personal dislike of alcoholics, the policeman not only became abusive toward the man but was blinded to other possibilities. As it turned out, the man was suffering from sugar diabetes. He had taken a little too much insulin that day, which made him stagger like a drunk, and was going to the drugstore for orange juice to balance the effects of the overdose. Even though the policeman disliked "drunks," had he been aware of his prejudice, he would have handled the man in a more professional way, and probably would have discovered that he was ill.

Society's judgments are frequently harsh with respect to alcoholics, drug addicts, sex offenders, and the mentally ill. The homosexual, for example, is often looked upon with a mixture of distaste and resentment. Some of this hostility is related to society's intense moral condemnation of homosexual behavior and some to misconceptions about sex offenders in general and homosexuals in particular. A jailer cannot allow himself to be blinded by misconceptions and his personal hostility.

Care of the Alcoholic

Confusing Symptoms. The special prisoner seen most often by the jailer is probably the drunk. The familiar symptoms of intoxication include shakiness, staggering, thick speech, and a blank, glassy-eyed look. However, since other conditions produce these same symptoms, it is a mistake to assume that everyone who exhibits them is drunk. Multiple sclerosis, for example, is one disease which sometimes causes a person to stagger. Persons suffering from this disorder have been arrested for drunkenness despite their protests that they have had nothing to drink.

Even more serious is confusing the effects of excessive drinking with those of head injuries. As noted earlier, being hit over the head or striking the head in a fall may cause a condition which looks very much like advanced intoxication. To treat an individual in this condition as though he were drunk is a serious risk; he should receive immediate medical attention. The person in a diabetic coma may also resemble the drinker who has passed out; to treat him as a drunk is to risk his death. Even when the jailer is virtually certain that he is dealing with no more than a simple case of intoxication, he should make sure that the prisoner is checked regularly. A person who has consumed a dangerous amount of alcohol may first show typical signs of drunkenness but later lapse into deep unconsciousness and possibly die.

The jail officer should look for rapid, shallow breathing and changes in skin color. In any case where he notices what appears to be unusual behavior, he should contact the doctor and describe the symptoms.

Emergency Treatment. The jailer, in cooperation with the physician, should plan emergency procedures for handling excessive drinkers who display symptoms of delirium tremens ("DTs"). A person in this condition trembles involuntarily, is incoherent, and may have strange hallucinations and may be difficult to handle. The DTs represent an acute phase of alcoholism that requires immediate emergency medical attention. Stories of pink elephants and green snakes may be amusing, but when a prisoner reports seeing such things, the jailer should be alerted that the situation is very serious. Restraint is indicated only as a last resort to protect the prisoner from harming himself or others until the physician arrives. DTs often occur a day or two after admission to jail and often in an individual not suspected of intoxication on admission.

The chronic excessive drinker often neglects his diet, and over a period of time may become thin and undernourished. This condition can usually be treated in the jail with a diet prescribed by the doctor.

Need for New Facilities. Although jail is no longer thought to be the best

place for a person who is intoxicated, in many communities there is no other place to put him. Hopefully, the day will come when facilities especially designed and equipped to treat alcoholics will relieve the jail of dealing with this group. In the meantime, however, most alcoholics will be sent to jails, and the responsibility for their security and treatment will continue to fall on jail personnel.

Care of the Mentally Ill

What Mental Illness Means. The illnesses that are least understood are likely to be the most frightening. The behavior of the mentally disturbed person is often strange and alarming. The term *mental illness* is also misleading, as it covers a wide range of complicated emotional disorders which may involve physical, mental, and/or behavioral disturbances. The disorder may be relatively mild and extremely difficult to detect, and may not seriously handicap the individual. At the other extreme is the condition which is so obvious and so serious that a person is not only unable to care for himself but may even be a danger to himself or others. Fear of high places is a mild disorder; a serious disorder may take the form of a depression of such intensity that the individual seeks to destroy himself.

The Jailer's Responsibilities. The jailer is certain to come into contact with emotionally disturbed persons from time to time. Even though emotionally ill persons may not be admitted to the jail, emotional illness may develop during confinement. While the jailer is not expected to be a mental health expert, he does have the responsibility for referring a disturbed prisoner to a physician (preferably a psychiatrist) or a psychologist for examination. To do this competently, he must have a working knowledge of the more significant symptoms of mental illness. More than this, if he is to work effectively with these special prisoners, he must become both a careful observer of human behavior and an accurate recorder of what he observes.

Recognizing the Signs of Mental Illness. Some of the abnormal behavior resulting from mental illness is dramatic and attracts immediate attention. The individual who insists that he sees or hears things which do not exist is readily recognized as emotionally disturbed. Other signs of mental illness may be difficult to detect because they often contain an element of reasonableness. The person who asserts that people are plotting against him may sound quite convincing, even though his belief is wholly without basis.

Clear Signs of Mental Illness: Hallucinations. When a person hears, sees, smells, or tastes something that is actually not present at the moment, he is experiencing an hallucination. Hallucinations usually indicate serious mental disturbance. Hallucinations during which a person hears things occur most frequently. The person may report that he hears voices telling him to do things that are bad or may hurt others. The emotionally disturbed person may also have visions. Continuous heavy use of alcohol, drugs, and other chemical substances may also produce visual hallucinations.

Intense Anxiety. Some persons show signs of terror or panic in the absence of any real danger or threat. They may shake, sweat freely, and be unable to speak. The jailer should have no difficulty recognizing the signs of fright. This unreasonably intense reaction suggests an emotional disturbance. Since there is a real risk that the panic-stricken prisoner will do something to hurt himself in his haste to escape the danger that he feels, he should be watched closely and referred to a psychiatrist or psychologist.

Physical Complaints. Although physical complaints are frequently voiced in jail, the nature of some complaints suggests that the prisoner is disturbed. He may, for example, express the belief that his stomach has rotted away and no longer exists, or complain that his heart does not work. These strange complaints are signs of an emotional disturbance. To argue with the inmate about the

foolishness of his complaints does no good. Any person who is convinced that he has a strange or unlikely physical condition or disease should be referred for examination.

The prisoner who talks to himself may or may not be disturbed. Many older people talk to themselves and, although it may seem strange, this habit does not necessarily indicate a mental illness. However, when a person carries on a conversation with the nonexistent voices he hears, he is clearly suffering from emotional illness and should be referred for evaluation.

Dangerous Behavior. Finally, the person who behaves in ways that are dangerous to himself or others may be revealing evidence of a mental illness. Suicide attempts (to be discussed later) and unprovoked attacks on others are the most obvious examples of this kind of behavior. Behavior of this kind indicates the need for immediate attention, with respect both to control requirements and psychiatric evaluation.

Moderate Signs of Mental Illness: False Beliefs (Delusions). Certain less clear-cut signs of emotional disturbance are also important. One of these involves holding and expressing irrational beliefs. Some are fairly easy to evaluate. For example, an outrageous belief such as "the President has his spies out watching me" is obviously false. Others are more difficult to assess. The person who states that somebody is out to harm him, for example, may or may not be imagining it. In general, however, the person who insists that people are watching him, have it in for him, or are talking about him may be mentally ill. His behavior should be observed for other signs of an emotional illness.

Similarly, the person who has exaggerated ideas about himself may be showing symptoms of a mental illness. Here, too, the belief or delusion may be difficult to assess. While the prisoner who claims to be Napoleon is obviously disturbed, further evidence is needed in cases like that of a vagrant who claims to be a wealthy industrialist.

Mild Signs of Mental Illness. Some signs of mental illness are impossible for the jailer to evaluate unless he is familiar with a prisoner's usual day-to-day behavior. If a new prisoner seems to be depressed it may not strike a jailer—or anybody else under the same conditions—as particularly important. Actually, some anxiety and depression is to be expected in new prisoners and is probably not a sign of mental illness. Some people seem to be generally unhappy, and depression in such a prisoner is probably not a sign of illness. A sudden shift to depression in a person who is normally cheerful, however, may be much more serious. The jailer can often get clues in cases like this from talking to the prisoner or his relatives or friends. In general, the jailer who gets to know individual prisoners well will be able to evaluate their mental condition.

Memory Loss. Another sign of mental illness which often is not readily identified is strange loss of memory, especially memory of fairly recent happenings. Again, this condition will not be evident to the jailer until he has had a prisoner under his supervision for some time.

What To Do: The Jailer's Responsibility. Persons who show clear signs of a mental illness should be referred immediately to a physician (preferably a psychiatrist) or a clinical psychologist. Accurate observation and description of the prisoner's behavior are invaluable to the clinician to whom the referral is made. When a person's conduct only suggests the possibility of a mental illness, he should be closely observed for more obvious signs of mental illness and then referred for examination. Until he can be examined, the prisoner should be placed where he can be easily observed. A written record showing time and progress of unusual behavior can be particularly helpful to the doctor. Jail personnel must not make the mistake of assuming that because a prisoner is mentally ill, he needs less supervision and security. Many mentally ill individuals actually feel more secure under close custody.

The vast majority of mentally ill persons are neither violent nor dangerous.

Most sensitive persons respond best to kindness and understanding. Abuse only disturbs them more and makes their eventual recovery more difficult.

Mentally Deficient Prisoners: Special Considerations. Although not mentally ill, the mentally retarded individual is certainly handicapped in a way which may require special treatment. Seriously mentally retarded persons are usually placed in special institutions. However, many with borderline mental deficiency may be admitted to jail. The borderline nature of the condition makes it difficult to recognize. Nevertheless, the behavior of the mentally limited prisoner may pose some problems. He may seem confused, may not remember simple rules, and may disobey them because he does not understand them. Other prisoners may take advantage of him and use him to carry contraband or participate in illegal activities. Ordinary disciplinary measures often do not work with the mentally retarded prisoner because his behavior is the result of low intelligence rather than rebelliousness. It is important for the jailer to be patient with this type of prisoner, and his patience will often be rewarded; the mentally deficient usually *want* to be cooperative, once they understand what is expected of them.

Care of the Drug Addict

When a person uses certain drugs over a period of time, he comes to depend heavily upon them and become addicted, or "hooked." These drugs include narcotics (opiates and related synthetic drugs), barbiturates, and amphetamines. The dependency, which is mental as well as physical, is called *addiction*. When a person is deprived of the drug to which he is addicted, he suffers mental and physical pain. This almost unbearable reaction is called *withdrawal*. Anyone who has tried to give up smoking has a very mild idea of what an addict feels when drugs are denied him.

When a long-time user of drugs is brought to jail, he may appear fairly normal and therefore be difficult to recognize as an addict. Nevertheless, he should be watched for signs of drug intoxication and withdrawal and examined for needle marks and scars over the blood vessels of the arms and legs. Many drug users eat poorly and show signs of weight loss.

Signs of Addiction. Opiate addicts may not behave any differently from normal prisoners. Persons who have taken large amounts of Demerol, a synthetic substitute for morphine, often tremble and may have convulsive seizures. Addicts who take barbiturates or other sedatives in large amounts appear intoxicated, sluggish, forgetful, and confused, and have slurred speech. Those taking amphetamines may be exhilarated, tense, tremulous, and sometimes confused, but do not suffer serious withdrawal distress. LSD and related drugs are not addicting within the usual meaning of drug addiction, but users of these drugs do experience intoxication. Persons under the influence of LSD experience intense visual images, altered emotions, and unusual ideas; this state of obvious intoxication lasts several hours. A person who has taken marijuana is usually in a mild dreamy state and feels "high." He has altered visual experience and body sensations that last up to a few hours.

Signs of Withdrawal. Within one to two days after the last dose of a narcotic, barbiturate, or other drug on which he is dependent, the prisoner begins to show signs of withdrawal. If such symptoms do not appear, the prisoner is either not currently addicted or he has a drug source available and is continuing to take the drug. The jailer should conduct a thorough search of the prisoner's cell and person and continue to watch closely for possible external sources of supply.

Specific Symptoms. Narcotic drug withdrawal is a period of severe muscular aching and twitching, restlessness and insomnia, weakness, loss of appetite, weight loss, and often vomiting and diarrhea. The symptoms are worst in the first three days of the withdrawal period but continue for seven to ten days. Intense anxiety and hysteria are common during this time. Some persons

complain of weakness, nervousness, and insomnia for several months. During withdrawal, the prisoner will go to great lengths to obtain a dose of the drug. He may simulate painful illness, mutilate himself, or even physically attack others. The physician can help ease the withdrawal symptoms by prescribing small doses of the drug to which the prisoner is addicted, or by substituting a less addicting drug in a medically controlled withdrawal pattern. Sedatives may also be used to relieve discomfort during this period. Withdrawal is completed in about one week under medical supervision, and usually without hospitalization. Barbiturate withdrawal symptoms include restlessness, sleeplessness, and convulsive seizures over a period of about one week. The symptom pattern is severe and fatalities occasionally occur in complicated cases. Fatalities also sometimes occur in narcotic drug withdrawal.

Security Precautions. The prisoner experiencing drug withdrawal requires close supervision and presents difficult problems for the jailer. He is suffering genuine physical illness and emotional distress, and should be treated accordingly. Attempts at self-injury and suicide are common during withdrawal, and the jailer should take appropriate precautions. The addicted prisoner should be segregated during this period to make him easier to control and to prevent him from bothering others. Because the desire to resume taking the drug may still be present, the addict must also be closely supervised following withdrawal. His mail, visits, and packages must be carefully inspected to prevent drugs from being smuggled in. Since he can be extremely clever about getting hold of drugs and instruments to inject them, his cell should be shaken down regularly and he should have periodic physical examinations for indications of drug use.

Staff Responsibility. Jail personnel are justified in being highly suspicious of the drug addicted prisoner in order to prevent him from obtaining unauthorized drugs. It is also the jailer's responsibility to keep the addict safe from self-harm during drug withdrawal, as well as to observe him closely and to assist with the medical aspects of the withdrawal process. The jail physician is responsible for the addicted prisoner's medical care, although most of the actual care is given by the jail staff. If the prisoner becomes seriously ill during withdrawal, the physician may consider a short period of controlled hospitalization.

Care of Sex Offenders

General Considerations. The jailer sees a wide variety of sex offenders, including exhibitionists, window peepers, child molesters, rapists, and homosexuals. Despite popular belief, these offenders are quite different from each other and present different problems. Not all of them require the same degree of supervision or segregation. The prisoner who is charged with molesting a little girl, for example, usually poses no sexual threat to adults. On the contrary, the jailer may well have to arrange to protect him from other prisoners. This anger toward the child molester and other sexual criminals may be very intense. In general, most sex offenders are passive persons who pose no major problems in a jail setting. Only a few are violent or dangerous.

The Homosexual: Individual Differences. Even among homosexuals there are many individual differences. The homosexual who seeks out young boys is not usually interested in adult homosexual relationships. Except for his own protection, this prisoner does not have to be separated from other adult prisoners. Some homosexuals who prefer adult partners may bother other prisoners or be quite aggressive in their approach to them. These individuals usually require segregation or some form of close custody. Others are more reserved, are often embarrassed by their own behavior, and are not likely to become a problem to the jailer.

Appearances May Deceive. Contrary to popular belief, it is not possible to identify a homosexual by his appearance. All too often we tend to follow unin-

formed and prejudiced opinion and consider those persons to be homosexual whose walk, gestures, and way of talking seem to be feminine. Slimness and a delicate appearance are also mistakenly considered signs of homosexuality. The jailer must recognize his own prejudices and not make the mistake of considering all slim, youthful prisoners as homosexual. The consequences to the prisoner can be very serious.

The feminine appearing, sometimes "pretty" prisoner must never be classified as a suspected homosexual, nor given clothing or an identification card that differentiates him from other prisoners. Such a classification may be harmful to him, since he may begin to have doubts about his own masculinity. Or it may result in a violent reaction because he feels that the classification is unfair. The proper action to take with a prisoner who is suspected of being homosexual is to supervise him closely.

The jail officer should take care in deciding where to house the person who has a feminine appearance, as this prisoner has no defense against the aggressive homosexuals found in jails and prisons. He must be housed away from them, in a single cell if at all possible. If the jail has only multiple-occupancy units, extra care must be taken in making cell assignments.

The person who appears to be masculine—hairy, muscular, aggressive—is not always what he seems. Many homosexuals fit this description. In jails and prisons, such persons are highly aggressive and use their strength to bully and sexually abuse weaker prisoners; they are responsible for many homosexual rapes. The key to the security and supervision of these prisoners is not their appearance, which is deceiving, but their behavior.

In general, sex offenders should be closely watched for signs of emotional disturbance. Some become depressed and suicidal. Many, but not all, will benefit from a clinical evaluation.

Depressed Prisoners: The Attempted Suicide

A Cry for Help. There are many erroneous beliefs about persons who threaten or attempt suicide. It is widely believed, for example, that the person who threatens suicide will not attempt it. The evidence is clearly in the opposite direction: persons who threaten suicide attempt it more often than those who do not. Another belief is that a person who threatens suicide can be stopped by encouraging him or offering to help him to harm himself. This belief is false, as is the notion that young people seldom attempt suicide. Suicide is the second most frequent cause of death among college students, and the third among adolescents of high school age. The person who threatens or attempts suicide is in acute emotional pain. His threat or attempt to kill himself is perhaps best understood as an effort to let you know how miserable he feels; it is commonly referred to as "a cry for help." To ignore or ridicule this threat is likely to strengthen his desire to kill himself.

Signs of Depression. The suicidal person is usually, but not always, in a state of deep depression. He tends to keep to himself and talk very little to others. When he does talk, he says little and he says it slowly. Sometimes he becomes extremely restless, pacing up and down and wringing his hands; he may cry and be unable to sleep. Usually he is quiet and subdued, and his needs are overlooked because he is causing no commotion.

The following incident illustrates the circumstances that can lead certain kinds of prisoners to attempt suicide. The prisoner was admitted to the jail during the evening watch. He had been charged with child molesting and it was his first arrest. He was middle aged, well dressed, and well known in the community. He was employed at a white-collar job and had a wife and two daughters aged 8 and 12. When admitted, he would not talk to the admitting officer, and identifying information had to be taken from his personal papers. He did not want

to call his wife or attorney. In the shower and while changing to jail clothing, he began to cry but said nothing. When placed in a cell, he sat in a corner and talked to himself and cried. He would not talk to the jailer and turned his face to the wall. Later that evening he tried to cut his wrist with a piece of wire he had taken from the bed.

The "Fake" Suicide. Sometimes a prisoner threatens suicide or makes what appears to be an attempt at suicide to deceive jail personnel. He may do this for a number of reasons: to manipulate or con the staff; to be taken out of the jail to a hospital where lax security may assist him in making an escape; or to get a transfer to another institution where the surroundings are more pleasant and the food is better. To inexperienced jail personnel, these suicide attempts can be very frightening.

Persons who threaten or attempt suicide, even if the attempt is fake, may be emotionally unstable, and without really intending to harm themselves may, in a moment of intense anger or excitement, injure themselves critically. A young woman in the disciplinary section of a state correctional institution carefully planned a suicide attempt designed to force the staff to transfer her to a mental hospital. She knew that the matron who made the rounds looked into her cell regularly every half hour. The prisoner could hear the matron, as she came along the hall, stop for a few seconds at each door and then go on. She had fashioned a crude rope out of her clothing and tied one end to an overhead pipe and the other around her neck. She stood on the edge of her bed until she heard the matron stop at the cell next to hers. She then jumped off the bed, certain that the matron would arrive in a few seconds and save her. On this occasion, however, the matron paused for a few moments to talk to the women in the next cell. By the time she reached the young woman's cell, opened the door, and cut the rope, the woman was almost dead.

What To Do. Suicide risks should always be housed where close observation is possible. Dangerous items such as razor blades, water glasses, belts, and matches should be removed from the cell or room. Electrical outlets should be checked to see that they cannot be misused. The prisoner should be given clothing which he cannot use to hang or strangle himself. It is a great help to the jailer if prisoners can be trusted to keep an eye on the potential suicide. In any case, the suicidal prisoner should be referred immediately to the jail physician, who may be able to prescribe a drug which will alleviate his depression.

When a suicide attempt occurs, the jail officer should apply first aid and call for assistance. He must not permit himself to become frightened or nervous. Every suicide attempt must be treated as a serious attempt at self-destruction. This will reduce the possibility of laxness in the supervision of suicidal prisoners. The jailer's best precautions against suicides are close supervision, ability to evaluate prisoners, knowledge of first aid, and established emergency procedures. In spite of all precautions, some suicides, although rare, are unavoidable. The person who is intent on taking his life will, unless he is given help, continue to try until he succeeds.

Diabetics

Diabetes is a not uncommon chronic disorder of carbohydrate metabolism, characterized by inadequate production or use of insulin. While the diabetic usually does not look sick, he needs a special diet and usually medicine, either insulin or other drugs. He may have a severe reaction if he takes too little or too much insulin. Most diabetics are aware of having this disease, and if questioned will let you know about it when they are admitted to jail. The jail physician should be notified so that he can give instructions about diet and drugs, as well as provide general medical supervision. Without proper control, exercise, diet,

and drugs, many diabetics will develop serious symptoms. It may be necessary for the physician to see the diabetic prisoner frequently, even daily, if his condition is unstable.

Treatment. While insulin is usually given by hypodermic injection, the newer substitutes for it may be taken by mouth. Despite the fact that the prisoner probably gave himself insulin injections outside the jail, self-administration of insulin in jail may not be permitted. Where it is allowed the prisoner must be observed and supervised. All of the items he uses (needle, syringe, and insulin) must be returned to the jailer after each use. Insulin must be kept under refrigeration, and all other drugs should be stored in a locked compartment.

Diabetic Coma. Two serious conditions may develop in diabetics, and the jailer should be familiar with them. Inadequate insulin produces a high level of blood sugar which may result in a diabetic coma. In this condition, the diabetic's breath has a sweetish or acetone odor, his skin is dry and his face is flushed, his mouth is dry, and he appears sick. If the condition persists, his vision dims, breathing becomes faster and exaggerated, thirst is intense, and there may be vomiting and abdominal pain. Loss of consciousness and death may follow if medical treatment, often with hospitalization, is not begun promptly.

Insulin Shock. Too much insulin or too little intake of carbohydrates causes another emergency called insulin shock. The prisoner may have a sweetish breath with an acetone odor, appear pale and weak, have a moist skin, and be tense and shaking with an appearance of intoxication. In later stages there may be seizures, unconsciousness, and death. The condition is easily and promptly corrected by giving the prisoner carbohydrate foods such as candy, sugar, or orange juice. The diabetic must be watched for evidence of this condition and given carbohydrate food promptly, upon his request. If he does not immediately feel better, the physician should be notified at once.

In summary, when insulin is insufficient, the skin is dry and the face flushed. With too much insulin, the skin is moist and the face is pale. When too little insulin has been taken, call the physician; when too much has been taken, give the prisoner candy or orange juice and then call the doctor if necessary.

General Care of the Diabetic. The special precautions necessary for diabetics are management of diet and drugs, controlled exercise, and special observation for reactions due to excess or inadequate insulin. The jail physician assumes immediate responsibility for the medical care of the diabetic, including supervision of his diet and drugs.

Diet. The diabetic prisoner needs a special diet which controls the number of calories as well as the amount of sugars, fats, and protein he is permitted each day. Careful measurement must be made of all the food in the prescribed diet. It is important that the diabetic prisoner be closely supervised to see that he not only eats all of the food prepared for him, but avoids foods not included in his diet. Food received from the outside must be carefully controlled. Diabetics at times tire of their rigid diet and seek to avoid following it despite its importance to their health. They attempt to purchase candy or steal sweets from the kitchen. If for any reason the diabetic's diet and insulin intake are not followed as prescribed, this must be immediately reported in detail to the physician so that he may make any changes necessary to maintain control of the condition.

The Epileptic

General Description. Epilepsy is a disorder in which a person has repeated convulsive seizures. Of greatest concern to the jailer is the type of epilepsy known as *grand mal*, which involves involuntary falling and jerking with loss of consciousness. The cause of seizures is often unknown, but they may be due to head injury, drug withdrawal, or illness. Any prisoner with a history of epileptic seizures requires special handling, even though he does not appear to be physi-

cally ill. Many epileptic prisoners will already be taking medication which effectively controls the condition. The jail physician must be notified of the admission of any prisoner who has seizures or a history of epilepsy. The management of epileptic seizures is a medical problem for which the physician will prescribe, but care during a seizure and the giving of prescribed medicines are responsibilities that usually rest with the jail staff.

What To Do. Seizures may occur while a person is either asleep or awake. If the prisoner has advance warning of a coming seizure, he should be encouraged to lie down. These warnings, called *aura*, may come through smells, sounds, or sights which occur just before the seizure. Many epileptics cry out before the seizure begins. Helping the epileptic to avoid injury during the seizure is the jailer's main concern. If the prisoner falls to the floor, nearby objects should be removed to prevent his striking them during his involuntary movements. He should not be prevented from moving or rolling on the floor during a seizure.

Clothing around his neck should be loosened and a padded object placed between his teeth to prevent his biting his tongue, lips, or the inside of his mouth. This object may be a piece of soft rubber, several wooden tongue blades taped together and padded with gauze, a pencil covered by a handkerchief, or any padded object. The mouthpiece must be placed with care to avoid injury to the epileptic's teeth or the jailer's fingers. (A supply should be kept handy for use whenever a seizure occurs.) A coat or pillow should be placed under the prisoner's head to prevent injury, and his face turned to one side so that saliva can run out. No attempt should be made to pour liquids into his mouth during the seizure. If the seizure lasts longer than a few minutes, or if seizures keep occurring one after another, the jail physician must be summoned immediately to provide emergency care. The prisoner will usually feel exhausted after a seizure and should be allowed to rest or sleep. The jail physician should be routinely informed about any seizures.

Precautions. Drugs help to control seizures and are prescribed for most epileptics. Since these drugs are often sought by other prisoners, caution should be exercised to see that the epileptic actually takes the medication. These drugs must be stored and administered in the same way as all other drugs in the jail.

Epileptics with frequent seizures require close observation by the jailer so that appropriate aid may be given when needed. It is often advisable to place such a prisoner with other prisoners, who can give aid or alert the jailer to a seizure. Seizures must be taken into account in assigning work to an epileptic, to avoid unnecessary risk for him. The epileptic prisoner should not be exposed to dangerous machinery or bodies of water, allowed to drive a motor vehicle, or placed in any situation which might be hazardous to him if he had a seizure.

Injured Prisoners

Head Injuries. Head injuries require prompt medical evaluation and treatment. The jailer is not in the best position to make such an evaluation, for the amount of external injury or bleeding may not indicate the severity or even the presence of brain injury. The jail physician should be called promptly in all instances of head injury and especially if there is a loss of consciousness.

First Aid. First aid for head wounds consists of gentle handling, moving the victim as little as possible; controlling bleeding; and keeping the air passages free for unobstructed breathing. Signs of serious head injury include a flow of clear fluid from the nose or ears, deep unconsciousness, unequal size of the pupils of the eyes, high temperature, and slow or labored breathing. If any of these signs are present in a prisoner who has recently had a head injury, prompt medical re-evaluation is necessary. A prisoner who appears dazed, restless, or apprehensive, walks or moves poorly, does not know where he is, and is only dimly aware of his surroundings may have organic brain damage from head

injury, drug intake, infection, or some other cause. The jail physician should examine any prisoner with these symptoms.

Care of Injuries: Cleanliness. Bandages are applied for protection and to aid the healing process in various types of injuries. Cleanliness is important in avoiding infection. Bandages should be periodically replaced to maintain cleanliness, and casts should not get any dirtier than necessary. Wounds or dressings should not be touched by unclean hands or unsterile materials. The jail physician will decide when dressings should be changed or skin sutures removed. Some prisoners aggravate their own injuries by picking at infections, pulling out sutures, or adding self-inflicted wounds to these already present. Such prisoners should be watched closely and their behavior called to the attention of the doctor.

Care of Casts. Casts at the site of injuries prevent the movement of damaged parts and promote healing. Any newly admitted prisoner whose cast is in question for security reasons should be seen by the jail physician; the cast may be X-rayed or fluoroscoped if metallic contraband is suspected. A cast should not be moistened, damaged, or soiled; if it is, it will have to be changed. If the prisoner has the slightest complaint about his cast, he should be referred to the jail physician. Pressure sores, restriction of blood flow, and interference with underlying nerves are serious complications which may arise if a cast does not fit. Failure to correct this condition promptly can result in permanent injury to nerves, blood vessels, or muscles. Signs of a poorly fitting cast include a change in the color of nearby skin, pain, and a tingling sensation in the skin. The prisoner with an injury should exercise to the extent that his injury or cast will permit.

Precautions. The prisoner handicapped by injury can become prey to stronger prisoners who may be inclined to mistreat him. Because of this, he may require special observation and supervision while he is handicapped. Although walking aids such as crutches, braces, and canes may pose some security problems, the handicapped prisoner should not be deprived of them unless it is absolutely necessary, and even then the physician should be consulted.

Manual of Operations

Every jail staff should have a manual of operations that provides guidelines for dealing with emergencies involving special prisoners. The manual should include policy guidelines for admitting prisoners; procedures for obtaining emergency medical care; procedures for transferring prisoners to hospitals and clinics; guidelines for handling medicine and newly arrived prisoners; and a list of medical personnel who may be called in emergencies.

Finally, each jailer must recognize and accept his responsibility for the safety and welfare of all prisoners admitted to his jail.

Films on Special Prisoners

The films listed below may be borrowed from the National Medical Audio-Visual Facility, Atlanta, Georgia 30333. They may be rented from the Film Library of the National Association for Mental Health at the address nearest you:

267 West 25th Street, New York, New York 10001
614 Davis Street, Evanston, Illinois 60200
1211 Polk Street, San Francisco, California 94109

For information regarding the purchase of these films, write to the Louisiana Association for Mental Health, 1528 Jackson Avenue, New Orleans, Louisiana 70130.

Each film, whether borrowed, rented, or purchased, is accompanied by a discussion guide.

The following films are available (the subject of each film is given in parentheses):

Booked for Safekeeping (emotional illness)

The Mask (alcoholism)

A Cry for Help (suicide and depression)

Bibliography

Matthews, Robert A., M. D., and Loyd W. Rowland, Ph. D. *How to Recognize and Handle Abnormal People*. The National Association for Mental Health, Inc., 10 Columbus Circle, New York, New York 10019 (1960).

7. JAIL ADMINISTRATION

I. Introduction

The ability to run a good jail is no more an intuitive or inborn capacity than is the ability to be a good mechanical engineer, a school superintendent, or an accountant Only the uninitiated and the unthinking will glibly assume that the ability to successfully administer an institution responsible for the care and custody of extreme social and behavior problems under conditions of enforced detention involves nothing more than the ability to turn a key in a lock—or produce votes on election day.¹

This statement is an acknowledgment that the administration of a jail can be learned. It is in fact an optimistic statement, and one that promises hope for the man who faces, with no prior experience, the task of operating a jail.

Changing times are having their effect on the jail and its operation. Social change in the community has resulted in changes in the composition of the jail population. The criminal justice system is also affected, and, in turn, the circumstances of jail commitments. Finally, the trend toward developing community programs for jail prisoners is changing the function of the jail, bringing new goals and high visibility. The jail can no longer be viewed as a depository for society's rejects; it is a social institution that must be sensitive to the community's needs and flexible enough to change as the community changes.

In the face of these changes, the administrator, in order to gain the confidence of the community, must be capable of demonstrating competence in the numerous skills required to operate a modern jail. He must be familiar with modern organization methods and techniques. This chapter presents some of the fundamental concepts of administration—concepts vital for the jail administrator if he is to fulfill the statutory requirements of his job.

General Problems of Jail Administration

The local jail is primarily a place where persons accused of crime are held to await trial and sentencing. In most jurisdictions, the local jail also holds sentenced prisoners awaiting appeal or transfer to a state institution or other facility, and other prisoners who are serving sentences.

Originally, jails existed for the single purpose of holding accused persons to make certain they were on hand to stand trial when, as in 10th century England, the King's traveling judges came around. Several centuries later, jails became places of punishment for petty offenders, vagrants, and debtors. The colonists who came to America from England set up local jails to serve the same purposes. Later, when Quaker influence turned the nation against the barbarous forms of corporal punishment that had been inflicted upon more serious offenders, imprisonment for long periods of time became the general practice and a new kind of institution, the penitentiary, came into being. These facilities have been operated by the states and the federal government. (See Chapter 1 for detailed discussion of the origin of the jail.)

The jails, in keeping with their time-honored function of detaining accused persons and offenders serving short sentences, have remained under local control. At the same time, probably for convenience, they have been called on to deal with other kinds of problem people, including the insane, children who cannot be controlled elsewhere, alcoholics, and men who will not support their families. In short, jails have tended to become convenient storage places for all kinds of misfits for whom society has not made more adequate provision.

¹Myrl E. Alexander, *Jail Administration* (Springfield, Illinois: Charles C. Thomas, 1957), p. 10

Both the law and tradition have created serious management problems for the jail administrator. Our system of criminal justice is based on the firm notion that an accused person is presumed innocent until proven guilty. Persons awaiting trial must therefore, whenever possible, be handled differently from sentenced prisoners. Some of the resulting management problems arise from the need for frequent contacts between the detainee and persons on the outside such as family members, lawyers, and business associates. For purposes of helping him prepare his defense, solve personal and family problems brought about by arrest, and generally because he has not yet been found guilty of anything, the detainee is permitted much more freedom in the frequency of correspondence, telephone calls, and visits than sentenced prisoners. He may also leave the jail under escort for court hearings, investigative questioning, and tests and examinations. These trips are costly in terms of time, supervisory personnel, and transportation. Scheduling difficulties occur because none of these activities, which involve numerous unsentenced prisoners, can be permitted to interrupt the jail's routine.

Differences in status between detained persons and sentenced prisoners within the institution present other problems, not the least of which is housing. A basic assumption, in most jurisdictions, is that detainees will be kept separate from sentenced prisoners, and for this reason the law distinguishes between a "jail" and a "house of correction." Even when both groups are confined under the same roof, as is usually the case, efforts are made to house them in separate quarters and to distinguish among them in other ways. For example, where there is a central dining room, these groups may be fed at different times. Detainees usually do not participate in programs and activities, such as work, that are designed for sentenced prisoners. Possibly because of the traditional "hard labor" implication of a prison sentence, detainees are not assigned even to essential housekeeping chores except as volunteers. It is not uncommon to find in a jail used primarily for detention a small crew of sentenced prisoners who are retained to carry out necessary maintenance.

Not the least of the jail's operating difficulties center around the expectation that it will accept every person presented for admission. In some jurisdictions, where other facilities are available in the community, the law and court orders may permit alternatives to the jailing of the seriously ill, the severely injured, and women and children. But the jail, whether or not it is equipped for the job, inevitably is involved to some degree in the handling of such persons.

The administrator who seriously undertakes to find effective long-range solutions to the operating problems arising from the basic function of detaining people awaiting trial and disposition has a number of tasks. He must search for alternatives, seek opportunities for collaboration with community agencies, and find other ways in which responsibility for the performance of a public service can be shared.

These tasks apply equally to the solution of problems related to the handling of sentenced prisoners. Until such time as a system is devised that will keep off criminal court calendars and out of jails drug users, alcoholics, homeless men, and other socially incompetent people whose offenses hurt themselves more than society, jail-based correctional programs cannot be very effective. To make matters worse, very few jurisdictions have the machinery for identifying offender problems and needs. Many prisoners serve such short sentences that programming is not possible. The status of prisoners on appeal, those awaiting transfer to other institutions, and those committed for nonpayment of fines is uncertain and indefinite.

We have identified a number of operating problems related to basic jail functions, but these are not all. There are many forces at work which tend either to establish the setting in which the jail functions or to influence strongly

the limits of jail operations. Some of these forces stem from the organizational structure within which the jail exists. Others lie in community influences, and still others in the character of the jail itself.

Discontinuity of Management. Typically, jail management is the responsibility of elected local officials. Schools, hospitals, and mental health programs have recognized the need for able, trained, and full-time leadership, and as a result have insisted on professional managers. The administration of local correctional facilities, however, is more often than not only one of the responsibilities of the sheriff. He in turn must rely on subordinates who ordinarily have had no preparation for the responsibilities of management. There is an obvious need for a better administrative framework if continuity in the development and management of realistic and practical jail programs is to be assured.

Coexisting with discontinuity of management are the structural characteristics of local criminal justice systems. The President's Crime Commission Report's description of misdemeanor corrections is applicable to the broader system of criminal justice on the local level:

Misdemeanant corrections is a collection of relatively autonomous and uncoordinated programs and institutions. Probation departments are administered by local courts, county jails by sheriffs, and some other local institutions for adult misdemeanants by corrections personnel. The other institutions differ from jails in that as a rule they handle only sentenced prisoners and not those detained for trial

By and large, each unit acts independently of both higher governmental authority and similar units at its own level. Minimal coordination of operations is accomplished out of obvious need to service a common offender population, but there is virtually no comprehensive planning or conduct of programs.²

The fragmented administration of criminal justice on the local level and the lack of professional management compound the problems of jail administration. The consequences are insufficient planning, primitive budgeting methods, rudimentary statistical reporting, and personnel management problems.

This situation will not change in the foreseeable future. To change it would require an overhaul of governmental structure and willingness on the part of the voter to forego a measure of his autonomy, as, for example, in a shift from city to county government. However, it is possible for the jail administrator to function effectively within the framework of the existing system if he can grasp and apply basic administrative principles.

Financing. The need for operating funds cuts across all management sectors and places real limitations on the administrator's ability to meet the needs of the jail. The jail must compete for funds with schools and other community agencies such as police and welfare. The establishment of funding priorities will depend on the temper of the community and its evaluation of its needs. The jail administrator may find that other agencies have more appeal. As a consequence, the jail budget may represent a compromise that seriously affects personnel, training, and programming needs.

Personnel. The function of the jail as it presently exists can be viewed as essentially custodial. Jail or custodial officers make up 78 per cent of all employees. Thus, a jail may have a ratio of one jailer to nine prisoners, and only one social worker to 846 prisoners, one academic teacher to 1333 prisoners, and one vocational teacher to 1031 prisoners.³ A significant increase in the number of professional personnel in the jail is necessary if effective programs are to be developed.

²Task Force Report: Corrections, p. 74.

³Ibid., p. 164, Table 5

Personnel problems are not limited to the need for specialists. The serious salary deficiencies that exist within the jail officer category have significant influence on recruitment, retention, and training of personnel. The Crime Commission survey found that jailers had a median starting salary of from \$4,000 to \$5,000 a year. The top salary was \$9,000, earned by 16 per cent of this group.⁴ There is apparently a relationship between low salaries and low educational requirements. Fifty-three per cent of the jails surveyed had no educational requirements for administrators or jail officers.⁵

Whatever the quality of the persons attracted to jail work, they come to it unprepared by prior experience. As a consequence in-service training is essential. Most jails are not staffed with training officers, nor have they the funds to develop the kinds of training programs needed by new personnel. The Crime Commission survey found that "only 38 per cent of the facilities offer any sort of in-service training and . . . in most instances, it consisted of little more than training in the use of firearms, supervision of correspondence, and an occasional staff conference."⁶

Programs. Only 35 per cent of jails have any kind of program, although the number without programs is decreasing yearly.⁷ The jail administrator who is faced with the problem of program development must work within his budget limitations, examine his personnel needs, and seek community support. Budget limitations and personnel shortages have contributed to the development and acceptance of such low-cost community programs as work release. The need for greater expansion and diversity of programs both in the jail and in the community continues to be a problem, however.

Overcrowding. All too frequently jails must operate over capacity; as a result, prisoners are doubled up in cells, and cots and even mattresses are placed in corridors. Both the facility and the personnel are overworked and minimum standards cannot be met. The consequences are poor supervisory practices, bad food, excessive disciplinary problems, and escapes.

Physical Plant. The pressure of increasing population is spotlighting the inadequacies of existing jail plants. Thirty per cent of jails surveyed for the Crime Commission were 25 to 50 years old, with 35 per cent over 50 years old.⁸ In one New England state, four jails reported a total of 899 cells that did not have sanitary facilities.⁹ Many jails were built before the general use of inside plumbing or electricity. The problems of overcrowding, inadequate sanitation, and lack of space for programs can only be met with new construction or renovation of existing facilities. The survey estimated that new construction would provide about 47,000 beds by 1975.¹⁰

Confinement of Juveniles. It has been estimated that 100,000 juveniles are confined in jails annually,¹¹ and few jails, largely because of age, have separate facilities for them. As a result, youthful prisoners associate with those who are older and more sophisticated, and sexual assaults occur. The needs of juveniles differ from those of adults, and their recreational, educational, and dietary requirements cannot be met in existing facilities. Lack of facilities for juveniles is one of the jail's most critical inadequacies.

⁴ *Task Force Report: Corrections* p. 165, Table 8.

⁵ *Ibid.*, p. 165, Table 6.

⁶ *Ibid.*, p. 165.

⁷ *Ibid.*, p. 166, Table 11.

⁸ *Ibid.*, p. 166, Table 9.

⁹ *Ibid.*, p. 166.

¹⁰ *Ibid.*, p. 166.

¹¹ *Ibid.*, p. 24.

Responsibilities of the Administrator

The jail administrator has many roles; he cannot be expected to fulfill them equally well. How well or how poorly he performs will depend on many things, not the least of which is the leadership he can provide. He must also promote teamwork—a workable sharing of responsibilities for planning, policy making, and efficient operations.

The administrator operates a system within a system. He is involved in a public service which is part of a much larger system of criminal justice. At the same time, he is responsible for operations which are related to other governmental and community functions. The jail, for most offenders, is the first step in detention and supervision, regardless of the eventual disposition of their cases.

The administrator is a custodian. "And him safely keep," whether expressed or not, is the universal admonition that accompanies every order of commitment to a lockup or jail. Final responsibility for the prisoner's safekeeping rests with the administrator of the facility. A committed person, in a practical sense, becomes a ward of the official to whom authority has been delegated to detain him. The legal responsibility of the administrator for the safety and safekeeping of the prisoner places certain requirements and constraints on his administrative behavior; these are discussed in detail in Chapter 10, Legal Problems in Jail Administration.

The administrator is a conservator of public property and funds. In this role, he is responsible for the preparation and submission of operating budgets, for the proper expenditure and accounting of funds, and for the proper use and maintenance of buildings, grounds, equipment, and supplies. He may also contract for the procurement of goods and services.

In a sense, the administrator bears the responsibility of an agent of the court and of other governmental administrative units. He follows to the letter orders directing the commitment and release of prisoners. He may be responsible for complying with many other administrative procedures and directives in submitting budgets; hiring, promoting, and firing employees; and contracting for services.

The jail administrator is responsible, through effective public relations, for shaping public attitudes and opinions toward the operation of the jail. As it is necessary to expand existing programs and plan new ones, he will need to develop community support for them. Annual or biennial reports are one way to give the community an understanding of the jail's operation and its budgetary needs.

The Functions of Administrator

Whether jail operations ever were as static as many people believe, certainly this is no longer the case. The nature of the jail population is changing rapidly; the jail is beginning to feel the effects of changes occurring outside the institution; and an enlightened public is beginning to expect more of a jail than simple warehousing. All these will have a marked effect on jail operations. The administrator with vision will not wait until change is forced upon him but will take an active role in planning and managing change. In preparing for change, he will have some control over the direction which it takes. The administrator thus has responsibilities in two directions: toward the immediate operations for which he is accountable, and toward long-range planning that will increase the jail's effectiveness.

The administrator has four basic functions: Defining objectives, planning, decision making, and control. The administrator needs to understand the nature of these functions if he is to be effective in his job.

Objectives are statements that define what an activity is to achieve. They

are also called goals, statements of purpose, aims, and "the mission." Objectives contain the following elements:

1. The objective should state what is to be achieved in clear, specific terms. The objectives of the jail may be to prevent escapes, eliminate all weapons from the jail, begin an Alcoholics Anonymous group, or develop a literacy program. Generalities should be avoided: The objective of jail programs is to rehabilitate offenders.

2. An objective should be capable of measurement or evaluation. For example, the objective of a work release program may be to ensure that at least one third of all jail commitments will be assigned to that program and will have employment when released at the completion of their sentences.

The objectives of a literacy program may be based on the following criteria: The level of literacy that the students must achieve; the number of known illiterates that should attend; completion rate. The objective of this program should be stated in this form: to raise the literacy of the illiterate group in the jail population to the fifth grade reading level; to reach 50 per cent of the illiterate population in the jail, with a 75 per cent completion rate. This statement of objectives is specific, and it can be measured.

3. The objective should identify the persons or group for whom it is intended; this will result in greater precision. A literacy program that does not identify the group may produce false results. In this instance, a semi-literate group may show impressive gains in reading ability at the expense of masking the poor performance of the illiterates. Or an AA program that does not screen its applicants to identify the alcoholic may not be able to measure its results. The occasional drinker or the curious may distort the meaning of the drop-out rate.

If the group for whom the objective is intended is not defined the result may be conflicting objectives. For example, the objective of achieving security may conflict with program development if the jail population is viewed as homogenous. In reality strict security measures may only be necessary for a small group, permitting programs to be developed for the remainder of the population.

The development of objectives is the first step in rational management, for they serve as a method of measuring effort, progress, change, and results. They serve as the basis for planning, in every area of management, for without them planning could not be done. Objectives also serve to make the activities of the organization rational. An examination of organizational objectives will often reveal inconsistencies in procedures to implement them. For example, the objective of preventing escapes and controlling contraband may not be achieved if the procedures are not consistent with the objectives. Thus, the jail may not have procedures for searching prisoners; supervision may be inadequate, etc. The objective of protecting prisoners from each other will not be possible if the administrator permits prisoners to organize a kangaroo court, or if he does not have a method of evaluating prisoners. The objective of food economy cannot be met if poor quality food is purchased and little attention is paid to its preparation, resulting in a high spoilage rate and the rejection of food by prisoners.

Planning. Planning is an organized method of problem solving, in which the problem is identified and studied, alternative solutions are examined, and a course of action selected. Without planning, the jail administrator runs the risk of administration by crisis—solving each problem as it arises without taking into account the long-range implications of the solution. One writer has pointed out that plans fall into two categories, standing plans that are developed to meet recurring problems, and long-range plans or single use plans that are needed for unusual conditions. Standing plans are the policies and procedures

of the organization. They have been developed as a means of solving the day-to-day problems. In the jail these include such areas as correspondence and visiting regulations, security procedures, work schedules, and admission and release procedures. Long-range planning is a method of solving larger problems and those that occur occasionally such as budgeting and program planning, or as in the case of riots and escapes and fires, those events that seldom occur.

The planning process is another means that the administrator can use to develop a rational administration. It prevents the haphazard growth of policies and procedures and takes into account the need for balancing the variables that can contribute to a solution. In some instances the choice of a course of action can be selected from an array of choices each of which has been examined and evaluated in terms of its consequences and its effect on other parts of the jail program. Planning issues and problems will be examined in the sections to follow within the context of budgeting, personnel management, program planning, and new construction.

Reorganization of the jail, for example, must be systematic. It will require review and probably revision of old goals, policies, procedures, and routines. And personnel must be trained in the new skills necessary for implementing the reorganization. On the other hand, if emphasis is placed on upgrading personnel, the administrator must be prepared to make changes in the organization of the jail so that the staff can use the new skills they have learned. Otherwise, the staff will be dissatisfied with the system's inadequacy to accommodate to the changes that the training implied.

Decision Making. Everyone in the jail, from the jail officer to the administrator, makes decisions. The jail officer is guided in his decisions by policies, procedures, and schedules called standing plans. These plans provide little room for the consideration of alternatives since they are usually interpreted narrowly and as a consequence they free personnel from the need for selecting a course of action for recurring situations. During escapes and riots, decisions are made on the basis of emergency plans. These plans ensure that the proper decisions will be made by all personnel on occasions when there will be little time for leisurely consideration of alternatives. Standing plans and emergency plans are methods of making decisions in advance.

A higher and more complex level of decision making involves the selection of a course of action from one of a number of alternatives. The basis for the selection may be cost, priority, resources, intended results, or consequences considered singly or in combination. The decision to begin a program in the jail will be based on a study of the population and its needs; the number of persons to be served, and the seriousness of the problems they present. However, the cost of the program may make it prohibitive, and force consideration of other alternatives for implementing it. For example, the lack of funds and personnel may result in the development of a volunteer group to implement the program. In another case the problem of reducing escapes may require the consideration of the following alternatives: building a new jail, extensive renovation, replacement of all locking devices, increasing the staff, reassignment of personnel and the reorganization of guard posts, a training program in security techniques. Although evidence may point to the need for a new jail, costs may rule out this alternative or any alternatives that will require increased spending. It may therefore be decided to reorganize and train the jail staff. It is also possible that most of the alternatives listed above could be selected and priority given to their implementation. The need for a new jail could be easily demonstrated, but since long-range planning will be required, other more immediate alternatives must be selected. As a consequence, some of the locking devices may be replaced, and staff given training to improve their performance. In this case both priority and cost were taken into consideration.

The decision to develop a community program will be based on the factor of cost, the availability of resources, and the climate of the community. In this case, politics may be an additional factor in selecting an alternative.

The selection of a course of action can be seen as requiring the balancing of many alternatives. Seldom will this selection be clear and unambiguous, for there are many roads to achieve a goal. The administrator will need to weigh each possibility, and make what may be the best decision possible under the circumstances. A valid criticism of a decision is that it was not systematic, and that all the alternatives were not considered.

Exercising Control: The Objectives of control are:

1. To monitor the operation of the jail to ensure that objectives are being met.
2. To evaluate the effectiveness of policies, procedures, and programs.
3. To identify or predict problems before they reach a critical stage.

An administrator has a number of tools at his disposal that he can use to exercise control of the jail. These include reports, records, and deadlines. The achievement of objectives can be accomplished by the use of these methods. Objectives can be measured by records and reports. The number of persons placed on work release, the number participating in and completing a program, the reduction in employee turnover (if stated as a goal) are all objectives that can be measured. Program development and planning can be controlled by the establishment of schedules or deadlines. Where plans require specific stages, deadlines can be set for each stage, thus monitoring and controlling the development of the plan.

Evaluating by results may require the use of statistical studies, the setting of numerical values, or the development of criteria as standards or as measures of goal achievement. Short-range and long-range goals must also be identified. Program participation and completion are short-range objectives; program success—the result of the program—is a long-range objective. The results of a literacy program are measured in terms of reading skills, not in terms of the number of participants, for example. The success of a work release program is measured by the reduction of criminal activity of the participants and not by the amount of revenue returned to the county. Of course, if revenue is the only result that is intended, then it can be used a measure of program success.

The effectiveness of a procedure may be measured by the success it has in meeting specific criteria. Thus a new procedure that permits more time and greater frequency of visits may be considered a success if two criteria are met: no increase in personnel for supervision, and no increase in the introduction of contraband. An employee training program may be considered successful if there is a reduction in prisoner disciplinary reports and a drop in employee turnover.

Evaluating the effectiveness of procedures must be approached with care however, for the cause of success, or failure, may be difficult to identify. For example, a security procedure may be considered the reason for the absence of escapes or escape attempts. The true cause may be employee competence, excellent security equipment, or an effective classification system. In some instances the procedure may not have any usefulness, although this may be difficult to demonstrate.

Evaluating the results has the disadvantage of after-the-fact reporting. The annual report is an excellent method of reviewing past performance. Evaluation of a program after it has been completed or has been in operation for some time will give indications of its success or failure. In some instances, however, success or failure can only be evaluated on a long-range basis; and statistical reports, recidivism studies, and standards are useful tools for this purpose.

Administrative control requires that goals, plans, and programs be reviewed periodically. Records, reports, and sampling techniques can be used as an early warning system for identifying errors in planning, the validity of objectives, and

for locating problems before they become unmanageable. An increase in the number of disciplinary reports may point to rising prisoner dissatisfaction. It may be due to poor food, poor supervisory practices, or the response to a new and unpopular procedure. It would be dangerous for an administrator to wait for an annual review of jail activities to discover that disciplinary problems are greater than those of the previous year. A new program will require monitoring in the early stages to eliminate problems that were not contemplated. A work release program will need to be reviewed to determine if there is a high incidence of contraband, if employers are paying the agreed-upon wage, and if transportation problems are limiting program success. If the program is not evaluated in the early stages, the problems may cause it to fail.

The annual budget is an excellent example of an administrative control. An examination of the budget at regular intervals will reveal the expenditures for each program, and serve to measure stages of program development. Expenditures will point to abnormal or below normal activity, and indicate where program adjustments are needed. A quarterly rise in medical costs may indicate a change in the composition of the population and the need for an increase in medical program requirements. This may require a shift of funds from another program if possible. If estimates indicate that these increased costs will continue and result in a deficit at the end of the year, it may be necessary to request a supplementary appropriation. On the other hand, a rise in drug costs may represent the treatment philosophy of a new physician, indicating a need for administrative intervention in drug dispensing.

The administration of the jail can be accomplished most effectively if the operation is divided into manageable functional units. If this is not done, the administrator may find himself applying the rational methods discussed previously, but in a disorganized fashion. The functional units of the jail include fiscal management, personnel administration, operations, fiscal planning, program planning, and community relations. Within each of these units, the functions of setting objectives, planning, decision making, and control can be exercised.

II. Budgeting and Program Planning

In the United States today there are in excess of 80,000 units of local government. Although no one would venture a guess as to the number of people exercising formal responsibility for the management of public services provided by these units, we do know that local government spends in excess of \$60 billion each year. Yet the vast majority of those responsible for the management of public programs and services have little or no formal training in fiscal management.

Although the problems facing administrators in private business and industry and in government are similar in many ways, in the area of fiscal management we find two distinct differences. First, governments do not as a rule engage in activities designed to produce a profit. A notable exception is the Tennessee Valley Authority, a government-owned corporation whose operation is much like that of a private business. By and large, however, general purpose units of government are created to provide certain services not normally available through the private sector of the economy. Such services may include inspecting public restaurants, constructing schools, operating sewage systems, caring for the mentally ill, and maintaining custodial facilities for those sentenced to jail terms. Generally speaking, unlike private business and industry, a unit of government is concerned with nonprofit, service oriented activities.

The second important distinction is this: Since the 17th century, it has been an article of faith among the English-speaking peoples of the world that legislative control of the public's purse strings is the best way of insuring representative, responsible, and responsive government. In the United States, as in most other nations influenced by the English parliamentary system, federal, state, and local legislative bodies exercise two important powers: the levying of taxes and the appropriation of tax revenues. Clearly, this means that an official having responsibility for the administration of a public program or service is almost totally dependent upon a legislative body for the resources necessary to the performance of his duties.

Governments have traditionally been conservative in their approach to spending tax monies. This attitude, best exemplified by the typical action of legislative bodies during budget review time, is also found in the administration of what is frequently called the line-item budget. (See Table 1.)

Table 1. An Example of the Line-Item Budget

Annual Budget			
PANATELLA COUNTY			
FUND	DEPARTMENT	ACCOUNT	
General	Sheriff's	2-14	
OBJECT OF EXPENDITURE	ACTUAL BUDGET 1969	ESTIMATED EXPENDITURES FOR 1970	PROPOSED BUDGET 1971
PERSONAL SERVICES			
111 Salaries and Wages—FT ^a	\$111,500	\$122,360	\$143,957
112 Salaries and Wages—PT ^b	8,000	8,760	9,520
119 Pensions and Retirement	11,467	11,512	13,591
TOTAL	\$130,967	\$142,632	\$167,068
CONTRACTUAL SERVICES			
211 Postage	\$ 445	\$ 490	\$ 560
212 Telephone and Telegraph	1,440	1,680	1,880
213 Travel Expense	980	940	1,250
214 Uniform Allowance	1,150	1,280	1,400
219 Printing	290	265	300
239 Insurance Charges	725	775	850
TOTAL	\$ 5,030	\$ 5,430	\$ 6,240
COMMODITIES			
331 Office Supplies	\$ 600	\$ 670	\$ 700
351 Expendable Tools and Equipment	240	210	280
374 Motor Fuel, Oil and Grease	11,875	12,120	13,000
TOTAL	\$ 12,715	\$ 13,000	\$ 13,980
CAPITAL OUTLAY			
411 Furniture and Fixtures	\$ 1,250	\$ 1,660	\$ 3,500
420 Motor Vehicles	3,240	4,960	10,220
499 Miscellaneous Capital	830	680	1,780
TOTAL	\$ 5,320	\$ 7,300	\$ 15,500
TOTAL BUDGET	\$154,032	\$168,362	\$202,788

^aFT = Full Time.

^bPT = Part Time.

It should be noted that a line-item budget has at least three distinguishing characteristics:

- The structure reflects a basic concern for controlling the various objects of agency expenditures—personal services, contractual services, capital outlay, and so on. These objects of expenditure might be thought of as the “input” of public programs and services.
- The emphasis is on fiscal data related to an agency’s operation: How much is being spent for what specific purpose? The purpose and amount are further broken down into line-items such as full-time employees, telephone and telegraph charges, and travel expense.
- Projected costs of future operations are almost always limited to one year in the future, usually the year for which a budget request is being prepared.

The underlying concept of the line-item budget is one of fiscal control. In both its development and its administration, the line-item budget is characterized by a high degree of rigidity. The administrator has little discretion in preparing his budget request and even less flexibility in its subsequent administration. For example, the county sheriff may find it impossible to replace a patrol vehicle even though a budgeted position has been vacant for six months, and thus there is a dollar surplus in the operating budget. The general rule in administration of the line-item budget is that funds are not to be expended except for those items explicitly detailed in the operating budget as approved by the legislative body or chief executive.

Following the Second World War, the first Hoover Commission recommended that the national government adopt a modern, up-to-date system for budgeting at the federal level, a system which would provide greater visibility concerning what services public agencies perform and at what cost. In fact, the system was called *performance budgeting*. What advantages does the performance budget offer?

- The performance budget focuses on the various types and the level of service provided by an agency.
- Increased understanding of the purpose and function of each agency is achieved.
- Because the performance budget is structured around identifiable units of service and their specific costs, future program costs can be more accurately forecast.

The performance budget allows the administrator to identify a specific service or activity and its costs, for example, the feeding of prisoners. (See Table 2 for an example of a performance budget.) It is usually possible to analyze the workload, staff time, and costs involved in feeding prisoners over a given period of time such as a month or year. Since salaries are often the major cost involved in providing this service, it is essential that fairly detailed records be maintained so that unit costs can be determined. The administrator’s objective is to assign a specific cost estimate to a unit of service. It may be found from analyzing direct and indirect costs over a period of time that providing for the dietary needs of a prisoner costs \$3.18 per day. These costs may include purchased provisions, dietary supplies and equipment, utilities, and labor. Such an analysis permits the identification of the cost (\$3.18) per unit of service (feeding one prisoner for one day).

The administrative value of performance budgeting is its ability to focus attention on specific activities, such as the booking of prisoners, and to raise relevant questions: Can methods be improved? Can costs be reduced? Equally important in the planning and execution of a budget is the basis performance budgeting provides for accurately estimating fiscal needs. In other words, if the jail administrator can estimate, on the basis of available workload data, that 1,306 prisoners will be fed in the coming fiscal year, he can, by multiplying the projected units of service by the estimated unit cost, arrive at a fairly

Table 2. An Example of the Performance Budget

Annual Budget PANATELLA COUNTY		DEPARTMENT Sheriff's		
		FUND General	ACCOUNT 2-14	
FISCAL SUMMARY				
CLASSIFICATION	ACTUAL COSTS IN 1969	ESTIMATED COSTS FOR 1970	REQUESTED FOR 1971	
PERSONAL SERVICES	\$130,967	\$142,632	\$167,068	
CONTRACTUAL SERVICES	5,030	5,425	6,040	
COMMODITIES	12,715	13,000	13,980	
CAPITAL OUTLAY	5,320	7,300	15,500	
OTHER	0	0	0	
TOTAL EXPENDITURES	\$154,032	\$168,357	\$202,588	
PROGRAM SUMMARY				
PROGRAM GOALS To provide general law enforcement services including (1) the prevention of criminal activity, (2) the protection of persons and property, and (3) the enforcement of county ordinances and state statutes.				
PERFORMANCE DATA				
MAJOR UNITS OF SERVICE PERFORMED	ESTIMATED UNIT COST	UNITS OF SERVICE PROVIDED		
		1969 Actual	1970 Estimated	1971 Projected
1. Miles Traveled in Patrol	\$ 0.19	246,793	258,390	271,650
2. Felony Cases Handled	28.62	1,267	1,506	1,960
3. Juvenile Incidents Investigated	13.85	618	790	920
4. Court Orders Served	6.91	786	810	885
5. Operation of Jail:				
a. Prisoners Processed	23.17	1,082	1,260	1,510
b. Custody-Days Provided	7.02	38,952	47,880	60,400
6. Citizen Complaints Handled	3.86	3,870	4,110	4,650

accurate projection of total dollar requirements.

Despite the administrative problems involved and the requirement for workload and cost data, performance budgeting is considered to be a distinct improvement over traditional line-item budgeting. Yet even the performance budget fails to answer the questions which administrators must consider in managing a jail operation: What needs to be done, for whom must it be done, and how can it best be done? These contrast sharply with questions raised by the line-item budgeting approach (how much money did we spend in the past?) and the focus of performance budgets (what services are being performed and what cost?). Given the continuing pressures for achieving efficiency in government and making the best possible use of limited fiscal resources in our communities, it seems both logical and desirable that the administrator give less attention to the past or even the present and shift his focus to the

future in planning, programming, and budgeting for jail operations. These three words are critical: *planning*, *programming*, and *budgeting*. They are, in essence, the foundation of sound management.

During the Kennedy and Johnson administrations, the federal government moved forward in its efforts to develop and implement a Planning-Programming-Budgeting System (PPBS). The experience of the Department of Defense in applying the underlying concepts and techniques of PPBS received a great deal of attention in the press, in Congress, and among those interested in the problems of public management. By 1969 more than a third of the states had embarked on the development of PPB Systems. Local government units are also showing considerable interest in this approach to program and fiscal management.

Table 3. An Example of the Program-Oriented Budget

Program Budget and Financial Plan PANATELLA COUNTY	PROGRAM Public Safety
	SUBPROGRAM General Law Enforcement

RELATED DEPARTMENTS AND AGENCIES

1. Panatella County Sheriff's Department
2. Panatella County Court
3. Panatella County Probation Department
4.
5.
6.

SOURCE OF FUNDS, 1971

84.4% County General Fund
10.9% State Aids and Shared Taxes
1.3% Federal Aids and Grants
3.4% Fees and Fines
% Other Sources

MULTIYEAR FINANCIAL PLAN

SUBPROGRAM ACTIVITY	1970 Estimated	1971 Requested	1972 Projected	1973 Projected	4-Year Cost
A. Operation of County Jail	\$ 50,507	\$ 60,776	\$ 72,210	\$ 81,555	\$265,048
B. Services to the Court	25,254	30,388	36,105	40,776	135,523
C. Criminal Complaints	58,925	70,906	84,245	95,148	309,224
D. Transportation Services	13,468	16,207	19,256	21,749	70,680
E. Administration and Training	20,203	24,311	28,884	32,622	106,020
TOTAL EXPENDITURES	\$168,357	\$202,588	\$240,700	\$271,850	\$886,495

ESTIMATED PROGRAM REVENUES

	\$ 26,263	\$ 34,604	\$ 36,105	\$ 40,778	\$134,750
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NET PROGRAM EXPENDITURES

County General Fund	\$142,094	\$167,984	\$204,595	\$231,072	\$751,745
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PRIORITY PROGRAM GOALS

- I. To improve department capacity to respond to requests for assistance in quelling civil disturbances within Panatella County. This goal can be realized through:
 - A. Realistic and intensive in-service training conducted in cooperation with municipal law enforcement agencies.
 - B. Procurement of necessary equipment and supplies for use in controlling civil disturbances.
 - C. Development of mutual assistance pacts with surrounding counties.
- II. To improve operation of the county jail through:
 - A. Review and evaluation of present staffing pattern to achieve more effective coverage during peak hours of operation.
 - B. Modernizing procedures for the initiation and maintenance of individual inmate records.

To illustrate a few of the more prominent features of PPBS, Table 3 presents a greatly simplified, program-oriented budget which can be compared to the line-item budget (Table 1) and the performance budget (Table 2).

Program-oriented budgets have the following characteristics:

- Program-oriented budgets deal with "packages" of commonly related activities. Note that in Table 3, five distinct activities, including operation of the county jail, are identified. The activities identified may or may not coincide with the organizational structure of a law enforcement agency; in fact, some activities may cut across organizational lines. For example, the fifth activity identified in this example is one labeled "Administration and Training." It is quite possible that training activities are carried on which affect each division or bureau within a county sheriff's department. In Table 3, the total cost of all training activities is summarized at the departmental level to give the administrator a better idea of the relationship between "Administration and Training" as a distinct activity and other departmental activities.
- Program budgets focus on the results of the performance of a public service rather than on a description of its dollar costs. For example, the program budget of a sheriff's department might include an activity described as "Service to the Courts," which calls attention to what services are provided to which courts and how they are performed. A line-item budget for the same activity would be concerned with itemizing the dollars spent for salaries, supplies, and other items.
- A multiyear financial plan is an important characteristic of program budgeting. Program planning efforts, based on the best information available at the time, are designed to produce a projection of costs at least three years beyond the current fiscal period. This gives the decision maker a better perspective of long-range program costs and an opportunity to plan a fiscal program capable of producing needed revenues in the years ahead.
- Program budgeting focuses attention on specific problems and relevant policy issues. In the example presented, two critical problem areas are identified, each of which has a clear impact on the type, level, and cost of services provided as part of the public safety program.

The planning-programming-budgeting approach, or program budgeting, incorporates features of both the line-item budget and the performance budget. The dollar-cost estimates needed to support a program budget cannot be easily acquired except through line-item accounting; at the same time, the problem of identifying units of service requires some consideration.

Many who have studied public management practices argue that the problems surrounding local government budgeting stem, at least in part, from the use of accounting data in making major program decisions, and the rigidity of an arbitrary accounting structure does not provide the administrator the flexibility required in managing public services. At the same time, while performance standards such as those suggested by the performance budget approach are needed to measure program effectiveness, administrators must be willing to question existing services. Is the level at which a service is provided really adequate? How can quality be improved or costs reduced? Are particular services needed in the years ahead?

To summarize the three approaches to budgeting, the line-item and performance budgets may be viewed as relatively inflexible systems which tend to promote a continuation of the status quo, whereas program budgeting centers attention on change and the results produced by engaging in a given activity. More important, it gives the program administrator a greater degree of flexibility, through the shifting of available resources—manpower and money—in responding to changing needs.

Table 3 represents a program budget and financial planning summary that might be presented by the county sheriff or the county's chief administrative

officer, the county commissioners, or the county board. The budget developing process may be compared to constructing a pyramid with a child's building blocks. In developing a workable budget for a large public agency, each identifiable activity or element in the organization—each block—must be put down before consolidated budgets at the next level in the organizational structure can be added. The peak of the pyramid is the final budget document represented in Table 3. This document, the sheriff's budget, may then become one of the building blocks used in constructing a consolidated county budget.

It would be possible for each subordinate administrator in the sheriff's department to take the form used for budget in Table 3 and on it develop his own program budget and financial plan. For example, the person responsible for jail operations might construct a document similar to that represented in Table 4.

Table 4.

Program Budget and Financial Plan PANATELLA COUNTY	PROGRAM General Law Enforcement
	SUBPROGRAM Operation of County Jail

RELATED DEPARTMENTS AND AGENCIES	SOURCE OF FUNDS, 1971
1. Panatella County Sheriff's Department 2. Panatella County Court 3. Panatella County Probation Department 4. 5. 6.	84.1% County General Fund 4.1% State Aids and Shared Taxes % Federal Aids and Grants 11.8% Fees and Fines % Other Sources

MULTIYEAR FINANCIAL PLAN

SUBPROGRAM ACTIVITY	1970 Estimated	1971 Requested	1972 Projected	1973 Projected	4-Year Cost
A. Processing and Supervision	\$ 15,152	\$ 19,602	\$ 20,974	\$ 22,442	\$ 78,170
B. Inmate Care and Maintenance	25,254	29,794	31,880	34,112	121,040
C. Work-Release Program	10,101	11,010	16,185	17,318	54,614
D. Administration and Training	3,232	6,478	6,931	7,416	24,057
TOTAL EXPENDITURES	\$ 53,739	\$ 66,884	\$ 75,970	\$ 81,288	\$277,881

ESTIMATED PROGRAM REVENUES

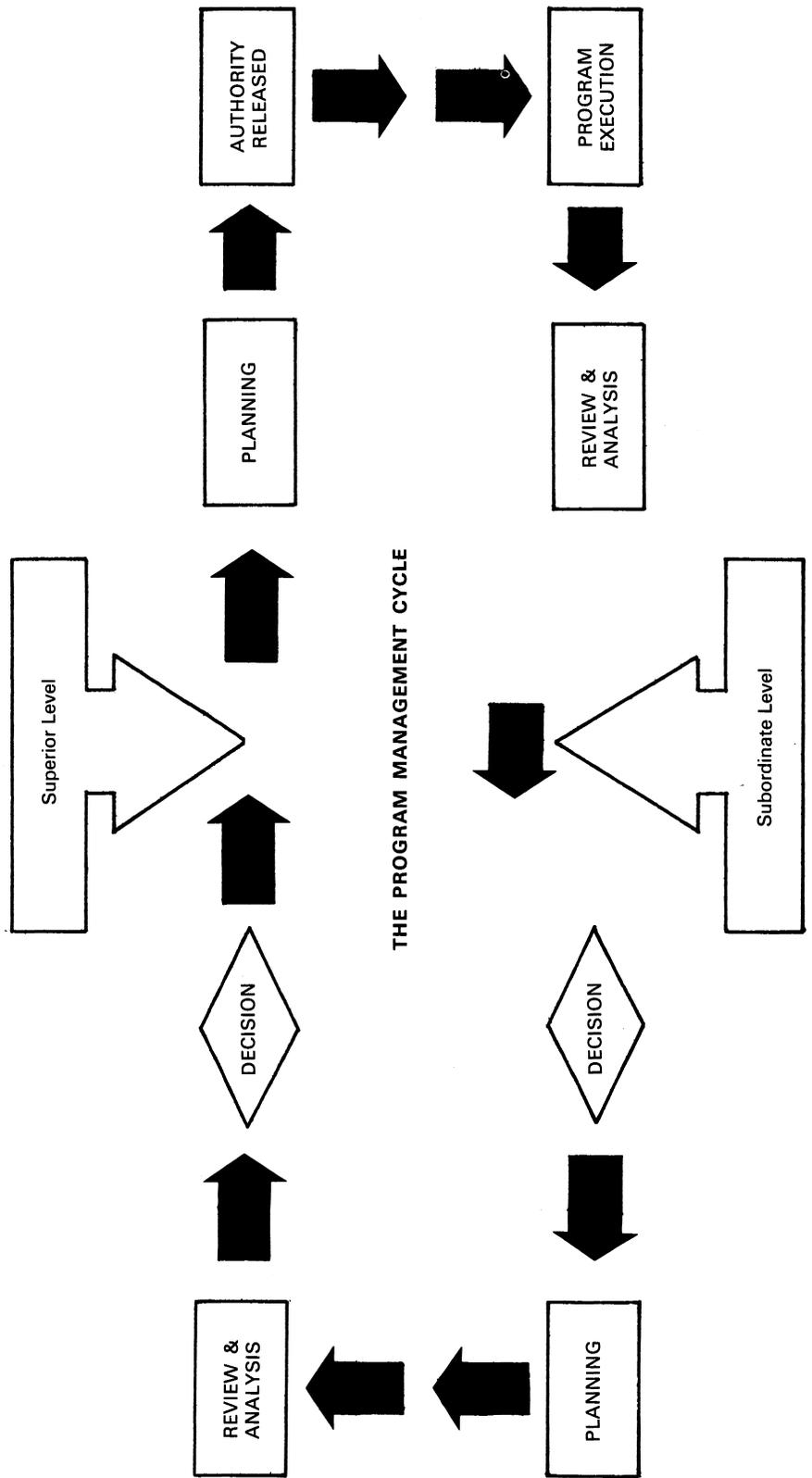
	\$ 8,329	\$ 10,635	\$ 12,307	\$ 13,646	\$ 44,917
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NET PROGRAM EXPENDITURES

County General Fund	\$ 45,410	\$ 56,249	\$ 63,663	\$ 67,642	\$232,964
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PRIORITY PROGRAM GOALS

- I. Jail operations need to be improved during the peak hours of the day beginning with the daily release of inmates permitted to work outside the jail under the work-release program, continuing through the hours in which the county courts are in session, and ending either with the dinner hour on non-visiting days or at 8 p.m. on visiting days. We intend to accomplish this goal through three administrative means:
 - A. Asking the county's Administrative Analysis Office to study the staffing pattern to determine if manpower can be allocated more effectively.
 - B. Asking the same office to assist us in up-dating our procedures for initiating and maintaining prisoner records.
 - C. Leaving prisoners appearing in court in custody of the court bailiff.
- II. Initiate planning for the construction of new jail facilities in 1974 when the present county jail will be inadequate to handle the projected jail population.



THE PROGRAM MANAGEMENT CYCLE

FIGURE 17

The Program Management Cycle

The sheriff or his representative would review the budget request for jail operations, evaluate it in terms of its fiscal and program impact and its contribution to the "mix" of services for which the sheriff is responsible, and finally incorporate it in the departmental program budget and fiscal plan.

The building block concept is not a new theory, but it tends to be ignored in actual budgetary practice. Why it is important to develop a high degree of administrative flexibility and decentralization should become clear as we discuss the relationship of budgeting to the other functions of management.

Figure 17 illustrates the relationship of various steps in what is called the *Program Management Cycle*. While it may be logical to break into the chain of events at the point where authority to perform a function is released, to gain a better perspective of budgeting and program management it is more appropriate to begin with the function that administrators consistently slight: program review and analysis.

Program review and analysis is simply the evaluation of an operation to determine its effectiveness. It involves an appraisal of activities based on four fundamental questions:

- What was planned?
- What was actually achieved?
- If planned objectives were *not* achieved, why not?
- How will this affect planning for future operations?

An example may clarify the review and analysis function. Suppose a sheriff, responsible for operating a county jail, included in his most recent budget request an estimate of 120 inmates as the projected average daily population. On the basis of this planning estimate, he was granted sufficient funds for jailers, matrons, food, clothing, medical care, and other administrative expenses directly related to the custody of 120 inmates. At the same time, it was estimated that the average daily population (ADP) would rise to 132 and 148 during each of the next two 12-month periods.

Nearly half the budget year has now passed, and in his program review and analysis, the sheriff finds that instead of 120 inmates, the daily jail population has averaged 131. He knows what was planned (ADP = 120) and what actually occurred (ADP = 131). The critical question is what caused the nearly 10 per cent deviation. Did the community experience civil disorders which forced the jail to operate well over capacity for several weeks? Has there been an increase in the number of jail sentences handed down by the courts? Has some change in court policy affected the workload of the jail?

Whatever the cause for the deviation, it needs to be clearly identified so that its impact on future jail operations can be determined. For instance, if the higher average daily population was the direct result of some civil disturbance within the community and does not reflect an unanticipated sharp increase in criminal activity, the original projections for future years (132 ADP and 148 ADP) may still be valid. On the other hand, if factors are at work which will cause the jail's workload to rise even above that originally projected, this must be reflected in planning, programming, and budgeting for the year immediately ahead. Will additional personnel be required? Are existing facilities adequate for housing the number of inmates expected? Has the composition of the jail population changed so that specialized services not presently available are required?

It should be clear that program review and analysis is essentially a thinking process, a common-sense approach to problem solving. Other factors in evaluating a program or activity also need to be remembered:

- Program review and analysis is a continual function. Too frequently it is ignored unless probing questions or criticism are leveled at the administrator. Continuing concern for program effectiveness, including a reasonable balance among activities, is a function of supervision.

- Program review and analysis requires the establishment of valid objections. It is difficult to determine how well a program is being run unless there is some yardstick for measuring its effectiveness. Placing 30 per cent of the inmates in custody on a work release program is a measurable program objective. Not all program objectives can be measured. For example, how does one determine the "adequacy" of recreational opportunities for juveniles in detention or the "quality" of medical care and treatment services? However, the difficulty of establishing measurable objectives should not be used as an excuse for not conducting an evaluation of program activities.
- Program review and analysis provides a rational basis for decisions about future program planning and budgeting.

The decisions made as a result of program review and analysis may have a significant effect on the day-to-day operations of an organization. New objectives may have to be set because of rapid changes in workload, demand for new services, or desire to change existing services. Even activities as seemingly stable as those which characterize correctional administration undergo significant and often radical change as a result of external pressures.

Planning is the key function of every supervisor and executive. This is not to say that planning is more important than the other management functions—organization, staffing, direction, and control. But planning must occur before any other function if program management is to be effectively exercised.

What does planning require? An effective planning effort is characterized by systematic analysis, adequacy and practicality, flexibility, coordination, and initiative.

Systematic Analysis. Planning requires a systematic and analytical approach to the solution of problems in program administration. The problems must be defined, relevant information analyzed, all feasible alternatives identified, and a sound decision made.

Adequacy and Practicability. An operational plan must adequately meet the objectives set for a program. Moreover, plans should be practical in the sense that the objectives set can actually be achieved with the resources available.

Flexibility. If the resources necessary for fulfilling a planned objective are not available, the administrator may have to change the plan. New or increased demands on the administrator may also require plan changes. But adjustments in program operations are difficult or even impossible to effect when work plans are so rigidly constructed that changes cannot be made in day-to-day operations.

Coordination. When services provided by a single unit within an organization affect or are affected by the policies or operational procedures of other units within or outside the organization, program planning must be coordinated to prevent duplication of effort, to insure the availability and adequacy of resources, and to minimize conflict.

Initiative. All too often, planning at one organizational level is delayed until complete and detailed instructions are provided by higher levels. This is particularly true in the field of law enforcement, and frequently leads to hurried, inadequate planning. The administrator should proceed with his planning, using the best information available at the time, without waiting for specific instructions from above.

Changing needs and the demand for new services are sound indications that a corresponding change is necessary in program objectives and operational plans; failure to consistently achieve established objectives may also indicate the need for revision of program objectives, policy, and procedures.

Obviously, setting future objectives requires that the administrator give serious consideration to the problem of estimating the type and amount of re-

sources required. This can be both a vexing and rewarding exercise.

Projecting resource requirements brings the relationship between program planning and fiscal management into sharp focus, particularly during that special time each year when administrators are required to participate in the agonies of the budgetary process. The development of a budget must be reviewed by administrators as something far more important than a time-consuming, fiscally oriented exercise. In truth, the fiscal aspect of budgeting should be the least of an administrator's concerns in the early stage of budget formulation. In fact, it is best that the costs of operating a correctional facility be ignored until an administrator can answer three critical questions:

- What needs to be done?
- For whom must it be done?
- How can it best be done?

This stage of the budgetary process can be illustrated by the steps which might be taken by a jail administrator assigned the responsibility of providing detention facilities for female juvenile offenders. The first question (What needs to be done?) is answered in the statement of the administrator's responsibilities: to provide for the detention, care, and treatment of female juvenile offenders. This statement also partially answers the second question (For whom?). To completely answer the second question, however, the administrator must determine the approximate number of offenders who must be served in a given year, and the kind and level of treatment services that should be provided. This information has a direct bearing on program administration and costs.

Answering the third question (How can it best be done?) allows the administrator to set fairly explicit objectives. These objectives not only guide the organization in carrying out its responsibilities but serve as a basis for identifying the specific resources required: manpower, materials, and money.

The administrator must keep in mind that there are almost always alternative ways in which program objectives can be accomplished. For example, instead of providing the physical facilities and custodial services necessary in caring for female offenders, a municipal or county jail might contract for these services with a state correctional facility or another large municipal jail. Direct payment for contractual services could, in some instances, be significantly less costly than duplicating the facilities and services needed for a small number of inmates.

While dollar costs must be estimated and assigned to each alternative, advantages and disadvantages must also be considered in selecting the "best" alternative. In the case of providing for juvenile female offenders, one alternative to developing this capacity in a local jail may be to contract for their care with another agency. If the number of offenders involved is low, there may be obvious fiscal advantages in doing so. On the other hand, selection of this alternative may result in first-time offenders being committed to a facility whose own female population is heavily dominated by hardened, habitual offenders. This exposure may have a detrimental effect on the first-time offender. Obviously, this is a distinct disadvantage and one which must be considered in the selection of alternatives.

Once program objectives have been set, alternative means for their accomplishment identified—including costs, advantages, and disadvantages—and a decision made as to which alternatives are the most feasible, detailed estimates must be made of the resources required. These resources will be reflected in the budget documents prepared by an administrator.

Staffing and Manpower Analysis

Since 80 to 90 per cent of an operating budget pertains to the cost of salaries and fringe benefits, staffing and manpower analysis is a vital concern for the administrator in budget planning and control. Jail administration is almost unique among public programs in that it involves an around-the-clock operation, rather than the traditional 40-hour work week which characterizes most other public services. The administrative problems this presents are worth discussing in some detail.

The growing concern over the limited resources available for financing the activities of local government requires a rational, systematic approach to manpower planning and control. One such technique is Staffing and Manpower Analysis (SAMA), which involves at least two distinct processes:

- the development of a staffing pattern which reflects the type and level of staffing needed to accomplish the program objectives; and

FIGURE 18 Planned Staffing Pattern for Detention and Custody

Form 3-17 Markham County Sheriff's Department STAFFING AND MANPOWER ANALYSIS <input checked="" type="checkbox"/> Staffing Pattern <input type="checkbox"/> Manpower Requirements			<input type="checkbox"/> Administrative Services <input type="checkbox"/> Criminal Investigation <input checked="" type="checkbox"/> Detention and Custody <input type="checkbox"/> Juvenile Bureau <input type="checkbox"/> Patrol Bureau <input type="checkbox"/> Special Services Bureau		
POSITION TITLE (Brief Description)	SHIFT 0700-1500	SHIFT 1100-1900	SHIFT 1500-2300	SHIFT 2300-2700	ENTER TOTALS
Captain (Bureau Commander)	1	0	0	0	1
Lieutenant (Shift Commander)	1	0	1	1	3
Sergeant (Shift Supervisor)	2	1	1	1	5
Deputy (Detention Officer)	10	6	8	6	30
ENTER SHIFT TOTALS ➡	14	7	10	8	39
Bureau Approval By:	Comments: Command of 1100-1900 hours shift to be exercised by on-duty shift commanders, 0700-1500 and 1500-2300 shifts.				
Date Approved:					
Departmental Approval By:					
Date Approved:					

- the calculation of manpower requirements to support the established staffing pattern.

Figure 18 represents the staffing pattern created for a hypothetical jail operation. The figure shows what kinds of posts must be filled and the personnel required for each shift.

This phase of Staffing and Manpower Analysis is concerned not with people but with positions that must be filled in order to provide a certain level of service. It will not tell the administrator what services are needed or at what level; this information can only be obtained from past departmental experience and future program objectives.

The decision to adopt the staffing pattern in Figure 18 was based on a definition of the bureau's operational problems and program objectives, an analysis of relevant data, and the consideration of all feasible alternatives. On this basis it was decided, for example, that between 7 a.m. and 3 p.m., 10 custody posts should be manned. Precisely how many trained jailers would have to be assigned this shift in order to man the 10 positions is the next question to be answered through Staffing and Manpower Analysis.

To the agency which provides around-the-clock service 365 days a year, the 40-hour week presents some practical management problems. Determining personnel levels and shift scheduling are certainly two of these. Staffing and Manpower Analysis is designed to permit the precise determination of manpower requirements. Essential to the process, however, is the development of a manpower planning standard.

A base figure of 365 days, representing the number of days in the fiscal planning period, serves as a starting point. But since every employee does not work 365 days, the days that the average employee will not be available for duty must be subtracted from the base figure. Figure 19 illustrates this process. The off-duty days listed in the figure are defined as follows:

- Normal Days Off. In this example, it is assumed that each employee will be authorized to take two days off each week, or a total of 104 calendar days annually.
- Holidays. Whether an employee is actually off duty on an authorized holiday, or works and is either paid overtime or given compensatory time off, is of little consequence. Sufficient personnel and/or funds must be budgeted to compensate for the eight authorized holidays in this example.
- Annual Leave. The amount of leave taken by individual staff members may vary according to length of service and other factors. Leave records provide sufficient information for estimating the average number of days off taken for this purpose.
- Sick Leave. This is another factor which can be determined by a brief analysis of available records. The average is used for planning purposes and will vary among the different age groups represented in the work unit.
- Other Short-Term Leave. This may include military leave, leave for jury duty, or other types of leave averaged out among members of the work force.

This simple process produces an estimate of off-duty days to be anticipated for the "average" employee within the work unit. Subtracting anticipated off-duty days from the base figure gives an estimate of the number of days the same employee will actually be available for duty. In Figure 19, 132 off-duty days are subtracted from the base 365 to produce an estimate of 233 on-duty days.

The next logical question is this: If a given position must be manned 365 days each year, how many personnel must actually be included in the personal services budget to insure full coverage? The following formula is applied:

$$\frac{\text{Base Figure}}{\text{Estimated On-Duty Days}} = \text{Full Coverage Factor}$$

FIGURE 19 Calculation of Estimated On-Duty Days in Staffing and Manpower Analysis

Planning Base in Days		365
Normal Days Off	104	
Holidays	8	
Annual Leave	13	
Sick Leave	4	
Other Short-Term Leave	<u>3</u>	
Total Average Off-Duty Days		<u>132</u>
Estimated On-Duty Days		233

On the basis of the data in Figure 19, this formula would yield a full coverage factor of 1.57. This tells the administrator that in order to achieve full coverage for any single position to be staffed 365 days each year, he must actually include in his operational budget the equivalent of 1.57 personnel.

This factor can now be applied to the staffing pattern shown in Figure 18. The result, as shown in Figure 20, is an accurate projection of total manpower required to implement the detention bureau's staffing pattern.

As shown in Figure 18, ten custody posts are to be manned at all times by the day shift. The number of actual budgeted positions necessary to achieve this level of coverage, without exception for weekends and holidays, is determined by multiplying the number of posts (10) by the full coverage factor (1.57). This produces a figure of 15.70.

The same procedure is repeated for each of the remaining shifts. In order to provide full coverage for 30 custody posts spread over four shifts, the department must actually hire, train, and equip 47.10 individuals to function as detention officers. (In practice, fractional positions are rounded off to the nearest whole number. In this case, 47 positions would be included in the personal services budget. Despite the degree of precision which Staffing and Manpower Analysis suggests, it will be necessary at times to call an off-duty officer to provide coverage, or even to have a single on-duty officer cover two posts.)

Assuming that the same full coverage policy applies to the posts filled by sergeants and lieutenants, the identical procedure—shift by shift and post by post—is applied. The results are shown in Figure 20.

But what if a post need not be filled each and every day? In the case of the bureau commander, Figures 18 and 19 reflect the decision to fill this post on the basis of a normal 40-hour week. In the captain's absence, command would be exercised by the shift lieutenant on duty. Thus, in Figure 20, only one position calling for an officer with the rank of captain would be incorporated in the bureau's personal services budget.

From this brief example it can be seen that the traditional rules of thumb for determining manpower needs are, at best, approximations. If the number of full coverage posts (38) had simply been multiplied by 50 per cent as some executives are wont to do, the result would be the budgeting of 57 positions. Staffing and Manpower Analysis indicates that 60 men, excluding the bureau commander, are actually required. This technique is not only more precise but can be an effective tool for demonstrating to others exactly how staffing and manpower needs are determined.

**FIGURE 20 Projected Manpower Requirements to Attain Staffing
Pattern Adopted for Detention and Custody**

Form 3-17 Markham County Sheriff's Department STAFFING AND MANPOWER ANALYSIS <input type="checkbox"/> Staffing Pattern <input checked="" type="checkbox"/> Manpower Requirements			<input type="checkbox"/> Administrative Services <input type="checkbox"/> Criminal Investigation <input checked="" type="checkbox"/> Detention and Custody <input type="checkbox"/> Juvenile Bureau <input type="checkbox"/> Special Services Bureau		
POSITION TITLE (Brief Description)	SHIFT 0700-1500	SHIFT 1100-1900	SHIFT 1500-2300	SHIFT 2300-2700	ENTER TOTALS
Captain (Bureau Commander)	1.00	0.00	0.00	0.00	1.00
Lieutenant (Shift Commander)	1.57	0.00	1.57	1.57	4.71
Sergeant (Shift Supervisor)	3.14	1.57	1.57	1.57	7.85
Deputy (Detention Officer)	15.70	9.42	12.56	9.42	47.10
ENTER SHIFT TOTALS ➡	21.41	10.99	15.70	12.56	60.66
Bureau Approval By:	Comments: Full Coverage factor = 1.57.				
Date Approved:					
Departmental Approval By:					
Date Approved:					

A word of caution is in order. The management technique just described should not be viewed as a foolproof, scientific method which will guarantee that adequate manpower is always available. It should also be noted that Staffing and Manpower Analysis is neutral in terms of scheduling personnel for duty. It cannot prevent the problems caused by unbalanced vacation schedules or vacancies created by high employee turnover. Staffing and Manpower Analysis is designed to permit the executive and his supervisory personnel to estimate their manpower needs more precisely; it does not automatically ensure the judicious allocation and use of these resources.

Various elements in the programs for which jail administrators are responsible are subject to change that is often rapid and dramatic. This change may be the result of new policies or problems over which the administrator has little control. A court may adopt a different procedure for handling prisoners awaiting arraignment or trial; stringent standards for the care of juvenile offenders may

be imposed by the enactment of a new state statute; a sharp increase in jail sentences may occur following the election of a new judge.

These basic alternatives are open to the administrator who is faced with an unanticipated workload increase or a demand for new or improved services: He can reallocate existing resources or he can request additional resources. The alternatives should be explored in this order. By careful analysis of the current operating budget, a jail administrator may find at least a partial solution in the following ways:

- By reallocating current personnel. This may produce changes in individual workloads, work schedules, or duties. The ability of the individuals affected to perform adequately in the new situation and the possible impact on morale within the work unit must be carefully weighed.
- By reallocating funds set aside for the purchase of supplies and services. For example, excessive medical care costs may have to be offset by forced savings in the area of in-service training. Again, the long-range consequences as well as the short-range advantages must be evaluated.
- By identifying outside resources which will permit a problem to be solved without seriously affecting resources. For example, a public agency or private organization may be able to provide on a one-time or otherwise limited basis the human skills or other resources required.
- By altering present facilities or equipment to fulfill a short-term requirement. In practice, this make-do approach is frequently employed.

The other possible solution is to request additional resources, which may entail the appropriation of supplemental funds. A request for additional funds should focus the attention of the decision makers on the relevant facts. To do this, the request should include the following:

- a definition of the problem;
- relevant supporting data;
- a description of alternative means for solving the problem together with some details of costs, advantages, and disadvantages; and
- the administrator's recommendation as to which alternative is best.

III. PERSONNEL MANAGEMENT

Historically, jails, prisons, and other agencies of the criminal justice system have had problems recruiting and retaining personnel, and for a number of reasons. Low salary scales and unattractive working conditions make it difficult for jails to compete in the labor market with local industries, for example. In the majority of the jails surveyed by the Crime Commission, starting salaries were found to be under \$6000 a year. Another significant factor is the low status of work in corrections. A recent survey of attitudes toward correctional work found that it was considered as a career least often, ranking below military and police work.¹² The same survey revealed that people have the least confidence in prison guards,¹³ and consider their jobs the least rewarding in the field of corrections.¹⁴ Jail and workhouse personnel are poorly paid, enjoy little status, and are generally required to have little education; the same is true of prison guards, whose work is comparable and is carried on in similar circumstances.¹⁵

Thus the jail administrator, in carrying out his responsibilities in personnel management, must try to find answers to a number of vital questions. How can

¹²Joint Commission on Correctional Manpower and Training, *The Public Looks at Crime and Corrections* (Washington, D.C., 1968), p. 22, Tables 40 and 41.

¹³*Ibid.*, p. 20, Table 35.

¹⁴*Ibid.*, p. 21, Table 38.

¹⁵Correction in the United States, p. 145

the work be made more attractive? How can the status of the work be improved? Will an increase in salaries improve the status of the work and facilitate recruiting? How can salaries be increased? How can the performance level of persons now on the job be upgraded?

Obviously, the answers to these questions are interrelated. For example, the status of a position will not change as long as the salary and the personal and educational qualifications required remain low. Nor will the status of the work improve as long as the level of skill required to perform it remains low. No matter what a person is paid, he will not gain any status for turning a lock.

In attempting to solve his personnel problems, the jail administrator should make use of personnel experts in the local government. He should realize, however, that such persons are technicians, and that their usefulness depends on his ability to define his problems and make his personnel needs known. The administrator who is not interested in change will have little difficulty defining his personnel needs, for he will use traditional methods to fill traditional jobs. He may or may not be successful, depending on local economic conditions and labor supply, but he will not be able to meet the increased need for capable people in changing times.

Since this chapter is concerned with preparing the administrator to meet changing needs, the emphasis will be on two areas: evaluating the jail's personnel needs in changing times, and upgrading the level of present personnel. The administrator must not concentrate on future personnel needs to the exclusion of the needs of his present staff.

Before the jail administrator calls in the personnel specialist he must review the objectives of the jail. If the jail is to remain primarily a detention center, it will require certain kinds of skills and personnel; these requirements will be different if the jail is to become part of a community correctional complex involving programs and services of various kinds. The changing function of the jail may demand higher performance of the jail officer. With the development of a program such as work release, for example, the administrator must decide whether to hire new personnel to supervise and administer the program or to enlarge existing positions to include such responsibilities. In many instances, the increased demands of new programs and restricted personnel ceilings will require that present positions be upgraded.

When the jail's objectives have been established, the personnel technician must analyze present positions in the jail and revise them according to the new requirements. To do this, he must have a more complete description of the responsibilities of each position than is normally provided by a formal job description. To obtain the necessary information, he may observe the job that is being done, interview the person on the job, or request from him a written description of his work.

When he has reviewed his analysis of each position, the personnel expert can determine what changes will be necessitated by new skill requirements. Review of a supervisory position, for example, may show that it includes responsibility for five jail officers; however, since the objectives of the jail have been changed to include rehabilitative services and the development of community programs, this job will now include responsibility for the administration of a work release program. The jail administrator must be able to supply a description of these new responsibilities and the skills needed to carry them out.

If new programs are to be added to jails, jail staffs generally will need to become more proficient in their present jobs, and knowledgeable in certain ways. In many prisons, for example, officers have taken on some responsibility for prisoner rehabilitation, and participate in group and individual counseling. There is little doubt that this will also come about in jails. When it does, it will be a recognition of what is in many places already a basic function of the jail officer. Many jail officers have been counseling prisoners informally for years;

with training and supervision, this counseling could be formalized and become part of an officially recognized jail program.

Upgrading of personnel should not be an end in itself, however. Unless more qualified jailers are actually required to meet the responsibilities arising from new objectives, requests for salary increases are difficult to justify and personnel may become frustrated. Unless their skills are utilized, the jail administrator may find himself with a demoralized staff of overeducated and undermotivated officers.

Recruitment of Personnel

The degree to which the jail administrator is involved in recruitment will depend on local political and governmental arrangements. In some areas, jailers are not covered by civil service, and an election may result in a complete turnover of jail personnel. In such instances the sheriff hires his own staff and is deeply involved in the recruitment and selection process. Depending on his political situation and his disposition, he may or may not be inclined to use the recruitment methods discussed here. If a local government has a civil service or merit system, the machinery for selection and possibility for recruitment already exists. In either case, it is useful for the administrator to be familiar with recruitment methods.

Recruitment Methods

Unsolicited Applicants. Walk-in applicants are a frequently used source of personnel. Although the county personnel office may supply job information, the jail should make provision for meeting prospective applicants, answering their questions, and supplying them with applications.

The reception walk-in applicants receive may be important in influencing them to accept jobs. It can also create a favorable public image for the organization. It is important that applicants who do not accept or who are not offered a job be favorably impressed by their treatment; word-of-mouth advertising is inexpensive and effective. Prompt and courteous replies to unsolicited letters of application also create a favorable impression of the organization.

Public Employment Agencies. State employment agencies are an inexpensive and fruitful source of personnel. The administrator must advise the agency of his personnel needs and provide position descriptions and qualification requirements.

High Schools and Vocational Schools. Schools are a valuable source of personnel for jobs requiring little work experience. High school counselors can advise students of careers in law enforcement and jail and correctional work. However, the jail administrator must make personal contacts, clearly describe the jobs available, and supply information and material to the counselor so that he is adequately prepared to discuss jail work with students. Career days in some schools provide an opportunity for discussing job opportunities with interested students. A talk accompanied by slides of the jail and jail activities is useful for recruiting in schools.

Newspaper Advertising. Classified advertising in newspapers is a commonly used recruitment method that has the advantage of reaching large numbers of people. An ad should include a brief job description, the pay range, fringe benefits, and minimum qualifications required. Because of the relatively high cost of such advertising, considerable attention should be paid to the results achieved. Sometimes an expensive ad will draw not a single applicant or a large number of unqualified applicants.

Present Employees. The friends and relatives of an organization's own employees represent a source of potential personnel. As employees usually refer

only those friends and relatives they feel are qualified and with whom they would want to work, applicants from this source have already been screened to a certain extent.

The usual means of tapping this source are announcements on bulletin boards, posters, newsletters, and pay envelope inserts.

Minority Groups. Minority groups are a manpower source that cannot be overlooked. In many jails minority group members make up a sizeable portion of the prisoner population, and often may be the dominant group in the jail. Where this is the case, recruitment of personnel from minority groups is wise for a number of reasons, not the least of which is to facilitate communication between the administration and inmates. This will serve to clarify the needs of minority group inmates, which can then be met by minority staff members. Any meaningful counseling program will require minority group counselors. Finally, recruitment and selection techniques cannot ignore the fair employment practice requirements of the law.

Evaluating and Selecting Applicants

Numerous devices can be used to evaluate applicants and determine their qualifications. A formal process of written tests and oral examinations usually results in the jail administrator's making a selection from a number of qualified applicants. Whether he makes the best choice will depend on his ability to determine which individual will most closely fit the needs of the jail.

There are no tried and proven methods for interviewing qualified persons and deciding whom to hire. The task is especially difficult when the testing process narrows the selection to the point where there is little difference between applicants. However, the administrator should attempt to determine each applicant's interest and effectiveness in working with people, his probable reactions to stress and crisis, his ability to give and take orders, his attitudes toward prisoners, and his views on the need to punish persons who commit crimes. With experience, the administrator will develop skill in phrasing questions and evaluating responses.

The Probationary Period

The probationary period should be used for evaluating a new employee's performance and training. It should begin with an orientation that provides the employee with basic information about the jail—working hours, employee regulations, supervisors, the physical layout. A period of training should follow orientation. In a small jail training may take place on the job. A larger jail may have a formal training program that the employee is required to complete before he is placed on the job.

The probationary period is a time for evaluating the new employee's ability to learn the job, his performance in training, his general performance, his personal characteristics as they affect his work, and his potential for professional development. He must be given an opportunity to demonstrate his competence. If his performance is below standard, he must be advised of this fact and told how to improve. At the end of the probationary period, he must be given a final evaluation and either appointed permanently or released. It is good personnel practice to document the reasons why a person is not given a permanent appointment.

Post Rotation

Post rotation may involve rotating personnel either among positions in the jail, or between the jail and the field. Within the jail, rotation of posts may be restricted to each watch, or personnel may be rotated among watches. In the

first case, an officer may remain on the seven-to-three day watch, but alternate among various positions. He may, for example, be assigned to the receiving desk for a month and then to a prisoner housing unit. When this kind of post rotation is in operation, each jail officer should complete the cycle within a certain period of time, such as a year.

The advantage of this procedure is that each officer learns to do every job in the jail. His familiarity with the entire jail operation makes him more flexible and therefore a more valuable employee. On the other hand, not all jail officers are capable of high performance in every post. Some officers perform very well at the admissions desk but do a poor job supervising prisoners. Post rotation does not take advantage of the individual employee's strengths and weaknesses, but assumes that he can function well on any assignment.

Shift rotation may or may not be desirable. While it has the advantage of giving everyone the opportunity to work the favored day shift, it keeps personnel in an unsettled state. Employees often complain that they have no sooner adjusted to one shift than they must change to another. Employees with seniority feel that they should be given a choice of shifts. Younger employees feel that they should be able to work up to a permanent daytime assignment. The most equitable solution is to give the employee with seniority an opportunity to choose his shift, and to offer a pay differential for nightwork. If given the chance, the average employee will choose to have some stability in the hours he works.

Probably the most difficult problem in this area is that of rotating personnel between posts in the field and in the jail. Usual practice is to assign the newly appointed deputy to the jail. After he has received his training, completed his probationary period, and been on the job for about a year, he is permitted to transfer to the field. He may be transferred back to the jail later as part of the normal rotation procedure. If he is promoted, he may return to the jail until he has put in a certain amount of time in the new grade.

Unfortunately, rotation between the field and the jail is often used as a means of assigning the best personnel to the field. Those who have not exhibited high aptitude for field work are automatically assigned to the jail. The result is to lower the status of the jail and its personnel in the eyes of the sheriff's staff. Assignments to the jail and the field should ideally be made on the basis of ability and aptitude. There is little doubt that some individuals are better suited to work in the field than the jail. Given the difficult and sensitive nature of the work in both cases, it is wrong to use either assignment as a dumping ground.

Development of Job Satisfaction

It is commonly believed that higher pay promotes job satisfaction and is a factor in the retention of the staff. This is only partly true: When low pay is a source of employee dissatisfaction, increasing it will temporarily reduce that dissatisfaction. But other factors are more important to job satisfaction: opportunity for advancement, challenge, variety, visible results, and recognition of good performance from supervisors and fellow workers.

Personnel studies have found that when employees are given more authority for their own work, more interesting work, more responsibility, and more recognition of their contributions, job performance and job satisfaction improve.¹⁶

¹⁶Frederick Herzberg, "One More Time: How do You Motivate Employees?" *Harvard Business Review* (January-February, 1968), pp. 53-62.

Staff Training

The immediate objective of training is to improve the performance of individuals in an organization. The end goal is the building of an effective organization. To achieve this goal requires a formal, well-organized training program. The jail administrator cannot rely on orientation and casual on-the-job training to produce competent employees.

Since no formal programs exist to prepare persons for a career in jail work, new employees come to the job untrained. The jail training program is therefore the only means of providing the new employee with the philosophy, knowledge, and skills he needs to do his job.

Training may also be used to upgrade the skills of present employees. A refresher program may review supervisory methods or procedures such as the cell shakedown. Personnel often become rusty and develop poor habits; training calls attention to proper procedures and makes employees aware of their mistakes. Procedures concerned, for example, with escapes, riots, and fires are rarely used, and reviewing them is a necessity. Periodic review of technical subjects such as the use of gas is imperative.

The jail administrator will on occasion introduce new methods and procedures, and the training program is the most effective means of orienting employees to their use. Although it is possible to pass on information on new procedures by bulletins or during brief sessions before shift change, these are not efficient or effective methods.

A training program should not be a one-time event, instituted to achieve a short-range goal and then abandoned. An ongoing training program develops a staff that is accustomed to training, able to profit from the experience, and prepared to learn new methods and techniques.

Assessment of Training Needs

How does an administrator know when training is needed and what kind of training is needed? Training new employees is a relatively simple matter, as new personnel must obviously be instructed in routine matters such as security procedures, supervision, and jail policies. The problem arises when retraining needs must be identified. There are a number of methods for determining training needs.

Evaluation of Employee Performance. The administrator should review each employee's performance with his supervisor. Although this method is subjective, it can be valuable for discovering the kinds of training that supervisors feel their subordinates need.

Review of Critical Incidents. Escapes and other emergencies should be closely reviewed to determine their causes. An unusual number of disciplinary reports may indicate a breakdown in staff-prisoner relations and the need for a refresher course in supervisory techniques.

Introduction of New Procedures. Any new procedure will normally suggest the need for training.

Surveying Employees. Although employees may not be the best source of information on training needs, their opinions should be sought and considered.

Training is not the only means of improving employee performance. It should not be used, for example, to solve personnel problems. Poor performance may indicate that job assignment procedures are inefficient, or that hiring standards need to be revised. Mistakes in screening and evaluating employees cannot be corrected by training. A final consideration is whether an employee is capable of improved performance. Training may be the obvious tool, but if it is to succeed, the potential for improvement must be present.

Once training needs have been determined, the training program can be de-

signed. Various types of training techniques are available to the jail administrator, and although he cannot be expected to be an expert in their use, he should know enough about them to make intelligent decisions.

In order to decide which training techniques are most appropriate, the administrator should consider his alternatives in the light of the criteria for a successful learning experience:

- Does the training technique provide for *active participation* of the trainee?
- Is there *feedback*? Is the trainee aware of the results of the training?
- Does the technique provide for transfer of the learning experience to actual job performance? An important part of training is making sure that trainees understand the relevance of the training material to their effectiveness on the job. The employee must feel that the training will help him do his job better.
- Is there *reinforcement* of appropriate behavior? Does the training technique provide encouragement when the trainee exhibits the desired progress? This may require constant evaluation by the trainer and the employee's supervisor during the training period.
- Can the trainee make use of his new skills? There is no point in training an employee in skills he cannot use on his job. He must also be permitted to use his new skills by his supervisors. He may find it difficult, for example, to use the supervisory techniques he has learned if his supervisor has a negative attitude and regards these methods as too lenient.
- Is there *motivation* for the trainee to improve his performance? This may include incentive pay, increased responsibility, or participation in new programs.
- Does the technique have the flexibility to encompass trainees' individual differences? Individuals have different capacities for learning, and this must be recognized if the program is not to bore the fast learner and frustrate the slow learner. The fast learner will not necessarily be the best employee or have the highest aptitude for the job.

While training programs are almost always conducted in the jail, the administrator must not ignore the value of training off the job, particularly that offered by colleges and universities in workshops and other short training programs. Some state correctional systems have academies whose excellent training programs can be useful to jail officers.

Standard Training Techniques

The following is a listing of some of the more standard training techniques.

Coaching. Coaching, or on-the-job training, involves assigning each trainee to a senior employee who is responsible for his development. This relationship fulfills some of the criteria for a successful learning experience (for example, flexibility and feedback) that are often not met in a group learning situation.

Job Rotation. A trainee is exposed to a variety of work situations to develop a wide range of competency.

Vestibule Technique. A simulated working environment is developed outside the jail. Although the problem of artificiality must be overcome, this technique represents an interesting combination of the two basic types of training—coaching and lecture. Cost of training facilities and training time can be a factor.

Lectures. Information is presented primarily by verbal means. This technique is the most common, but has distinct limitations unless it is supplemented by other techniques. It is most successful in presenting factual material.

Readings. Information is presented through written materials. This widely used technique remains an essential tool despite its limitations if used alone.

Films, Slides, and Visual Aids. An excellent supplement to lectures and readings, this technique includes the presentation of information through pictures,

drawings, graphs, etc.

Conferences. Discussion groups are used to stimulate ideas and to encourage an involvement that promotes learning. Trainees often become "trainers" for their fellow learners.

Case Studies. This technique involves presenting trainees with a problem situation for which they must find a solution. Students may be asked to apply what they have learned to the solution of a problem that has actually arisen in the jail.

Programmed Learning. The tools of this technique are a system of specially prepared books, records, tapes, etc., that allow the individual to learn at his own pace. Self-testing and other feedback devices are built into the materials.

The success of a training program depends on the caliber of the training officer. While there are no absolute criteria for selecting a training officer, he must be knowledgeable about jail operations, able to speak effectively, and have either training experience or the potential to become an effective training officer. If training duties are simply assigned to the person who does not fit in anywhere else, the training program will obviously not be highly regarded or effective.

An adequate training record should be maintained for each employee, indicating the programs in which he has participated. If at all possible, the record should show how well he performed—for example, his level and degree of participation and his test scores.

The students' enthusiasm is a vital factor in the success of a training program, and the attitude the administrator exhibits toward the program has direct bearing on the trainees' approach to it. Even though students may be initially motivated, and the material interesting and well presented, their initial enthusiasm will fade if the administrator does not show an active interest in the program. If he is not interested in the program, they reason, why should they be? Trainees expect more of the administrator than a formal talk at the beginning and perhaps at the end of the course. The administrator who attaches importance to training should reveal this by giving at least one of the lectures, perhaps leading a discussion group, and by appearing at training sessions from time to time.

IV. THE ADMINISTRATION OF OPERATIONS

The operation of the jail requires the planning and development of policies and procedures that will serve as a basis for making routine decisions. They are also guidelines for coordinating the varied activities of prisoners and staff personnel. Jail operations are a collection of functional units including security, administration of discipline, emergency planning, medical care, food, laundry, and records. Administrative control of jail operations requires periodic review of the objectives of these functional units and the procedures that have been developed to implement them.

Such review is a prerequisite for rational change. The introduction of new objectives, new roles, and new procedures will impose strains on existing practices if planning is not used to achieve logical consistency between the old and the new. Haphazard planning, or the lack of planning, can have serious consequences. The objectives that result may conflict and thus nullify or compromise each other, or they may be self-serving and strain at logic. This section will examine each of the jail operation's functional units, selecting examples that demonstrate the importance of setting objectives and developing procedures that are consistent with each other.

Security

A detailed discussion of security procedures for the jail officer can be found in Chapter 2. The procedures in the discussion that follows have been selected for their relevance to the administrator's role in defining objectives and planning procedures.

Evaluation and Classification. The evaluation and classification of prisoners is a procedure that is intended to meet the following objectives:

1. Protection of the community by preventing escapes.
2. Safekeeping of prisoners' health and welfare.
3. Protection of prisoners from themselves and each other.
4. Protection of employees from prisoner assault.

Evaluation also has program objectives—meeting the needs of the prisoner for education, training, employment placement, counseling, etc.

Meeting these objectives requires that the weak and submissive be separated from the strong and predatory, the young from the old, the naive first offender from the sophisticated criminal, and the emotionally ill from all others. Escape risks must be identified and measures taken to ensure their safe custody; homosexuals and suicide risks must also be identified and given the proper degree of supervision.

All prisoners should be evaluated to determine the kinds and degrees of help they need, and means should be sought to provide it. A program that can provide assistance to prisoners with emotional problems will contribute substantially to the security and safety of the jail.

For purposes of administrative simplicity, three security designations are recommended in the jail: maximum, for the person who needs close supervision and control; medium, for the prisoner who needs routine control in the jail; and minimum, for those who need very little supervision and who are not escape risks. Minimum security classification should be limited to those prisoners who are assigned to work outside the jail or night workers.

The term "trusty" should be eliminated from the classifications for prisoners. Problems with trusties were discussed in Chapter 4, *Supervision of Prisoners*. Part of the difficulty arises from misuse of the term, which unfortunately suggests that the individual can be trusted. The minimum security designation would be more accurate, since it implies that the prisoner is able to work with minimum supervision. The tendency to trust trusties has led to numerous escapes and the introduction of contraband in the jail. The use of this designation does not meet other security objectives listed above.

There are three basic principles in the establishment of an evaluation and classification system: the number of categories should be few in number, the procedure should be simple, it should be capable of periodic review.

The classification categories should be limited to three: maximum, medium, and minimum. Once this policy is established, it must be constantly monitored, as the number of categories tends to increase with time. For example, the breakdown may become minute, with separate classifications for escape risks, homosexuals, suicide risks, and so on. The result is a system of such complexity that personnel have a difficult time learning and administering it. At a military detention facility where this occurred, no fewer than nine classifications were in use.

The procedure for evaluating and classifying prisoners should be simple and should be administered by a few staff members. Few jails have the staff or the prisoner population to justify a large classification committee. However, the responsibilities of classification should be shared among a number of staff members, who will thus have an opportunity to exchange and compare observations.

The suggested procedure is to assign all prisoners entering the jail to a

maximum security designation, and to schedule them for review at such time as it is felt that sufficient information about them has been received. Evaluation and classification do not end with the prisoner's initial security designation. Prisoners and their situations change: the minimum security prisoner may have a detainer placed against him; the person in maximum security may have his detainer dropped; and the medium security prisoner may suddenly develop problems and become emotionally unstable.

Admission Procedures. The objectives of admission procedures are to protect the prisoner from illegal detention; to provide him with medical care if he requires it; to safeguard his personal property; and to establish identity so that the correct person is eventually released. Guidelines must therefore be developed that inform the admissions officer who can and cannot be legally admitted to the jail.

Some jurisdictions permit juveniles to be admitted to the jail only on court order. Other jurisdictions require that the jail admit any person who is brought in on a valid charge. Whether or not the law permits discretion, the prisoner must be protected from erroneous confinement resulting from booking under faulty or false charges, or from improper confinement forms. Guidelines in this area will also protect the admissions officer from error. Although the problem of illegal detention resulting from faulty admission procedures has not as yet come to the attention of civil libertarians, it will eventually come under legal scrutiny, if it continues. Charges such as "Hold for Officer Smith," "suspicion of . . .", or "hold for mental examination" are not legal, and may eventually result in law suits against the jurisdiction that supports it.

If the jail is permitted to exercise discretion in admitting injured prisoners, the administrator must decide whether or not to allow it, and so instruct his personnel. However, if the objectives of the jail are to be met, medical care must then be made available. Proper concern for the welfare of prisoners requires that every prisoner be given a medical examination upon commitment.

Correspondence. The policies and procedures developed for correspondence represent an attempt to reconcile a number of conflicting objectives. Mail between the prisoner and his family is encouraged with the objective of maintaining family ties. It is generally felt, however, that mail can be used to plan escapes, to smuggle in contraband (drugs), to plan criminal activities, to gossip about other prisoners or officials, and to complain about jail conditions. It is difficult to list these official fears in their order of importance. As a consequence of such fears, however, jails and prisons have traditionally censored mail in order to achieve security.

Limitations placed on mail include the number of persons with whom the prisoner can correspond, the number of pages that he can write, and the number of letters he can write a week. These restrictions are intended to reduce the censoring workload. In some instances the identity of the person to whom the prisoner is writing must be verified. Since this is usually accomplished by means of a questionnaire, the validity of the answers depends on the honesty of the respondent. Censoring mail places barriers between the prisoner and his family, diverts personnel time from supervision, and does not contribute to security of the jail to any measurable extent.

A number of jails and prisons have accepted the futility of mail censoring and have begun instead to inspect both incoming and outgoing mail. Under this system, mail is examined to make certain that contraband is not mailed into or out of the institution. Lists of authorized persons have been eliminated, and page limitations have been liberalized. Contrary to expectation, the number of letters and their length has not increased measurably. Since no one has ever been able to determine if mail censoring is a factor in preventing escapes, it is questionable whether that objective has ever been achieved. The argument that mail censoring informs personnel about prisoners' personal problems and

gives them advance warning of crises has only surface validity. A prisoner who has a good relationship with jail personnel will make his needs and problems known.

Food Parcels. It is interesting that although many jails have strict controls on mail for security reasons, packages, which can be an excellent source of contraband, are permitted. In spite of security precautions and apparently thorough searches, food packages provide a steady flow of contraband into the jail. Re-sealed cookie packages can contain guns; oranges can be injected with vodka; hacksaw blades can be concealed in a cardboard shipping box; a string may be drug soaked—the list is as long as imagination can make it. Nevertheless, packages continue to be approved. The primary reason administrators permit prisoners to receive packages is their value as a supplement to the jail diet. However, the responsibility for feeding prisoners belongs with the local government and the jail administrator, not the prisoner's family.

Bathing and Grooming. Standards of bathing and grooming have usually been defended as a means of protecting the health of prisoners and providing a safe and sanitary jail. Obviously, every person should bathe at admission and at regular intervals while confined, in the interests of sanitation. Some jail administrators insist that prisoners' hair be cut short and sideburns and beards removed, often forcibly. The rationale for this procedure is that long hair is unsanitary and frequently contains lice and other vermin. The hair of women admitted to these jails is not cut, however.

Grooming standards that indicate hair length and style are an example of procedures that have no demonstrable objective. Long hair, on men or women, may or may not be unsanitary. If it is, it can be washed.

Persons entering the jail are citizens under restraint, and have lost no rights or privileges except those that must give way to safety and security of other prisoners, jail personnel, and the community. The courts are beginning to recognize that cutting hair violates the rights of prisoners, and in the future civil suits may be brought against administrators who act in an arbitrary fashion. Recently, a western county was successfully sued by two prisoners who claimed that their rights were violated because their hair was forcibly cut. It would be unfortunate for a jurisdiction to stand the expense of legal action to defend a procedure that reflects nothing more than personal bias of the jail administrator.

Control of Weapons. Guns carried by jail personnel with the objective of self-protection have been responsible for numerous escapes and for the injury or death of many jail officers. The many incidents involving guns in the jail underscore a basic principle: The weapon that you carry for your own protection can be used against you. Prison administrators have learned this lesson well, and few felony institutions permit guns or other weapons to be carried inside the walls by staff members. Jail personnel have still to learn this lesson, for gun incidents continue to appear in the news with regularity.

Weapons that are presently used in jails include guns, clubs, saps, tear gas, and Mace (in aerosol cans carried in belt holsters). Any of these can be taken from officers and used against them. Carrying such equipment has not proven to provide any protection to the jailer; moreover, it results in a false sense of security and represents to the prisoner a symbol of authority and the potential use of force. As such, it is a barrier to effective communication between prisoners and jailers and can result in poor supervisory practices. The jailer who is comfortable with a weapon will be less concerned with developing sensitivity to prisoners. The officer who needs a weapon in order to feel secure does not belong in the jail.

Security objectives cannot be met unless all persons, including visiting law enforcement officers, leave their weapons outside the jail in special cabinets constructed for storing them. The person with responsibility for permitting entry into the jail must be given the authority to refuse entry into the jail to anyone

until his weapon is placed in the gun locker. There should be no exceptions, whether the person is a police chief, an FBI agent, or a member of the sheriff's staff.

Gun-control procedure that is consistent with security objectives requires that the armory be located outside of the jail. Whether it may be easily reached by jail personnel is not an important consideration. It is unlikely that the need for weapons will require immediate access to them. Weapons will be used inside the jail only in extreme emergencies, and then only when special precautions are taken.

Administration of Discipline

Disciplinary policy has traditionally been punishment-oriented. The changing role of the jail and the introduction of correctional objectives require that jail disciplinary policy be revised to conform with these new concerns. There is, however, another compelling reason for revising disciplinary objectives: the rising interest of the courts in the treatment of prisoners.

Although there has been some reluctance on the part of the courts to interfere with administrative procedures, concern for protecting prisoners from capricious and retaliatory disciplinary practices has resulted in a growing body of law. The administrator would therefore be wise to formulate a disciplinary policy, develop procedures for its implementation, and devise a system of reporting so that he can monitor disciplinary actions.

The objectives of discipline are these:

1. To achieve order in the jail. Rules must be formulated to set limits on prisoner behavior that are consistent with the need for order, and that demonstrate concern for the safety and welfare of prisoners and staff. The rules should serve as guidelines to prisoners and inform them of behavior that is acceptable.
2. To assist prisoners in achieving self-control. Methods based on this objective should be positive, in keeping with the predominantly teaching function of discipline.
3. To provide personnel with guidelines for judging the behavior of prisoners. Personnel must not be inconsistent or use their own personal standards in interpreting prisoner behavior.
4. To achieve fairness in the administration of discipline:
 - a. Rules should be reasonable.
 - b. Findings of fact should be required.
 - c. Punishments must not be excessive and should be impersonally administered.

Implementation. Rules for the jail should be few, clear, stated in a positive manner whenever possible, and posted where every prisoner can read them. A copy of the rules should be provided to each prisoner when he is admitted. Rules should be reviewed periodically to determine whether changing situations require revised guidelines for prisoner behavior. Where the jail has community programs, rules governing prisoners' behavior in the community are necessary.

Determination of guilt and assessment of punishment should be separated from the reporting function. The officer who observes a rule violation must not sit in judgment of the prisoner involved. It is difficult for the reporting officer to be impartial, and capriciousness and retaliation can all too often result.

In the small jail, the administrator should determine guilt and assess punishment. The administrator of a large jail should appoint a board of two or three persons to hear disciplinary cases. He should receive written reports of all cases, and approve or disapprove the board's action.

All disciplinary actions should be recorded and the records filed. Such records are useful in reviewing and monitoring the administration of discipline in the jail,

and in assessing disciplinary problems. An administrator can learn much about the climate of the jail and prisoner morale from a review of disciplinary records; he can also gain insights into prisoner behavior and the performance of jail personnel. Records are also useful in answering prisoner complaints about mistreatment.

Administration of Punishment. The distinction between sentenced and unsentenced prisoners is not clear where disciplinary situations are concerned. An unsentenced prisoner may not be punished for refusing to work although he is required to follow those rules that have been designed for the safety and welfare of prisoners and staff, and for the maintenance of order. Therefore, although an unsentenced prisoner may not be required to work, he may be required to make his bed and clean his area.

Punishments fall into three categories: loss of privileges; loss of good conduct time; and segregation. Loss of good time applies only to prisoners whose sentences may be reduced through earned good time. It is good practice to forfeit good time in increments; thus the prisoner is not placed in the position of having nothing left to lose. There should also be a procedure for restoration of good time, so that the prisoner will be motivated to conform. Restoration can be initiated by prisoner request or by review and recommendation of the disciplinary board.

Segregation. This punishment is used for prisoners whose behavior requires that they be separated from the rest of the jail population. Usually, the segregation unit is physically separated from other housing areas to ensure that the segregated prisoner will not disturb others or receive contraband. Conditions in segregation should include the following:

1. The cell should be clean, well lighted, heated, ventilated, and sanitary.
2. The cell should be furnished with a mattress and bedding.
3. The segregated prisoner should be permitted to wear regular jail clothing. If it is felt that a prisoner will destroy his clothing and bedding in segregation, these may be taken from him, provided the jail physician is notified and approves. The medical officer should be notified whenever a seriously disturbed prisoner is placed in segregation.
4. Every segregated prisoner should be fed three meals a day, similar to those provided the rest of the jail population.
5. A bathing and shaving schedule should be maintained. There is no reason for not insisting that the segregated prisoner achieve the same level of personal hygiene as other prisoners. Nor should segregated prisoners be subjected to the additional punishment of not being permitted to retain eyeglasses and dentures or to have available other essentials such as toilet tissue and drinking water.
6. Depending on security considerations and the availability of space and personnel, prisoners in segregation should be given an opportunity for exercise. This may be nothing more than a 15-minute period within the cellblocks.
7. Length of stay in segregation will depend on the rule violation and on the prisoner's behavior while segregated. Provision should be made for weekly review of all segregated prisoners. Early release from segregation can be an incentive.
8. The segregation unit must be adequately supervised. If the unit is not large enough to require a full-time officer, it should be checked at least every half hour. Sick call should be held in the unit and a record kept of the jail physician's visits. Supervisory personnel should log their visits to the unit and indicate results of their inspections. Any unusual events should be reported to the administrator and a copy of the report filed.
9. Writing and visiting privileges should not be denied to prisoners in segregation except in unusual and specific circumstances. An uncontrollable prisoner obviously should not be permitted visits under normal conditions. How-

ever, if it is felt that a visit may be beneficial for him, it could take place in some secure area.

10. The nature of the segregated population and the problems that can arise from segregation require that adequate records be kept. Dates of admission to the unit, of review by the disciplinary board, and of release are important.

Use of Gas. Gas is a weapon, and the objective of using it is to control individual prisoners or groups of prisoners without causing permanent injury. Both aspects, the control of prisoners and their welfare, must be clearly stated and implemented. The use of gas should be prohibited unless specifically authorized by the administrator or his designated representative. Permitting jail officers to carry aerosol cans of gas is in conflict with the objective of eliminating weapons from the jail. When gas is readily available, it will tend to be used indiscriminately to punish unruly prisoners.

Only persons trained in its use should be permitted to handle gas. Whenever gas is used, the event should be recorded and a report submitted to the jail administrator giving the time, place, circumstances, and the person authorizing its use. The hazards to prisoners and jail personnel of indiscriminate or improper use of gas are too great to permit its use by untrained and unauthorized personnel.

Emergency Plans

Emergency plans must be based on objectives that are consistent with the objectives of the jail and must therefore reflect concern for the welfare and safety of personnel and prisoners. Many jails have not identified the objectives of emergency plans and, as a consequence, have at best only rudimentary procedures for handling emergencies. The following discussion will therefore deal with objectives and guidelines for planning.

The objectives of emergency plans are these:

1. To provide guidelines and instructions to jail personnel on how to react to abnormal situations.
2. To protect the lives of personnel and prisoners during unusual situations.
3. To provide measures for controlling prisoners in emergency situations.

Escapes

The objectives of escape plans are: to prevent the successful completion of escapes in progress; and search for and apprehend escaped prisoners.

Although security procedures may succeed in preventing most escapes, they cannot prevent all. It is therefore necessary to develop plans for dealing with escapes that are being planned, that are occurring, or that have already occurred. While the methods and circumstances of each escape are different, plans can be developed that are applicable to all of them. The plan should be reviewed regularly and kept current. Each employee must be trained to understand the plan and participate in its implementation.

The objectives of a comprehensive escape plan will establish policy, define responsibility, and outline procedures to be followed. The plan should be developed around the following steps.

Sounding the Alarm. A system is needed for alerting all personnel in the jail that an escape is planned, in progress, or has occurred. If the escape is discovered while still in the planning stage, the escape plan must contain procedures for preventing it—for example, immediate shakedown of the cell area and separation and isolation of the prisoners involved. If the escape is discovered while in progress, or if it has occurred, the plan must include instructions for sounding the alarm—for proper use of equipment such as telephone, intercom, or radio. Some jails have an all-purpose bell that can be used to sound the alarm

for escapes, disturbances, or fires. The use of alarm bells needs to be evaluated, however, for it can contribute to an atmosphere of tension. An intercom or telephone system may be equally effective. In some jails, an intercom line open to the police department is necessary for immediate notification in case of escape.

Mobilization of Resources. The addresses and phone numbers of jail personnel must be readily available in the event that additional help is required. An employee can be given the assignment of calling in off-duty personnel.

The posts and maintenance operations essential to continued functioning of the institution during an escape emergency should be identified. Special posts should also be identified and written orders prepared for them. All other posts should be vacated and nonessential activities shut down. Personnel in charge of nonessential activities should place all tools in a safe place. Descriptive information and identification pictures should be prepared by the record clerk for prompt distribution and mailing.

An employee should be designated to notify all law enforcement agencies in the surrounding area by telephone or radio. A list of the telephone numbers of the agencies to be notified should be available. Planning should include other law enforcement agencies and should define their roles and the resources they can contribute. The administrator of each agency should be furnished a copy of the jail's escape procedures.

News media must be informed of the escape and given details of the event, including the identities of the prisoners involved and any other information that may be helpful in their apprehension. It may be necessary to prepare a news release on how the escape was accomplished, although this information should be restricted if the condition that led to the escape still exists and, if known, might jeopardize the security of the jail.

Posts, other than emergency posts, that must be manned during a search should be identified and orders prepared for them. Persons assigned to these posts should be given the following information, if it is available: the time of escape; the method used; whether a car was used; the direction of travel; and any other information that will help pinpoint the search area. If the posts are located beyond the immediate vicinity of the institution, post orders should include a map of the area, local bus schedules, the duties to be performed, location of the nearest telephone, and anticipated relief schedule.

The command post should include a special communications center. This center should have one line that can be kept clear for calls from outlying posts or to relay messages incidental to the search. The person in charge of this center may be authorized to issue press releases and to answer inquiries from other law enforcement agencies and the news media.

An investigation of the escape should begin while the search is in progress. One or more employees should be assigned to search the cell and property of the escapee for evidence that may provide clues for the search. Staff members and prisoners who know the escapee well should be interviewed, as they might be able to shed some light on the escape.

It should be a clearly established policy that any orders given under duress, for example by an executive officer who is a hostage, are not valid. Under no circumstances should a prisoner with a hostage be permitted to escape from the institution. The danger to the hostage is increased once the escapee is free of the jail.

The use of weapons must be given careful consideration and authorized only if absolutely necessary. The posts that require guns should be identified. Authority for issuing guns must be restricted to the chief administrator or his designee. Only under extreme circumstances—for example, to stop an escape in progress—should guns be used in the jail. The use of weapons should be authorized only if there is little chance that they will be taken from the officers. Finally,

weapons must be used only by those persons who have been trained to handle them.

Ending the Alert. When the decision is made to discontinue the search, all participating law enforcement agencies, the news media, and any persons who were notified of the escape should be informed. Obviously, this procedure should also be followed if the escapee is caught.

When an escape involves property damage such as cutting of bars or window sash, a careful photographic and written record should be made of the damage. Any other evidence that may be important to prosecution should be gathered and prepared for presentation to the prosecuting attorney. Particular care must be taken in interviewing the apprehended escapee and other suspects to ensure that their rights are not jeopardized and that the case against them is not compromised. It is best that they be interviewed only on the advice of the prosecuting attorney.

Post-Escape Procedures. An escape indicates a weakness in the jail security system, and the system must be assessed to discover the weakness. The escape and the assessment provide an opportunity for learning. Either or both of two methods can be used for this purpose: a written report of the investigation, and a study group. The assessment should include study of security equipment, procedures, and personnel performance. The study should conclude with suggestions for improvement.

Riot Plans

The objectives of riot plans are: to control rioting prisoners with minimum danger to personnel, other prisoners, and the rioters; prevent escapes during a riot; and protect property.

The cause and prevention of riots has not received the study it deserves. With the exception of a few reports compiled in the aftermath of riots at correctional institutions, there is little specific information available about their cause and prevention. However, jail and correctional administrators have identified some general causes.

Jail conditions such as adequate food, proper attitudes of jail personnel, cleanliness, and programs of various kinds contribute to prisoner morale and reduce the possibility of riots.

Crowded conditions and the accompanying tensions may set the scene for disturbances even in a well-managed jail. These disturbances fall into two categories: fights between two or more groups of prisoners, and hostile or aggressive behavior directed at jail personnel or the physical plant. In the latter case, the disturbance may be an attempt at a mass escape or the result of prisoner dissatisfaction with jail conditions. Different methods of control and prevention are required for these two types of disturbances.

Certain aspects of the escape plan may be incorporated in a riot plan. Personnel must be placed on alert and a procedure developed for sounding the alarm. Emergency posts must be identified, and off-duty employees must be notified of the need for assistance. Post orders for a riot or disturbance, however, will differ from those for an escape. It would be an error to assume that the conditions of an escape and a riot are similar, and that the essential posts are therefore the same.

The riot plan should reflect the following priorities: safety of the community; safety and welfare of hostages; prevention of loss of life or injury of other personnel; welfare of nonparticipating prisoners; welfare of rioters; and protection of property.

Containment. The first objective of riot control is containment. If it is not localized, a riot may spread to other parts of the jail, requiring large numbers of personnel to control it and increasing the area damaged. If the disturbance oc-

curs in the dining room or in the recreation yard, the danger of its spreading and the manpower required to control it are greater than if it occurs in a cellblock.

Exits should be provided to enable prisoners who do not wish to be involved to return to their living quarters. Studies have found that participation in even the worst riots has been confined to a small percentage of the prisoner population. The majority will avoid becoming involved, if given the opportunity to do so.

Before personnel are committed, the disturbance must be evaluated and strategies devised for containing and quelling it. Each riot situation is different. In some instances, a direct confrontation between staff and prisoners may be necessary. The number of officers to be used, when and where they will be deployed, and the kind of equipment they will need must be considered. If too few personnel are committed, they will be unable to control the situation and may be injured or even killed. If a large force is poorly deployed or used indecisively it will be ineffective. Yet all these decisions must be made as quickly as possible, before the disturbance gathers momentum or leaders begin to emerge.

Establishing Control. Control of the disturbance begins as soon as the group has been contained. This may require nothing more than permitting the prisoners involved to run out their energy within the restricted area, especially when the jail area is already damaged. However, when prisoners are fighting with each other, steps must be taken to prevent serious injuries. In this case, and when destruction of jail property results in fires, the rioters must be subdued. There are a number of methods of subduing rioters.

Use of Force. Sufficient personnel must be committed to subdue the rioters. If the jail does not have enough officers to do so, outside assistance may be required. The riot plan must provide for the use of other law enforcement personnel either as a reserve or to supplement jail personnel.

Riot Squads. A number of officers should be trained in riot and crowd control techniques. Training should be carried out periodically so that riot squad personnel are always ready for an emergency. The plan should identify the members of the riot squad and indicate the kinds of equipment they are to be issued.

Use of Gas. The riot plan must make provision for the use of gas and identify the person authorized to approve its use and the persons who are trained to use it. The various kinds of gas and gas equipment and the amounts needed for different situations should be determined. The kind and amount of gas needed will differ, for example, for a cellblock and an open, outside area. Exits that the crowd can use as it breaks up should be designated. If no exit is provided, rioters may form into a compact group and possibly assault the riot squad.

Water. Water can often be used effectively in riot and crowd control; cold, wet rioters soon lose their enthusiasm. Hoses should be stored away from prisoners and be readily available. Hydrants should be located where they are secure from tampering by prisoners. Water has a number of uses in a disturbance, two of which are fighting fires and dispersing prisoners without injuring them. To avoid injuring prisoners, water should not be used under high pressure.

Firearms. Guns should be used only as a last resort when other methods of containment fail, or when there is a serious possibility of escape. The precautions discussed in the escape plan apply here.

Post-Riot Procedures. As soon as the riot is under control, a count should be taken to determine whether any prisoners have escaped. Damage to the security windows, doors, locks, and bars should be repaired as quickly as possible. If gas has been used in the cellblock, prisoners may need to be moved to other cells and the area ventilated. When the rioters have been dispersed, the leader identified and segregated, and the jail made secure, clean-up operations can begin. Work crews should be assigned the task of cleaning up such debris as broken glass, burnt paper, and broken fixtures.

Each officer who witnessed the disturbance should be required to submit a

report on prisoner participants, including a description of the event from his point of view. Any information that could help to identify the cause of the disturbance should also be noted.

Administrative and supervisory staff should meet to assess the causes and to consider measures to prevent a recurrence. The plan should also be assessed and modified as needed.

Fire Emergency Plans

The objectives of fire emergency plans are to prevent fires by identifying fire hazards; and protect personnel and prisoners during fires.

Even though jails are made of steel and concrete, fires may occur. The jail administrator bears a heavy burden in this area because he is responsible for the lives of those who cannot leave the jail should a fire occur. A fire plan is therefore a must if serious tragedy is to be avoided. The development of a fire plan requires expert help from the fire marshal or other specialists in his department.

The fire emergency plan should contain the following elements:

1. Annual fire inspections by the fire marshal.
2. Identification of fire exits.
3. Regularly scheduled inspections of fire extinguishers, hydrants and water valves, and fire hoses.
4. Inventory of keys and hydrant wrenches and their location on the key-control board.
5. Designation of an area outside the security perimeter of the jail into which prisoners can be evacuated if necessary.
6. Training of jail officers in fire prevention and control.
7. Identification of agencies that can be called for assistance should a fire emergency occur.

Civil Emergencies

The objectives of a plan for civil disorders are to provide personnel to assist in riot or crowd control; provide detention space for large groups of detained persons; and process large numbers of persons being detained.

The objective of a plan for a civil disaster is to provide personnel, prisoners, and physical resources of the jail to assist the community in meeting the emergency.

The jail has a key role to play in civil emergencies and plans must be developed to implement this role. The plan must be coordinated with a broader community plan which views the jail as one of a number of community agencies whose efforts are required to meet emergencies.

Civil Disorder. As a result of group protest or civil riots, the jail may need to provide space for large groups of prisoners, personnel for crowd control, or expert assistance in detaining or processing large numbers of people.

Planning must take into account the following points:

1. Existing space must be assessed with a view to detention of large and mixed populations including juveniles and women. If the jail cannot house the expected population, an emergency detention area must be found.
2. Operating procedures must be reviewed to determine the modifications needed to process and control large numbers of people. Special attention should be given to records and to problems arising from release on bail, need to contact attorneys, court appearance schedules, correspondence, and visiting and feeding.
3. When it is anticipated that existing facilities will be inadequate and an emergency detention center has been selected, new procedures should be

developed. These cannot simply duplicate the jail's existing procedures. An administrator must be selected; post orders must be written; and personnel must be assigned. Desks, files, and other office equipment that can be shifted to the center immediately must be found. Advance arrangements must be made with the phone company for installation of communication equipment on short notice.

Although the need may seldom arise, the jail riot squad should be made available to local law enforcement authorities for crowd control. Planning here would be limited to a coordinating effort with the local law enforcement agency. However, the decision to provide this assistance must be balanced against the personnel needs of the jail during emergency.

Civil Disaster. Disasters such as floods, forest and brush fires, and earthquakes require the coordinated efforts of every community agency. Any plan to meet the needs of the community in a disaster must include the jail. Although it is difficult to discuss such a plan in precise terms, jail personnel and prisoners can fight fires, man rescue operations, fill sandbags, and strengthen levees. The jail could be used for temporary housing, could serve as a command post if it has an extensive communication system, and could provide emergency feeding.

V. SUPPORT SERVICES

Medical Services

No jail is too small to provide adequate medical care. Whether the jail holds one inmate or a thousand, the administrator has a responsibility to protect the health of his prisoners and to safeguard the health of the community. He cannot meet this responsibility if he does not provide medical care for prisoners. Certainly no jail administrator has the right to impose a death sentence, and failure to provide for the medical needs of those in custody is equivalent to pronouncing a death sentence.

Any prisoner committed to any jail has the right to medical care to conserve his health, just as he has the right to food and shelter. He is entitled to competent medical and dental services when required, to sanitary surroundings with facilities for maintaining personal cleanliness, to freedom from enforced contact with communicable disease, homosexuality, and violence, and to prompt admission to a hospital when necessary.

It has long been known that epidemics can spread from jails to surrounding communities. One such historic disaster occurred about 1750 when an epidemic of typhus fever, then also known as "jail fever," spread from London's Old Bailey Prison to the adjoining courtrooms and was carried home by aldermen, two judges, and several learned counsel. An eminent physician of the day reported the "closeness and stench" of the jail as the cause of the tragedy, and ordered that courts thereafter be provided with bunches of sweet-smelling flowers to overcome the odors of the jail and ward off disease. There is no record of any attempt to improve conditions in the jail.

The modern community has the right to expect that its jail will be clean and sanitary, with health services adequate to prevent the spread of disease and to ensure that released prisoners will, insofar as possible, be physically able to take their places as self-supporting members of the community.

A Model Medical Program

Administrative Responsibility. It is the responsibility of the jail administrator to see that a health services program is developed and carried out. This program should, at a bare minimum, include the following:

1. The employment of full-time or part-time physicians, dentists, and nurses

- or former medical corpsmen with adequate training, experience, and supervision.
2. Arrangements with community hospitals and clinics, state and local health departments, and other public health authorities for assistance in medical treatment.
 3. Provision for immediate medical screening of all new prisoners and for a physical examination within a reasonable time following admission.
 4. Facilities for isolation of prisoners suffering from contagious diseases.
 5. A jail infirmary.
 6. A daily sick call.
 7. Employee training in first aid and emergency medical treatment.
 8. Maintenance of an adequate medical record for each prisoner.
 9. Proper control of all medications, needles, and syringes.
 10. Maintenance of good sanitation throughout the jail.
 11. Maintenance of good physical hygiene by all prisoners.
 12. Arrangements for psychiatric services.
 13. After-release care arrangements for inmates whose health problems are not corrected before they are released from jail.

Limitations on Nonmedical Staff. It is extremely dangerous for a jailer to diagnose an illness or prescribe or dispense medication for an inmate. Even ordinarily harmless drugs such as aspirin and simple laxatives can be dangerous if taken in excessive doses or through an abnormal route (for example, venous injection), or if self-administered for relief of symptoms such as severe abdominal pain. Pain may be an indication of a serious illness, such as acute appendicitis, that requires immediate medical attention. Most medications can also produce allergic or other adverse reactions that can result in death. If the jailer is in any doubt, he should call the doctor.

Composition of the Jail Population. The kind of medical program a jail should have depends to some extent on the needs of its population. Many jail inmates have neglected their health and seem to have gone out of their way to harm themselves (for example, alcoholics and drug addicts). Caring for large numbers of alcoholics places special demands on the medical program, as does the high percentage of older men and epileptics often found in jails and misdemeanor institutions. The special needs of women and juvenile prisoners must also be taken into account in developing a medical program for the jail.

Physical Plant. Every jail needs an infirmary where the jail physician and other medical personnel may conduct sick call, examine prisoners in privacy, and carry out routine medical treatment.

Extent of Services. A successful medical program for the jail must be based on collaboration with community health services—state and local health departments, private physicians and dentists, and public and private hospitals and clinics. The jail's medical program should maintain close ties with the public health program of the community. The county or city health officer should be asked to assist in establishing standards for the jail's health services and in planning for full use of other resources.

Staff. Larger jails should employ one or more full-time physicians, a nurse or corpsman, and a dentist. In addition, the services of consultants in various branches of specialized medicine should be available on a contract basis.

In smaller jails, medical services may be handled by the county or city physician as part of his job, or by a private physician as part of his practice. Either arrangement is satisfactory if the doctor is able to visit the jail on a routine basis and to respond promptly when called in an emergency. The part-time jail physician should visit the jail regularly to hold sick call, to examine new inmates within 24 hours of admission, and to check on sanitary condi-

tions. Daily visits are recommended when the average population of the jail is 25 or over, and twice weekly calls when it is less than 25.

Jails in small communities do not usually have easy access to psychiatric services, and should contract for them with community psychiatrists or with a local or nearby hospital, clinic, or court. The jail physician should be able to refer mentally disturbed prisoners to a psychiatrist or psychologist for examination and/or treatment.

Medical Records. An individual, permanent medical record should be kept for each prisoner. This should contain a description of his condition at the time of admission, as much of his past medical history as it is possible to obtain, any illness or injury occurring during confinement, any treatment provided, and his condition at the time of discharge. Particular care should be taken to list all cuts, bruises, injuries, and abnormalities present at the time of admission. It is particularly important to document in writing all medical decisions and procedures, both for medico-legal purposes and for optical medical service. A well-written and thorough medical record will assist the jail physician in treating the prisoner while he is confined and will be available to physicians who may treat him following his transfer or release. Adequate medical records can also be a valuable aid for jail officials in the event the released prisoner claims to have been injured during confinement or alleges that the jail failed to provide adequate medical treatment.

Alternatives. Some jails must depend on community health services to fulfill the bulk of their medical requirements. When this is the case, definite and detailed arrangements should be worked out between the jail and local institutions so that medical care, when it is needed, can be obtained.

Food Services

Food becomes important to people in confinement, and the method of preparing and serving it and its variety and quality all contribute to prisoner attitudes. Poor food has been identified as one of the most frequent causes of prison and jail riots, and there is little doubt that poor food is an important factor in prisoner discontent. Providing adequate and wholesome food presents a challenge to the administrator, for lack of effective management in food preparation can be very obvious. Procedures, standards, personnel, budgeting, and purchasing are all management factors that must be dealt with by the administrator who would develop a good food program.

Methods of food service will vary from one jail to another depending on the jail's size and physical facilities. Prisoners can be fed cafeteria style, in their cells, or in a dayroom.

Cafeteria Service. Although large jails and misdemeanor institutions usually have cafeteria service, many jails lack the facilities for it. One advantage of feeding prisoners cafeteria-style is that food preparation and control of food distribution are centralized. Other advantages are speed and efficiency in serving prisoners and efficiency in controlling garbage.

Cell Feeding. This arrangement is probably the most widely used, particularly in smaller jails and in those that do not have sufficient personnel to supervise large groups of prisoners in a dining room. It has certain disadvantages, however: there is little control of waste; garbage and vermin problems arise from prisoners retaining food in their cells; utensils may be lost; food may be stolen from weaker prisoners; and food may be traded among prisoners.

Dayroom Feeding. This arrangement is similar to cell feeding, except that prisoners eat in the dayroom adjoining multiple-occupancy cells. It has the same advantages and disadvantages as cell feeding.

Prisoners fed in their cells usually are served from food carts. Unless this activity is well supervised, food may be cold by the time it reaches the cellblock and

is served. Poorly designed food carts that do not retain heat, and slowness in serving are contributing factors. Cold food is a frequent prisoner complaint and one that can be avoided if delivery of food is given high priority.

Food service must be supervised if the standards set by the administrator are to be maintained. The kitchen and food storage areas must be inspected periodically for cleanliness and food preparation methods reviewed. Food being prepared and served should be sampled to determine its quality.

Personnel needs will vary depending on the number of people to be served and the methods of food preparation and serving. In many small jails, food is prepared by the sheriff's wife. Other jails require a full-time cook. Ideally, the selection of a cook should be considered as important as the selection of other jail personnel. It is not recommended that prisoners be used as cooks, since this would involve their supervising other prisoners working in the kitchen.

Using prisoners in food service is a common practice. Certain factors must be considered in assigning prisoners to this work, however, particularly personal appearance and health. Prisoners assigned to food service should not be deformed or have skin eruptions or other skin conditions. They should look and be clean. Known homosexuals and sex offenders should not be assigned to food preparation. It is normal to associate the cleanliness of the food with the appearance of the person preparing or serving it. Every person assigned to food service should, if at all possible, be given a medical examination. Persons confined in jails often have poor health backgrounds, and permitting such inmates to handle food exposes others to the risk of infection and promotes the spread of contagious disease.

Supervision of prisoners in food service is discussed in detail in Chapter 4. Since food service can be the source of problems between prisoners and jail staff and among prisoners, jail personnel must be required to exercise close supervision over prisoners working in this area. The serving of food should be watched with particular care to avoid favoritism and arguments over the size of servings. When food carts are used, close supervision is required to avoid slow delivery.

Menu Preparation. Jail menus are typically unimaginative and usually have a high starch content. They do little to relieve the boredom of confinement and in fact often contribute to it. An administrator should not accept economy as an excuse for monotonous menus or poorly prepared food.

The nutritional needs of prisoners do not differ significantly from those of other persons in the community, although the fact that prisoners are inactive may limit their need for fattening foods. The poor eating habits of many prisoners are an additional reason for a varied and nutritious menu. The number of juveniles in detention should be taken into account in menu development.

Menus should be prepared at least one month in advance and reviewed and approved by the administrator. A number of sources of help in menu preparation are available to the jail. In some instances, the dietitian of a county or city hospital may be consulted for advice in developing a balanced menu, and may supply recipes and suggestions for buying supplies. The state public health service may have a dietitian who can be called on for assistance.

Jails that are too small to need a cook and that have no arrangements for food service with the sheriff's kitchen have little need to develop menus or establish a food service. It may be more economical for such jails to arrange for a local restaurant to provide meals as needed. TV dinners and other ready-to-eat foods are also economical and nutritious and have the additional advantage of providing variety. A western jail uses frozen waffles and TV dinners at a cost ranging from \$.75 to \$1.25 per prisoner per day, depending on the meat in the TV dinner. The meals are purchased from various suppliers who are overstocked on certain items and are willing to sell them at a 20 to 25 per cent discount.

Special diets must be considered in menu preparation. In jails where prisoners

are serving sentences, some recognition must be given to holiday seasons, particularly Christmas and Thanksgiving. The tradition in most institutions of having a special menu on these days is good practice. Certain religious traditions require special diets for holy days and prohibit some foods. The religious law against eating pork that is followed by Jews and Moslems, for example, has been recognized by the courts, and as a consequence, jails and prisons are required to make a reasonable effort to prepare menus using other meats for prisoners of these faiths.

Prisoners whose medical problems demand a special diet make up a certain portion of the jail population. Diabetics, those with ulcers, and cardiac patients, among others, fall in this category. Their diets should be viewed as a part of the medical program and as supplements to the prisoner's medication. A special diet line should be established for these persons and closely supervised so that other prisoners do not receive the food that is meant for patients. The diet list should be reviewed regularly, especially with respect to ulcer patients. Experience shows that this group tends to grow with time, reflecting successful pressure on the jail physician from prisoners requesting special diets.

Purchase of Supplies. The purchasing of food supplies requires careful planning. Limited food budgets place restrictions on the amounts and kinds of foods that can be purchased, and concern for economy often leads to poor purchasing habits that are wasteful in the long run. A purchasing program should take into account such factors as prisoners' eating habits, food bargains, local sources of foods in season, amounts needed, and bulk purchases:

1. Prisoners' eating habits should be studied and considered in preparing menus. It is pointless to serve foods that are not eaten. Unusual foods and those that are strictly regional are most likely to be rejected by prisoners. For example, okra, certain varieties of squash, eggplant, and hominy grits will be unfamiliar to northern prisoners, while sauerkraut and Polish sausage seem strange to southern prisoners.

Food waste should be evaluated regularly to determine what kinds of foods are not being eaten, particularly when questions arise regarding the quality or acceptance of the food being served. Future food purchases can be guided by these evaluations. Substitutes can usually be made in menus already set up.

2. Great care must be taken in the purchase of bargain items. Often what appears to be a bargain is really high priced. Low-priced meat, for example, is no bargain if it contains a large amount of bone and gristle. The amount of usable meat on a cheap cut determines its actual price, which may be equal to that of higher quality meat. Buying foods in season, when they are cheap, is usually wise, but can be wasteful if prisoners will not eat them.
3. State prisons and local work farms may be a source of certain foods in season, especially corn, tomatoes, beans, squash, and cucumbers. Some institutions freeze some of their produce and sell it at reasonable prices.
4. The amounts of food supplies to be purchased must be carefully calculated. Admission rates, population estimates, and the composition of the population should be taken into account.
5. Bulk purchases must take into account the rate of use of dry, canned, and perishable foods and facilities for their storage and refrigeration. The small jail that lacks storage facilities may find it advantageous to order from a supplier who will deliver on demand. If the jail does not have sufficient refrigeration space, it may be able to rent a food locker at a local meat-processing plant.

Sanitation

Disposal of Garbage. Improper handling of garbage makes housekeeping difficult. Garbage can be a source of unpleasant odors, can attract insects and rats, and may contaminate food equipment and utensils. All garbage, and all refuse that contains food wastes, should be kept in covered, leakproof, non-absorbent containers. If garbage must be held for longer than one day, a special refrigerated, vermin-proof room or enclosure should be provided for its storage. Each container, after being emptied, should be thoroughly cleaned inside and out with special brushes, a can-washing machine, a steam-cleaning device, or similar equipment.

In many areas, garbage can be ground and flushed into the sewer system, or buried in an approved sanitary landfill.

Control of Vermin. Although insects such as fleas and other vermin are often regarded as little more than a nuisance, they can carry the germs of serious and even fatal diseases. For example, murine typhus fever and plague, the dreaded Black Death which once killed millions of people, are transmitted to man from rats by the rat flea. Salmonellosis, an infection causing diarrhea and dysentery, may be spread by contamination of food with rodent feces. Other sources of disease are insects such as flies, roaches, lice, mites, and ticks.

Any relaxation of control over waste, refuse, or personal filth may permit the spread of vermin. *Cleanliness, construction, and chemistry* are key words in vermin control. Cleanliness, including the proper handling and disposal of garbage, creates an unfavorable environment for vermin by limiting their food supply and breeding places. Construction involves exclusion of vermin through screening and ratproofing, for example. Chemicals—sprays, dusts, emulsions, and baits—help to control these dangerous pests. Some chemicals may be used by untrained persons, but others are exceedingly dangerous and should be handled only by professional exterminators. Advice as to the type of chemical that should be used and the method of its application may be obtained from local and state health departments.

Vermin control requires constant effort, as the potential for new infestation is always present. All incoming shipments of food should be thoroughly inspected for vermin at the receiving dock.

Jail Clothing

Jail clothing is an aid to security, sanitation, and discipline, and should be issued to every prisoner as part of the admissions process. Jail clothing is recommended for several reasons.

Security. Although each prisoner and his clothing may be searched at admission, the possibility always exists that contraband may be smuggled into the jail in clothing.

A prisoner wearing street clothes is an escape risk; he may attempt to walk out of the jail posing as a visitor (as has been done). If he succeeds in escaping, the prisoner wearing normal clothing will be more difficult to apprehend.

Disciplinary Problems. Street clothing can be used for trading among prisoners and for gambling. A prisoner who is wearing expensive or otherwise desirable clothes may be attacked and robbed.

Sanitation. Often street clothing may be filthy and vermin ridden. Issuing jail clothing and fumigating prisoners' clothes will control vermin. Street clothes may be washed or mailed to relatives for cleaning.

Jail clothing should be sufficiently distinctive to be noticeable if an inmate escapes. There are a number of approaches to the problem of supplying jail clothing, including the following:

1. Coveralls. This uniform may be satisfactory for the winter months. Experience has revealed, however, that prisoners tend to tear out the sleeves in hot weather.
2. Two-piece green, blue, or brown shirt-and-trousers outfits. The trousers have an elastic band instead of a belt. State prison industries can supply this clothing in some instances.
3. Rented uniforms. Some jails rent uniforms from companies that provide linen service and uniforms to factories. The service includes pickup, delivery, laundry, and repair.
4. Surplus military fatigue trousers and T-shirts.
5. Tennis shoes. These are washable and relatively inexpensive.

Clothing Changes. Procedures should be established for clothing to be changed at bathing times and more frequently if necessary. Socks and underwear should be changed as frequently as is practicable. It makes little sense to insist on personal cleanliness if clean clothing is not regularly provided.

Laundry in the Jail. Whether or not the jail supplies clothing to prisoners, laundry will be a problem. Sheets, pillow cases, and towels must be laundered either in the jail or elsewhere. The establishment or maintenance of a laundry will depend on such local factors as the size of the prisoner population; the number of sentenced prisoners; the availability of laundry service at other local institutions; and the need for an industry in the jail. The cost of operating a laundry must be balanced against the needs of the jail and the contribution a laundry makes to the jail operation. An extensive laundry operation may provide laundry service for other local institutions and work and training for sentenced prisoners.

In some jurisdictions, laundry service may be provided to the jail by a workhouse or county penitentiary. Smaller jails may limit the laundry operation to an automatic washer and dryer and permit prisoners to wash their own clothes.

It is poor public relations and contrary to any correctional objectives to return prisoners to the community with their clothing as filthy as when they entered the jail. If prisoners' street clothing requires fumigation and laundering, arrangements should be made to have this done in the jail.

Maintenance

The objectives of maintenance are prevention and repair of defects. A preventive maintenance program will bring to light conditions which, if not corrected, can eventually necessitate costly repairs, and can lead to breakdowns, fires, accidents, and escapes. Buildings deteriorate slowly, and as a jail is subject to a great deal of use, constant repair may be necessary to maintain security.

Although preventive maintenance is everyone's concern, an inspection committee should be appointed and given the responsibility for periodic surveys. The inspection team can also be responsible for safety and for security inspections. If the jail is large, it may be necessary to divide it into zones, and to inspect each zone at a scheduled time.

A checklist is a help to the inspection team and can be used in reporting to the administrator. The form should include space for stating the location of the area or the equipment inspected, and for describing its condition. The format for maintenance inspection forms is given in Figure 21.

Maintenance records should be reviewed to determine which areas require the most frequent repair and therefore the most preventive maintenance. Careful attention should be paid to repair requests, and a system should be established for reviewing them. A rotating file that establishes a repair priority and sets completion dates should be developed.

Records and Reports

Every organization should have well-organized, up-to-date records of its activities. There are a number of pitfalls to be avoided in compiling records and reports, however. Often the collection of information becomes an end in itself; paper is gathered and filed and never examined. Some published reports are so disorganized that they are useless. Some agencies, on the other hand, issue reports so detailed that it is difficult to determine the reason for providing the information.

Reports, if they are to be useful to an agency, should have a purpose, should provide information consistent with that purpose, and should be clear and only as detailed as necessary. Finally, records must be accurate. Incomplete or inaccurate records are useless.

The following are some of the uses for records and reports.

1. Evaluation of past performance. Reports that give figures on amounts, kinds, frequency, and costs are useful in evaluating past performance.
2. Information for future planning. Records of planning for new construction, program planning, budgeting, and personnel increases must be carefully prepared.
3. Documentation of administrative actions. Records must be kept on any administrative actions and decisions that may be subject to review by higher authority or by the courts—for example, approval of disciplinary actions, forfeiture and restoration of good time, personnel actions, and purchase authorizations.
4. Descriptions of events and incidents. Records should be kept of all special events and unusual incidents, including tours, holiday observances (such as a religious program given by a church group), accidents, escapes, and disturbances.

Kinds of Records. The kinds of records a jail keeps are determined by its own needs and by the statutory requirements of the jurisdiction in which it is located. Most jails find it necessary to keep records of census data (commitments, admissions, releases), medical statistics, disciplinary actions, food and materials purchases, machinery and equipment maintenance, and possibly program participation. Reports on drug use and usually annual reports are required by law. Records of length of stay in detention should be made available to the courts. The following discussion examines these key information needs and attempts to show how they can be met.

Census Data. Census data provide a record of the numbers and kinds of people admitted to the jail, length of stay, and kinds of releases. The statistics are generally tabulated for each week or month, and the tabulation for each year included in the annual report. The following information on admissions and releases should be collected for census reports:

- Admissions:
- a. Number of commitments
 - b. Age
 - c. Sex
 - d. Charge: Felony (safekeeping in transit)
Misdemeanor
Parole violation
Probation violation
Other
Federal offense (Jails having contacts with the federal government should keep separate statistics for these prisoners.)

- Releases:
- a. Discharge by court
 - b. Transfer to other institutions (following sentencing)
 - c. Completion of sentence
 - d. Bail
 - e. Release by parole board
 - f. Release by court on probation
 - g. Death
 - h. Escape
 - i. Release to other authority

To be useful, census data must be accurate, and their accuracy depends on the definition of three words: *commitment*, *admission*, and *release*. Confusion over what constitutes a commitment, an admission, or a release can result in severe distortion of census statistics. A person taken to court for trial and returned to the jail the same day should not be counted as an admission, a commitment, or a release. If he is, that day's statistics will be distorted. The distortion is compounded in the case of a prisoner who makes five court appearances, and is counted as a commitment each time he returns to jail. A jail-planning survey of the Philadelphia Detention Center revealed this kind of distortion in data: "... in 1964 there were 15,765 commitments, but in 1965 there were 18,368, or an increase of 16.5 per cent. However, if individuals committed were counted, there were 14,550 in 1964 and 14,099 in 1965, or an actual decrease of 2.1 per cent".¹⁷

If temporary releases for any reason (court appearances, visits to a clinic) are counted as releases, it does no good to attempt to compensate for this distortion by counting every subsequent return to the jail as an admission. A jail that admitted 15 women prisoners annually, with an average of five court appearances for each, would, under the system just described, have statistics indicating an annual population of 75 women. A medical program based on these erroneous statistics would obviously be much more extensive than one planned on the basis of a population of 15.

Program Participation. Figures on program participation can be simple or complex, depending on the program. Such data as the following may help to determine whether participation is sufficient to continue a program: number of persons participating, number completing any classwork, test scores, and length of program.

Drug Use Records. Federal law requires periodic reports on drug use, and forms are available for this purpose.

Medical Statistics. Medical statistics are extremely important to planning for future medical needs. The following data should be collected:

- a. Number of sick calls
- b. Number of persons seen
- c. Diagnosis (cold, diabetes, DT's, epilepsy)
- d. Referral (hospital or other medical or mental health agency)
- e. Purpose of referral (X-ray, dental treatment, psychiatric evaluation)
- f. Medication dispensed:
 - Kind
 - Amount
- g. Number of patients
- h. Emergency calls to doctor
- i. Emergency visits to jail by doctor

Food and Material Records. The kinds and amounts of food items purchased by the jail should be recorded. A review of this information can provide a basis

¹⁷ The American Foundation Institute of Corrections, *The Philadelphia Detention Center: An Evaluation After Four Years of Use*. Philadelphia: 1968, p. 12.

for estimating future needs. Other materials—towels, sheets, toilet paper, soap, etc.—should be similarly monitored. An increase in the amount of materials used but no corresponding increase in population may indicate the need for a review of present practices.

Machinery and Equipment Records. Maintenance histories for machinery and equipment are valuable for several reasons. If certain equipment is in continuous need of repair, or if repair costs are high, a review of the preventive maintenance program may be indicated. It is possible that the equipment is poorly made, in which case the purchasing agency should be alerted.

Disciplinary Records. A weekly report of all disciplinary actions can be a useful monitoring device, as it shows when the majority of disciplinary infractions occur, where they occur, and their nature. This information is valuable for the administrator in developing a course of preventive discipline.

Length of Time in Detention. A record of the number of persons detained and the amount of time they have served awaiting trial should be compiled weekly and sent to the court administrator. Time should be counted from the date of admission until the date of sentencing or release. This record brings to the attention of the court the length of prisoners' pretrial confinement. Lengthy

FIGURE 21
A Sample Inspection Report

Maintenance Report
Physical Plant Survey

Location or Equipment	Condition	Repair Needed	Date Repairs Completed
North floors (1-5)			
Fire escape			
Connector	corroded	replacement	
Treads	rust	paint	
Hand rail	rust	paint	
Left section	inoperable	scrape, oil	
Cellblock 1			
Tier 1			
Closet	OK		
Water taps	leaking	replace HW washer	
Cell doors	14 door sticking	check channels	
Cell bars	tapped—no evidence of tampering		
Cell plumbing	all OK		
Floor	NW corner slippery	remove oil stain	
Lighting	no dark corners, bulbs replaced as needed		
Tier stairs	clear of obstructions, no dark spots, tread firm, no slippery spots		
Windows	clean and operable		
Fire extinguishers	inspected and filled as scheduled		

Submitted: *John Baird*
Chairman, Inspection
Committee
June 1, 1970

Copies: Inspection file
Maintenance Supervisor

pretrial confinement may be the result of inadequate bail programs, trial delays initiated by the defense attorney, or crowded court calendars.

Annual Reports. Governmental units are usually required to submit annual reports. The format and content vary so greatly that it is impossible to discuss the annual report in specific terms. However, the data contained in the reports discussed above can be usefully incorporated into the annual report, since they show activities in the jail, population flow, expenditures, and distribution of services. The report can also show the needs of the prisoner population in terms of programs, medical care, and training. The activities of the jail, its workload, and the problems facing the jail administrator can be revealed to the public through this report.

Inspections. A sample form for a maintenance inspection report is given in Figure 21. Similar reports may be developed for cell shakedowns and fire and safety inspections. An important aspect of the completed form given in Figure 21 is the accurate descriptions of the conditions of areas and equipment.

Conclusion

The range of jail operations is large and complex, and the need to coordinate activities and to review and control the operation places a heavy burden on the jail administrator. The development of well-defined objectives and procedures will assist him in this task, for it will remove him from decision making about routine problems. He can then devote time to planning and other administrative functions.

The new administrator must take control of his jail. He can do this to a great extent by beginning with a review of its objectives and procedures. He can also use various methods of exercising control, such as budget review and records and reports. The administrator who is interested in reviewing his operation in order to introduce change must also begin with a review of existing objectives and then examine the services that are provided for achieving them.

A jail administrator does not need to be an expert in any of the operations that have been discussed. He must, however, have a basic understanding of them so that he can be meaningfully involved in planning and decision making. A grasp of the objectives of the operational units of the jail will give him that knowledge.

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8. JAIL AND COMMUNITY CORRECTIONS PROGRAMS

I Program Planning

The current emphasis on jail and community corrections programs is changing and will continue to change the role of the jail. The jail administrator bears the primary responsibility for creating change in the jail and thus has a central role in program development.

This role is primarily an exercise in leadership—identifying program objectives, making them understood and accepted by jail personnel, and selecting program specialists and coordinating their activities. In order to introduce programs into the jail and to use program specialists effectively, the administrator must understand the objectives of program planning, the information requirements, and the developmental problems that can arise. Often a program may be borrowed from another jail or developed from a basic model (for example, work release). If this is to be done successfully, program objectives must be clearly defined and the needs of the jail and the community identified so that programs can be modified to fit local conditions.

The objective of correctional programs is to intervene in delinquent and criminal careers. Arrest and detention are a temporary intervention; a prisoner cannot commit further crimes while he is confined. For a lasting change to take place, however, long-range intervention is necessary. This requires the development of programs to further interrupt criminal behavior and replace it with more acceptable activities.

There are a variety of programs available to the jail and a variety of ways these programs can be modified to meet the needs of a particular jail population and community. How then does one select programs and modify them?

Defining the Need. A study of the jail population is the first step in determining needs. The following data are required:

1. The number of annual commitments. Only individual commitments should be counted. The person who is booked and then sentenced by the court cannot be counted as two persons without distorting the data.
2. Offense composition of the population. A disproportionate number of drunk offenders will give clues about the kind of medical and psychological needs that must be met.
3. Age composition of the population. An older group will indicate greater medical needs.
4. Sex. The needs of women differ from those of men and indicate the need for programs tailored specifically for women.
5. Education. Needs for education depend on the age of the population, as an older group will have different needs than a group of younger offenders.
6. Occupation. Training and employment needs must be identified.
7. Marital status. This information may be useful in developing programs such as family counseling and in selecting prisoners for work release.

This data in itself is not precise; it must be refined before it can provide real guidelines for program planning. A jail may admit 500 drunks in a year, for example, but more information about the distribution of persons in this category is required before their needs can be precisely identified or a program planned for them.

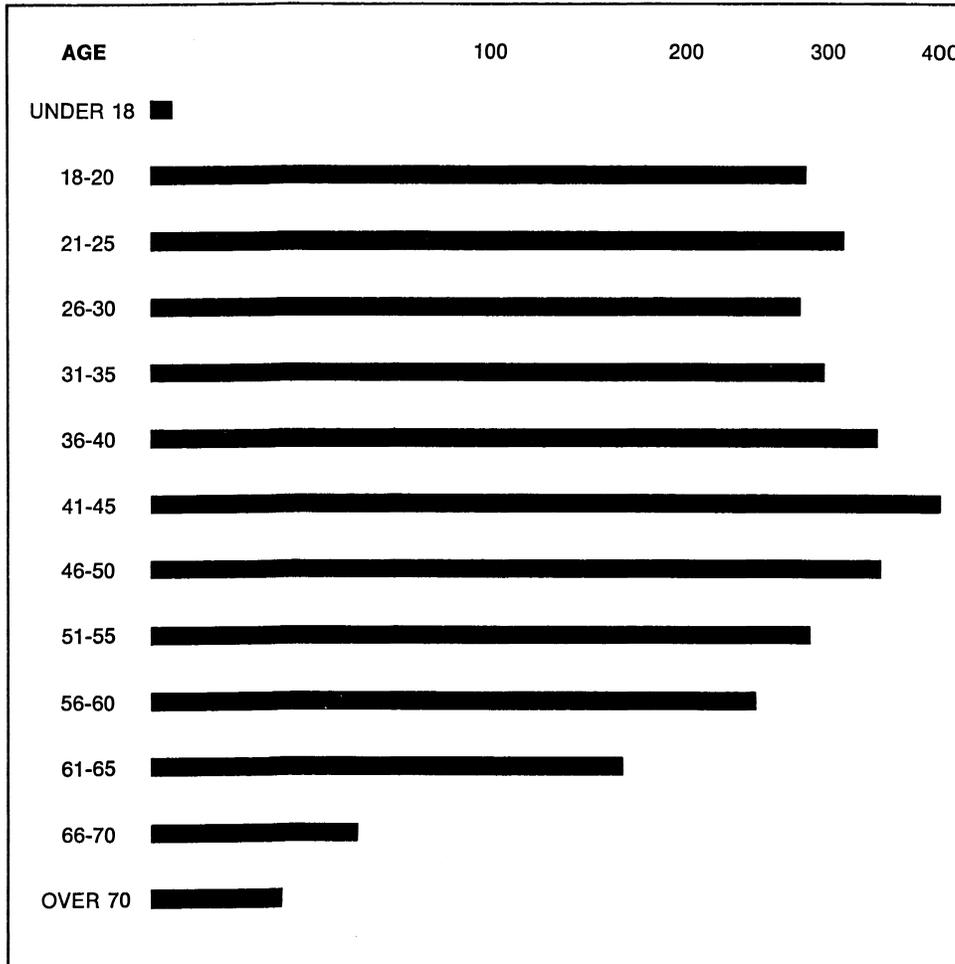
The graphs on the following pages illustrate the process of refining population figures to identify subgroups within the general jail population. Figure 22 provides a simple count of bookings by age. Figure 23, further refines the population by separating the age groups according to offense. When this is done, differences between the three groups begin to emerge. Inmates in the misdemeanor and felony groups are younger than the drunk offenders. Further refinement of data shows that a high proportion of the total population has a high school edu-

cation or more (49 per cent), and that both the misdemeanor and the felony offenders are better educated than the drunk offenders.

At this point some assumptions useful for program development can be made: There are a substantial number of undereducated persons in the jail and probably a large number of functional illiterates. This information can be used in developing a literacy program in the jail. However, a literacy program may fail for a number of reasons. Prisoners may refuse to participate because they will not admit they cannot read. A testing program to identify illiterates and a counseling program to encourage their participation may be necessary. Starting a literacy program with the expectation that prisoners will identify themselves as illiterates is poor planning. Testing is the efficient way to identify illiterates. A testing program can be relatively simple to administer, and tests easy to score. Tests could be given to all prisoners or to those who claim a certain grade completion, for example, sixth grade.

Although it may be apparent that a youthful offender group needs educational or vocational training, statistics alone will not identify the kinds of education or training these prisoners need and can use. Figure 25 seems to indicate

FIGURE 22 AGE: TOTAL BOOKINGS¹



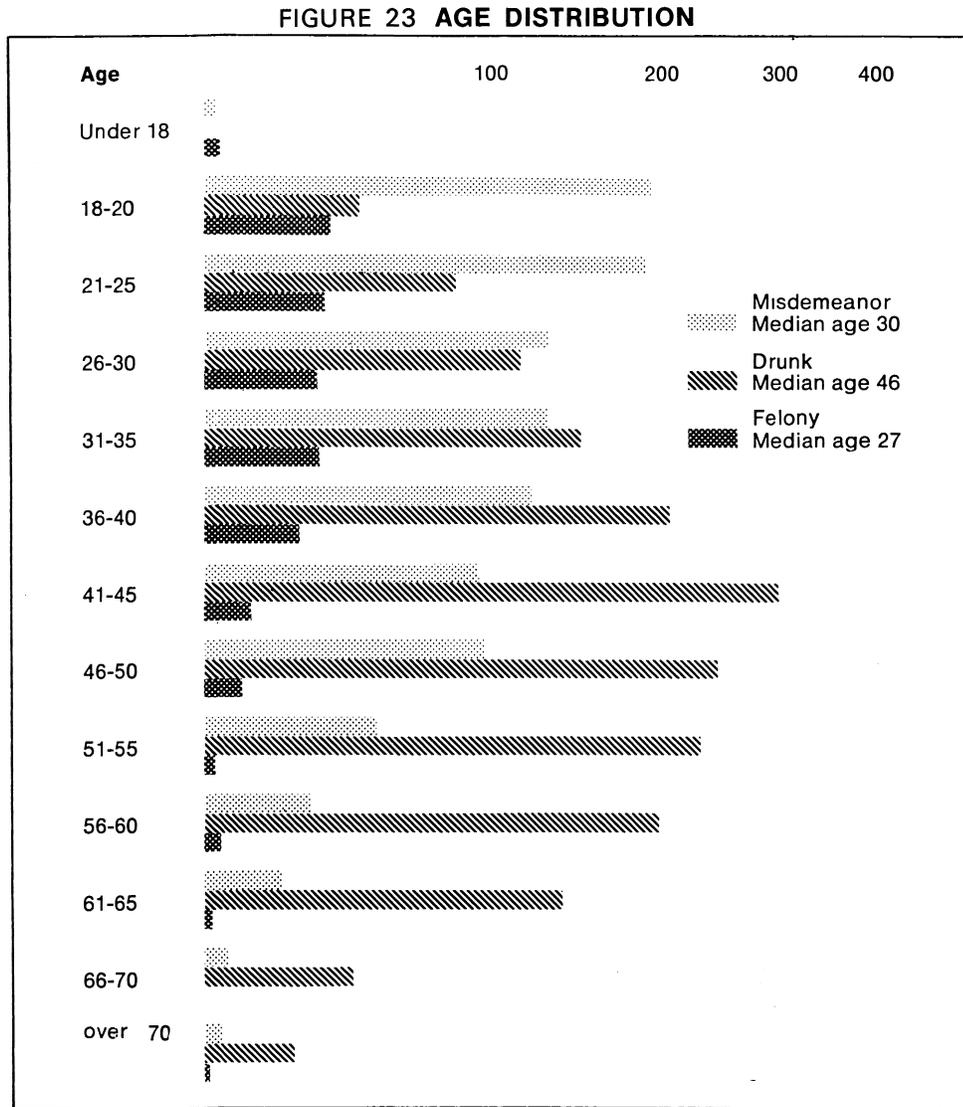
¹Institute for the Study of Crime and Delinquency, *Model Community Correctional Program, Report III. Crime and Its Correction in San Joaquin County* (Sacramento, California: N.D.), p. 42.

need for vocational training in all three offender groups—misdemeanants, felons, and drunks.

The average (median) age of a person booked into jail is 40 years. When presented separately, however, the three offense groups show distinctly different age characteristics.

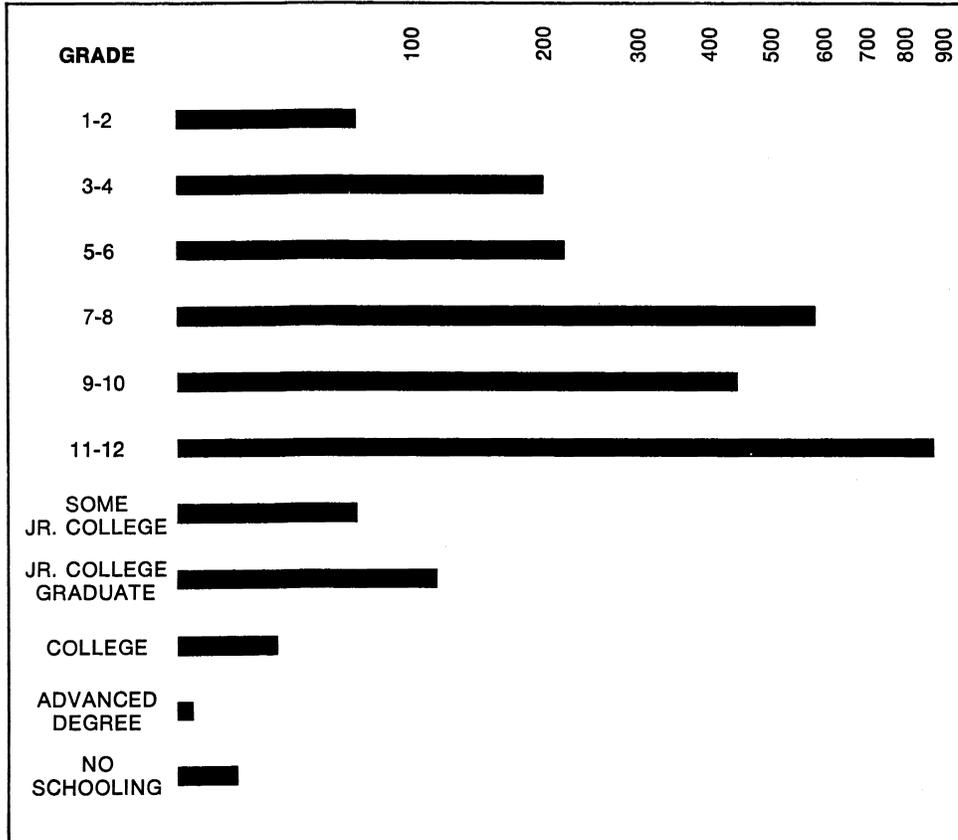
The average (median) age of the drunk offender group is 46; misdemeanor, age 30; and felony booking group, age 27.²

Figure 23 compares offense groups by age.



² Model Community Correctional Program, p. 43.

FIGURE 24 LAST GRADE COMPLETED: TOTAL BOOKINGS



The percentage of jail bookings with less than a ninth grade education (41 per cent) is not much lower than the percentage of the county population with less than a ninth grade education (49 per cent).

As might be expected, the younger the offender the better educated he is. But because younger men tend to be more frequently arrested for the more serious crimes, the drunk group has a lower level of education, the misdemeanor somewhat higher, and the most serious offenders, the felon group, seem to be the best educated.

Significantly, 11 per cent of those booked into the jail had less than a fifth grade (claimed grade) education. Obviously, there are functional illiterates in the jail population who have very serious educational handicaps.⁴

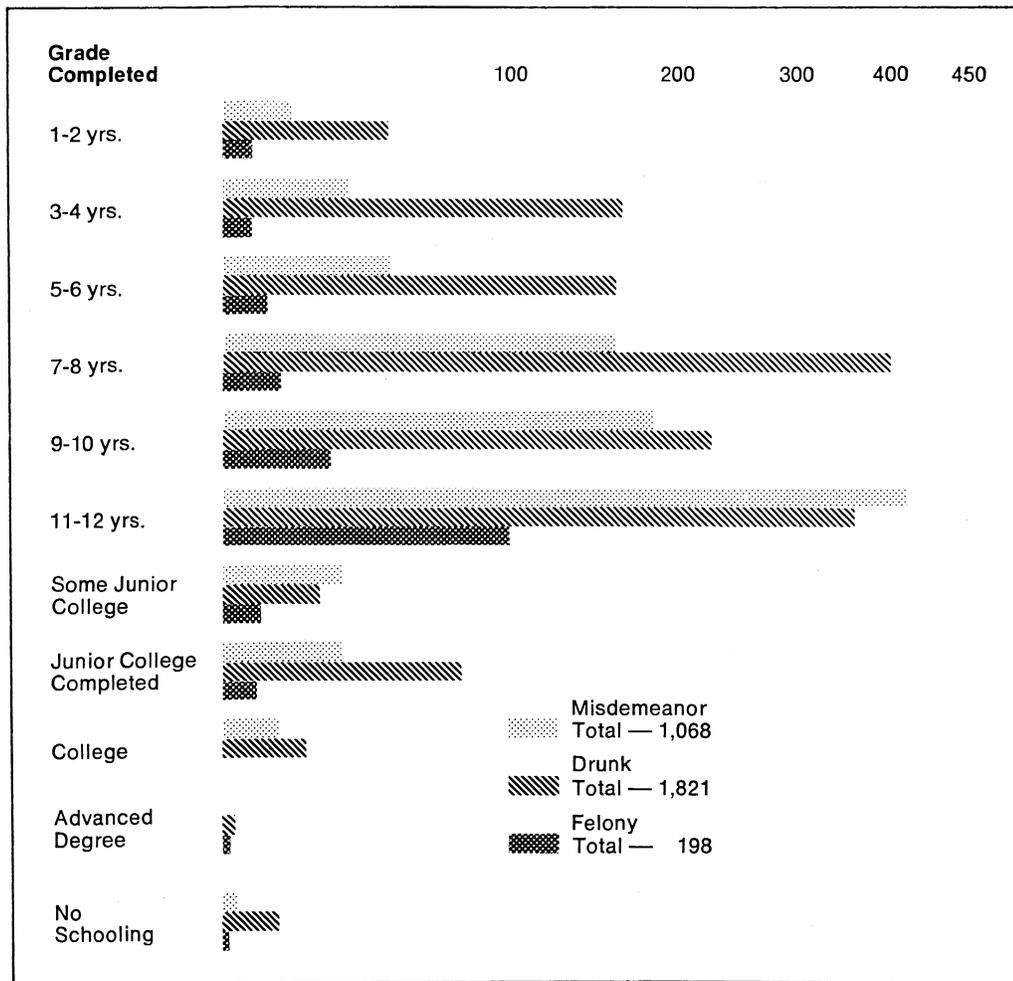
However, a comparison of Figure 25 with Figure 26 indicates that the educational level of drunk offenders must be raised before they can benefit from vocational instruction.

Assumptions about prisoners' needs based on misinterpreted data can result in costly programs. Offenders serving sentences for violation of motor vehicle laws may present an array of problems not to be resolved by driver training. It would be wasteful and irrelevant to initiate a driver training program if, for example, such offenders' problems have a psychological basis. Nor will prisoners' needs be met through a single program approach. A work release or

³ *Model Community Correctional Program*, p. 46.

⁴ *Ibid.* p. 46.

FIGURE 25 EDUCATION LEVEL⁵



an AA program without supportive counseling may be inadequate. A vocational training program in the community will fall short of its goal if there is no provision for vocational counseling and employment placement.

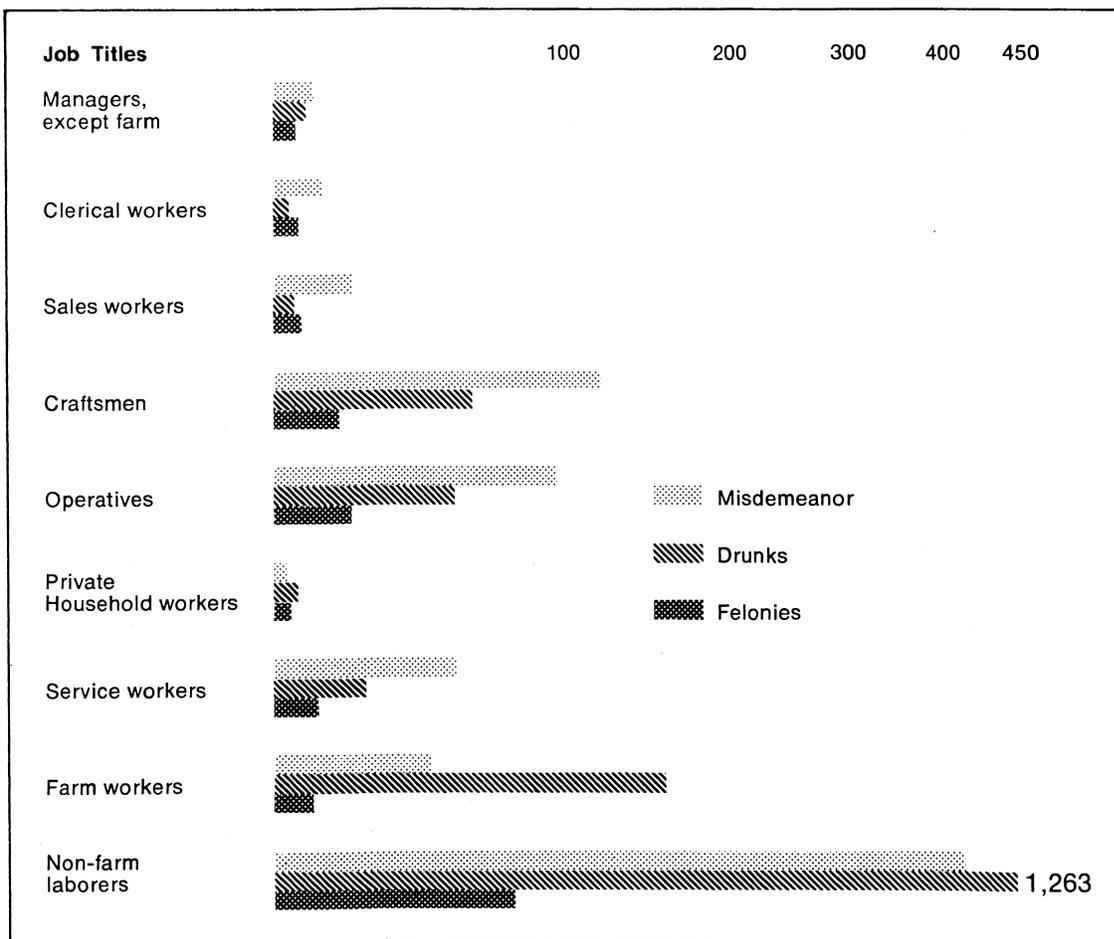
How then does one identify the needs of the jail population? The simple statistical studies discussed above will identify only general needs. For greater accuracy, more sophisticated statistical techniques and testing methods must be used to analyze the population. This may necessitate calling in experts such as statisticians, psychologists, and correctional researchers. These persons are available from the state correctional system, probation or welfare departments, state criminal justice planning agencies, and colleges and universities.

Developing Program Objectives

Chapter 6 dealt with the development of objectives for monitoring jail operations. Program objectives may be developed in a similar way. Program objectives must be specific, capable of evaluation, and designed to meet the needs of a specific group. It is not enough to conclude that the objective of a program is to correct offenders. What, specifically, will the program do? The Alcoholics Anonymous program, for example, will have a number of objectives.

⁵ *Model Community Correctional Program*, p. 47.

FIGURE 26 VOCATION⁶



Its main objective is to assist the individual to stop drinking. He must recognize and admit his alcoholism; he must attend meetings regularly; and he must attend AA meetings when he is released from jail. All of these goals are subject to evaluation. Attendance at meetings in the jail and in the community can be counted and used as a measure of the individual's acceptance of and participation in the program. If he should begin to drink again, the length of time he has abstained from alcohol can be used as a measure of program success.

The formulation of program objectives and the priorities assigned to them will be a factor in selecting participants and evaluating program success. A work release program may have the following objectives:

1. To prevent job loss due to confinement.
2. To employ the prisoner in the community while under sentence.
3. To have the prisoner contribute to the support of his family while under sentence.
4. To have the prisoner defray the expenses of his confinement by paying room and board.
5. To control the prisoner's behavior while he is under sentence in the community.

⁶ *Model Community Correctional Program*, p. 49.

The selection factor in this case can be rather broad unless priorities are established for selection of participants. Family men may be selected for work release before others if high priority is given to the objective of family support. When high priority is given to having the prisoner pay for his confinement, almost any employable prisoner will be eligible.

Measuring the success of the program is simply a matter of determining whether the objectives have been achieved. Objectives 1 through 4 are a simple matter of addition. Objective 5 is met if the prisoner has remained on work release while under sentence.

The primary objective of correctional programs is to reduce or eliminate the prisoner's criminal behavior. Success may be difficult to measure, although it is easier to determine whether a limited objective has been met than a broad one. An offender's criminality may be considered to have been reduced if he achieves a certain period of offense-free time following release. The objective of reduced criminality may be considered to be achieved if an offender subsequently returns on a less serious charge. Evaluations such as these require long-range study which is possible only when the jail keeps adequate records. Generally, the objectives of jail programs can be defined so that they can be measured in terms of grades completed, money earned (work release), attendance at and completion of programs, and increased employability after vocational training.

Program objectives must also be considered in the light of other realities. Certainly, not all offenders committed to jail are sentenced for correctional purposes, and not all can realistically be expected to benefit from correctional experience no matter how great their needs may be. In many instances, the traffic violator who is serving a sentence in lieu of payment of a fine is not sentenced for correctional purposes. The alcoholic has certainly not been able to benefit from correctional programs that do not recognize or deal with his medical, social, and economic problems.

Cost benefit factors must be considered in setting priorities for program objectives. Programs that promise the greatest success at the least cost and that will reach the most people may be given priority. On the other hand, programs designed either for specific population groups who pose a threat to the community when released or for those who have the greatest potential for change may be chosen regardless of cost. A program of psychotherapy for sex offenders or a vocational training program for youthful first offenders may be given priority over all others.

Program objectives must have some relevance to the social and economic life of the community to which the prisoner will return. For example, there is little point in teaching a prisoner how to can tomatoes when the nearest canning factory is in another state, or to run a mangle in the laundry when the social group to which he belongs considers it women's work.

Selection of Participants

The opportunity prisoners may have to participate in programs poses another set of problems. Security and control requirements, for example, are factors that may limit participation: certain prisoners may be considered extreme escape risks due to detainers; some show a tendency toward violent or aggressive behavior; some must be kept separate from codefendants or others; some may be under medical or psychiatric care; and female and juvenile prisoners must be separated from adult male prisoners.

Length of stay is another factor in selection. This is primarily a question of whether or not to enroll prisoners who are to be in jail only a few days or weeks. Length of stay may not be known at all for some prisoners. This certainly is true of persons awaiting trial, who may be released on bond at any time, and

sentenced prisoners committed for nonpayment of a fine.

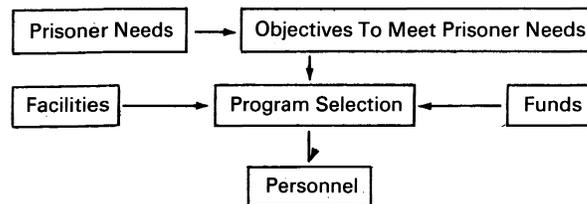
A prisoner's legal status may have a bearing on his availability for participation in a program. This is not to say that programs should be reserved exclusively for sentenced prisoners. Persons awaiting trial may in fact have the same needs as sentenced prisoners. Traditional beliefs to the contrary, many of them will volunteer for any assistance available. Care must be exercised, however, so that they do not become involved in programs that might infringe on their legal rights or challenge the assumption of innocence. Group therapy and psychotherapy, for example, may violate the prisoner's privacy or place him in the position of giving information about himself that may be damaging to his case.

It may be necessary to differentiate among sentenced prisoners as well. Probation and parole violators, persons returned from escape, and sentenced prisoners held on appeal or writ are likely to remain in jail for relatively short intervals before transfer to some other facility. Programming for these prisoners should be the responsibility of some other agency.

Program Selection

The programs finally selected will depend on prisoners' needs and the objectives that are to be achieved. In keeping with principles of planning, the resources to implement the program should be identified after the programs have been selected. The process of program selection can be diagrammed in this way.

FIGURE 27



The availability of funds, facilities, and personnel will greatly influence program implementation. The jail administrator has more flexibility here than he realizes. Programs can be housed either in the jail or in the community, and staffed with either paid personnel or, if funds are not available, volunteers. Vocational training programs, which are expensive to implement in a jail, can use the educational facilities in the community. Educational programs can use community schools or jail facilities and paid part-time or volunteer teachers.

Identifying and Using Community Resources

In some instances, the search for resources to implement programs may require exploration with legislative groups and possibly legislation authorizing a program such as work release. Well-defined services that have not been used for jail prisoners but lend themselves to this purpose may be available from other sources—for example, government agencies in the field of education, health, mental health, social welfare, employment services and vocational rehabilitation. Private agencies and groups that have not been aware that their services may be useful to jail prisoners include religious welfare agencies, labor and civic groups, and private industry. Theoretically, the innovative administrator can make an inventory of all these resources and match them either singly or in combination with the program and the service needs of the prisoners in the jail.

There are several possible ways of developing a program designed not only to identify persons for assignment to certain programs but to provide diagnostic services to the courts. The minimum requirement at the jail would be a few rooms set aside for interviews, tests, and examinations. Local circumstances will determine whether professional staff should be hired on a part-time basis or special services secured through contracts with, for example, community or private mental health clinics and universities. Some agencies may provide diagnostic and treatment services as an extension of their programs. In this case, the agency may be able to assign personnel for experience or in order to utilize the time and resources of the agency more economically. In any case, the agency may be able to include the jail and its program needs in its regular service.

On the other hand, the program need not be based at the jail. It could be carried on, for example, in a local hospital or mental health clinic where the necessary facilities and staff already exist. In this case, the jail would need to develop a system of coordination and transportation to get prisoners to the source of the program. Some jails are doing this now—for example, prisoners are taken to hospitals for medical care and in some cases for psychiatric examination. This kind of service can be broadened to include programs other than medical. Work release is one example of a program away from the jail; variation of the work release program for purposes of educational and vocational training is another.

Utilizing community agencies and volunteers requires planning. A careful analysis should be made of all agencies that might provide services to the jail. But where does one begin? The probation department and the local welfare department are two possible starting points. These agencies may be able to provide some services, depending on their workload and the personnel available. They can also provide information about other agencies and assist the administrator in identifying his needs more clearly. Some communities publish a directory of private and public agencies and the types of service they provide.

Some agencies and their services are the following:

1. Prisoners Aid Society. Provides counseling for offenders in state correctional institutions and jails, and to prisoners and their families in the community.
2. State Employment Service. Services include placement of job seekers, special services to veterans, employment counseling, selective placement, labor market information, industrial services, and cooperation with local groups.
3. Department of Veterans Affairs. Coordinates activities relating to medical, hospital, and other remedial care; to placement and training; and to educational, economic, and vocational rehabilitation of persons who served in the armed forces of the United States and who were honorably discharged. Offers health, education, and economic assistance to war veterans who are residents of the state and their dependents.
4. Vocational Rehabilitation Division. Provides services for eligible vocationally disabled persons regardless of economic status. Services include medical diagnosis, psychiatric study and psychological testing, guidance, training tuition, and placement. Assistance may be given to those unable to make other financial arrangements for medical service, artificial appliances (for example, an artificial limb or false teeth), training supplies, and tools and equipment.
5. Legal Aid Society. Provides direct representation for all persons accused of relatively minor crimes who are unable to afford private counsel. In some communities; it operates a release-on-recognizance program through law-student volunteers. This program reduces the time spent in jail awaiting trial for people with substantial ties to the community.

6. County Mental Health Center. Provides outpatient psychiatric services (diagnosis and treatment, individual and group therapy) to county residents with behavioral and emotional problems; mental health and family life education programs; community consultative services; programs for detection and prevention of mental illness; and in-service training programs for social workers, psychologists, and psychiatrists.

This is a small sample of the public and private community agencies that may be able to provide assistance to the jail. There are many others. The school system (vocational and academic), the state correctional system, and the county welfare department are significant potential sources of consultation and direct services to the jail.

A community agency's ability to provide services to the jail can be determined to a limited extent by a brief review of its statement of purpose. Further evaluation will be necessary, however, and the jail administrator can accomplish this by meeting with the agency administrator. At this time, the needs of the jail should be discussed in terms of specific kinds of services—for example, diagnosis, teaching, or psychotherapy. It is preferable to approach jail needs in terms of services rather than programs. An agency administrator may at times be able to suggest programs for utilizing the resources of his agency.

The jail administrator should be prepared to discuss the number of prisoners involved and the kinds of problems they present. The amount of service required and whether or not the agency has the time and personnel to provide it can thus be determined. If the jail administrator and the agency administrator can reach agreement, the following steps must be taken to implement the program.

1. Determining the location of the program. If the program is to be held in the jail, arrangements must be made for space. Agency personnel must be consulted in selecting the setting. Classrooms and rooms for group therapy or AA meetings may not be easy to find in the jail, but on the other hand, space should not be selected merely because it is available. Some programs require privacy. If the program is to be held outside the jail, transportation must be arranged.
2. Appointing liaison persons. The jail administrator and the agency administrator must each select a staff member who will be responsible for establishing procedures for cooperation between the agency and the jail, for monitoring the activities of agency personnel who are assigned to the program, and for consulting with each other to solve any problems that occur. If this is not done, the agency's participation will slowly but surely diminish. Both the jail and the agency need an interested person who is specifically responsible for keeping the program functioning, for ensuring feedback to the administrators, and for making day-to-day decisions.
3. Establishing procedures. The procedures for agency-jail cooperation must take into account the program objectives, the extent of the agency's involvement, and existing jail and agency procedures. For maximum effective use of personnel, schedules must be developed and followed. Lists of prisoner participants must be kept current. Agency personnel entering the jail must be given identification cards or badges. Program procedures must fit into existing schedules and must not interfere with the basic jail operations (counts, meals, security checks). When interference cannot be avoided, as, for example, when a prisoner is an outpatient at a community mental health center, procedures should be developed to take this into account. It is not necessary to modify existing procedures a great deal to accommodate programs. For example, a few prisoners returning late from a program outside the jail can be fed after the scheduled meal if they are willing to eat cold cuts or sandwiches on days when activities interfere with their meals.

The key words in the development of community resources for jail programs

are *imagination* and *flexibility*. A great many community resources are available to the jail administrator who is willing to seek them.

Use of Volunteers

Recent years have seen an increase in the use of volunteers in jail and correctional programs. This is due in part to lack of funds for programs and personnel. It is also due to the increasing concern for programs that involve the community in the problems of the jail. As a consequence of volunteer participation in jail programs, the community develops a stake in the jail and supports the administrator in his attempts to establish programs.

The use of volunteers is not new. As far back as 1800, one dimension of Quaker prison reform in Philadelphia included religious instruction and counseling of jail inmates by lay leaders. Probation, as we know it today, got its start in 1840 through the volunteer services of a Boston shoemaker. In more recent times, volunteers have been used as recreation activity leaders, instructors, religious activity leaders, Alcoholics Anonymous sponsors, visitors to prisoners without families and, in the community, as probation and parole sponsors.

Jail personnel must be actively involved in supervising and training volunteers, and in planning and coordinating their activities. The volunteer program must be a part of the jail operation and not regarded as an intrusion. Although they need not be involved at every step in the development of a volunteer program, jail personnel must be informed of the program and of their role in its implementation.

Recruiting Volunteers

The administrator can use public speaking engagements and the news media to announce his need for volunteers. He should describe the nature of the program, its objectives, and the kinds of persons and skills that will be needed. If a program needs a large number of volunteers, pamphlets can be prepared explaining it in detail.

A survey of volunteers in one program found that they were recruited from the following sources:⁷

Friends and relatives of volunteers	27 per cent
Newspapers, magazines, or pamphlets	23 per cent
Clubs, business groups, and organizations including churches	22 per cent
The organization needing the volunteers (judiciary)	28 per cent

The findings of this program indicate that the recruitment of volunteers does not differ significantly from any other recruiting effort. A successful recruiting program develops momentum and generates community interest that results in additional applicants:

Volunteer counselor recruitment efforts, at the outset, consisted of personal contact by members of the judiciary and staff with individuals and organizations. In addition to the recruitment of individuals this effort resulted in the establishment of a broad base of community awareness of the need for volunteers. Upon this base were built avenues of contact with formal community sub-units such as industries, service organizations, professional groups, and religious groups. The momentum which developed has produced a steady flow of applicants for volunteer positions. It should be readily recognized that the value of active volunteers acting as recruiters of other volunteers is easily equivalent to any formal recruiting efforts.⁸

⁷The County Court, *The Use of Volunteer Probation Counselors for Misdemeanants; A Special Demonstration Project* (Denver, Colorado, 1968), p. 24.

⁸*Ibid.*, p. 22.

Selection of Volunteers

Volunteers are selected on the basis of their skills or their personal qualities. Volunteer teachers or psychologists would be selected for their skills. A specialized volunteer who need not be a skilled professional is the Alcoholic Anonymous member who conducts meetings and counsels inmates in the jail. Where personal qualities are more desirable than skills, selection can be difficult. Since many jails have not had experience with volunteers, administrators are understandably reluctant to permit relatively unknown persons to come into close contact with prisoners.

Those who volunteer generally have had previous volunteer experience. The program cited above found the following breakdown in previous volunteer experience:

Civic organizations	19 per cent
Church organizations	25 per cent
Youth-serving organizations	29 per cent
Fund-raising organizations	9 per cent
Social services	17 per cent
Fraternal organizations ⁹	2 per cent

Motivation is an important consideration in selecting volunteers. The recruit's reason for volunteering to work with prisoners will influence his performance and effectiveness. A survey of the volunteer group in the program discussed above found three principle reasons for volunteering:

Personal humanitarian goal	37 per cent
Personal interest in corrections	36 per cent
Personal sense of community responsibility ¹⁰	27 per cent

It is not possible to determine the motivation of volunteers at the early stages of the program, however. An administrator's chief concern is to prevent emotionally unstable persons from becoming involved with prisoners. If an applicant has had previous volunteer experience, the administrator should request a recommendation from the agency for which he worked. The chief officer of an organization can be asked to indicate members whom he feels would be unsuited for work in the jail, and to discourage them from applying.

Selection and evaluation is a continuing process, however, and persons who are unsuited for volunteer work will become visible as the program develops. The orientation and training program for volunteers will also serve as a screening device. Those persons who are not seriously interested will begin to drop out. Those who have problems may be identified by their performance in training, by the kinds of questions they ask, or by the extent of their participation. Some people, for example, seem to be fascinated by certain kinds of crimes, usually sex crimes. A person who does not participate in discussions during training may have difficulty interacting with prisoners.

Usually, jail personnel have had little experience in selecting volunteers and matching them to program needs. It may be necessary to recruit a person with this kind of experience—for example, a supervisor with a welfare agency or a private social agency—to assist in volunteer selection.

Orientation and Training

All volunteers should be given orientation and training that covers the following subjects:

1. The objectives of the jail (confinement, security, safekeeping, correction).
2. Existing jail programs and their objectives. Any program in the jail, except the volunteer program, should be discussed.

⁹The County Court, *The Use of Volunteer Probation Counselors for Misdemeanants*, p. 24.

¹⁰*Ibid.*, p. 24.

3. Jail schedules, rules, and regulations. The volunteer coming into the jail should learn how the jail operates and why, and the importance of coordinating the volunteer program with existing procedures.
4. The objectives of the volunteer program and its relation to other jail objectives and programs.
5. Rules and guidelines for the volunteer. Rules for employees will generally apply to the volunteer as well while he is in the jail. His relationship with jail personnel and his responsibility to the person assigned to supervise the program should also be discussed.

Volunteers for programs located outside the jail will not require extensive orientation to the jail. They should be informed of jail programs and objectives as a frame of reference, however. All volunteers should be given information about the program in which they will participate, including its objectives, why it is needed, the population to be served, how and by whom their activities will be supervised, and attendance requirements.

Training

Training is necessary for all nonprofessional volunteers. The needs of professional volunteers can be met by the orientation program. Training must be tailored to the program and carried out by content specialists. A counseling program, for example, will require persons who have knowledge of counseling techniques, psychology, and sociology. Such specialists may be found in the probation or local welfare departments, private social agencies, and colleges and universities.

Supervising Volunteers

A member of the jail staff should be appointed as coordinator of the volunteer program. He should be responsible for establishing training schedules, coordinating program activities, answering volunteers' questions on policy and procedure, checking attendance of volunteers and prisoners, and solving problems. Since he may not have the training to supervise lay counselors or teachers and other professionals, a specialist, who may be a volunteer, should be asked to assume the responsibility for supervising the work of volunteers. The jail program coordinator and the volunteer supervisor must work together closely in solving problems arising out of the program, since solutions will affect both the jail and the program.

Program Models

In recent years one of the tasks of corrections has been to build bridges to the community—to help the offender maintain, strengthen, or develop ties with the community. This trend has resulted from recognition of the fact that the institution is an unnatural environment that does not permit the offender to learn to solve problems, make decisions, or develop new behavior patterns. The limitations of the institution have required the development of new programs and of new administrative arrangements to implement them. The models presented here are described in terms of their basic structure. They can be modified to meet the requirements of different jurisdictions and to conform to local conditions.

Work Release. Work release is a means of extending the limits of confinement into the community. The prisoner assigned to work release is evaluated as requiring some supervision during the working day, and confinement after working hours. The program permits a great deal of flexibility in sentencing and lends itself to a number of variations. Prisoners may be released for educational or vocational training in the local schools, for psychotherapy at a mental health clinic, or for employment counseling. When a jail does not have a bail program,

pretrial prisoners can be confined during nonworking hours and weekends, permitting them to continue working or preparing their defense.

Education and Literacy. Education and literacy programs situated in the jail can be implemented using either paid employees or volunteers. An education program can be either specific or general. Its objectives can be to begin an educational process that can be continued in the community when the offender is released, or to assist the offender in securing a high school equivalency certificate while he is confined.

A general education program would be concerned with teaching certain skills. In an eastern community program in the jail, volunteers taught courses including needlecraft, typing, personal grooming, nursing, and arts and crafts. Although this program did not have a specific educational objective, it enriched the jail's activities.

Treatment of Alcoholics. Many jails now have Alcoholics Anonymous programs, but a program for treating alcoholics should not be limited to an AA chapter. It should include, in addition to an AA program, medical care, group or individual therapy, a job placement service to help the prisoner when he is released, and procedures for introducing the offender into the local AA group when his sentence is completed. The jail and the community AA groups must have close ties to enable prisoners to make the transition from the jail program to the program in the community.

Counseling. A counseling program can be tailored to meet the specific needs of the jail population; it may be staffed by lay counselor volunteers, professionally trained volunteers, or paid professional staff. The program can include group counseling, psychotherapy conducted by professional people, employment counseling, counseling for alcoholics, or supportive counseling for work release prisoners. Counseling can also be extended to the community to include the prisoners' family in group and individual counseling, with the prisoners permitted to attend.

Organizational Models. Community corrections programs can be carried out in the jail or can have their base in the jail and extend into the community. Programs located entirely in the community may require a much more complex organizational base. A probation program, a halfway house, or a community treatment center may require that the jail become a part of a community correctional system. A community correctional system can provide continuity of service beginning with evaluation for bail and continuing through development of the presentence report, programs in confinement, confinement as part of sentence, placement on work release, or supervision in the community. Release of a prisoner from the jail to the community treatment center can be handled simply and administratively when the jail is a part of the local correctional system.

The community correctional model permits further program variations. It can include a detoxification unit, which will reduce the population of the jail. Arrangements can be made with the state correctional system to accept prisoners for a short period prior to parole so that they can be placed on work release in their home community. The jail can also be used as a short-term confinement unit for parole violators, thus giving the local parole agent greater flexibility in supervising prisoners on parole.

Another organizational model that can provide a base for flexible programming involves the development of satellite facilities. A western jail has built a minimum security correctional facility for prisoners serving sentences of 60 days or less. Prisoners are provided a wide array of programs including education for all grades; a literacy program staffed with volunteer college students; medical services including corrective surgery and dentistry, provided by the county hospital; and a work release program. Cooperative arrangements have been made with state and federal authorities to admit selected prisoners from

these jurisdictions. A suburban eastern county has a similar correctional facility as part of the jail complex. In this facility, however, the education program is conducted under the auspices of the state department of education, and the staffing pattern differs from that of the western facility.

In another variation, a western state has built five honor camps to which prisoners are sent after classification in the county jail. The objective of the camp program is to provide correctional treatment through constructive work and therapeutic counseling. Individual and group counseling sessions, informal education programs, and work projects involving forestry, fire-fighting, fire-break construction, road-building, and park maintenance keep prisoners occupied. Family visiting under relaxed but supervised conditions is intended to strengthen prisoners' ties with home and community.

II. Work Release

The potential of work release as a community effort has been demonstrated in the last few years. Work release is a basic program that can be developed to bridge the gap between the jail and the community and used with variations to meet a variety of program needs. For this reason, work release is discussed here in detail as a model of a program that can be used in any jail and with many kinds of prisoners.

Work release refers to the release of the prisoner from jail during certain hours. Usually this release is for the purpose of private employment, with the prisoner returning to confinement at the close of the workday. Under this program, prisoners may also be released to attend educational institutions, participate in trade training programs, seek employment, conduct their own businesses or professions, keep house, or obtain medical treatment. Work release has received increasingly favorable attention in recent years from correctional authorities at all levels, from legislators, and from the general public. This interest is reflected in the number of states that have passed laws permitting work release and in the use of some aspects of the program in many other areas of the country.

Work release is known by various names. In California it is referred to as *work furlough*. *Day parole* is the common label in Wisconsin. In Pennsylvania the term *outmate program* has been used. Other labels include *private prerelease work*, *extramural private employment*, *day work*, *daylight parole*, *free work*, *intermittent jailing*, and in France, *semi-liberté*.

As shaped by current practice, work release is used in several ways: (1) as a sentencing procedure; (2) as a release procedure; and (3) during the course of the sentence. Work release is most apt to be a part of sentencing in the case of misdemeanor prisoners. Used as a sentencing procedure, work release occupies a position somewhere between probation and full-time imprisonment. As a release procedure, work release stands between full-time imprisonment and parole as a means of assisting the prisoner to make the adjustment to free society. In a very real sense, work release is an extension of the correctional process into the community.

When used during the sentence of the short-term prisoner, the misdemeanor, work release is something of a hybrid. It is designed in part to assist the offender in adjusting to community life. However, since the individual has not been locked up for any appreciable period of time, his problems in adjusting to the outside world are less severe than those of a person who has served a long period of imprisonment.

Work Release in United States

Wisconsin's Huber Law of 1913 is commonly referred to as the earliest example of work release in the United States. Earlier examples do exist, however. Prior to the actual passage of a work release law in 1950 in Massachusetts, it was common practice to place women from the Massachusetts Correctional Institution at Framingham in the community under the indenture system. This system included not only the traditional indenture procedure of releasing the prisoner to a citizen in the community but release for daywork purposes as well. The latter provision existed at least as early as 1880.

As an independent program, work release had its earliest beginnings and use with jail prisoners. In recent years, some well-developed programs by state prison systems and the federal government have tended to overshadow the value of work release for jail prisoners. This is unfortunate, because the greatest potential population for work release is to be found in the jail.

Today, at least 33 states, the federal government, and the District of Columbia provide for some form of work release. These jurisdictions and the years in which their work release legislation was passed are Wisconsin (1913), Nebraska (1917), West Virginia (1917), Hawaii (1937), Massachusetts (1950), Virginia (1956), California (1957), Idaho (1957), Minnesota (1957), North Carolina (1957), North Dakota (1957), Missouri (1961), Washington (1961), Michigan (1962), Florida (1963), Indiana (1963), Maryland (1963), Michigan (1963), Pennsylvania (1963), Delaware (1964), federal government (1965), District of Columbia (1965), Iowa (1965), South Carolina (1966), Rhode Island (1966), Vermont (1966), Colorado (1967), Maine (1967), Connecticut (1968), and New York (1968).

There are, of course, great differences in the actual use of the work release law. The variation ranges from areas where the law is on the books but unfortunately has never been used, to areas with full-scale programs utilizing specialized staff.

Work Release in Other Countries

A number of countries abroad provide for some form of work release or procedures similar to it. They include Belgium, Denmark, Federal Republic of Germany, France, Great Britain, Italy, New Zealand, Norway, Scotland, Sweden, Switzerland, and the Netherlands. There are probably others.

Outside the United States, Sweden may have been the first country to experiment with work release. Informal use of work release—that is, without statutory authority—started there in 1937. Informal work release procedures seem to have existed in other countries, too, for example Norway and France. And it appears that Germany under the Weimar Republic used procedures similar to work release.

Sweden formally authorized work release in 1945. Formal inauguration in other countries followed: Scotland in 1947, Great Britain in 1953, Norway in 1958, and France in 1959. Of these countries, France is currently making the most active use of work release.

Advantages of Work Release

The advantages of work release are threefold: it benefits the prisoner, his family, and society.

The Prisoner. Work release enables the prisoner to retain or obtain a job and to obtain an education or training. A job permits the prisoner to support or contribute to the support of both himself and his family. Thus he is able to repair to some extent the damage he has done and assume the social responsibilities that he has, in many instances, neglected. These factors should contribute to the building of steady work habits and the development of self-respect, both

of which are necessary if the prisoner is to become more of a contributing member of society than he has typically been in the past.

Further, the possibility that the prisoner will be able to retain his job on release is increased. The best information we have indicates that employment is an important factor in determining whether a prisoner will become involved in criminal activity again. It should also be noted that the prisoner on work release avoids in part the dismal and demoralizing atmosphere and inactivity so often found in jails.

Properly administered, work release is an ideal procedure for helping the prisoner make the transition back to society. His day-to-day participation in community life will provide a firm basis for re-establishing himself when he is released. In one sense, he has not left the community, and thus the transition to the full status of a citizen will be somewhat easier for him. Further, while participating in the program, the prisoner is under obligation to act as a responsible citizen. While away from the jail, he is required to make decisions regarding his behavior in much the same way as a free citizen. For some prisoners, work release provides a new opportunity to associate with noncriminal persons and to gain their acceptance as an equal.

Family. The family of the prisoner benefits in several ways from the work release program. While the prisoner is employed, his family is not deprived of the important image of a father who supports or contributes to the support of his family. In this sense, work release can help keep the family together. The family is not thrown into the difficult financial situation in which it might find itself without the offender's employment. In some instances, the family will have support which it would not have if the head of the family were confined, or unemployed and drifting; work release can force the offender to contribute to the support of his family.

Society. The state (or city or county) benefits from work release in that it receives money for "boarding" the inmate in the jail. More important are the savings which result when the offender's family is kept partly or entirely off public welfare roles. This fact alone has caused various citizens' organizations to take a strong position in support of work release. Also important are the contributions the prisoner makes by paying state and federal taxes.

Work release can be an appropriate sentence for the typical misdemeanor and short-term offender. The program forces him to be a paying member of society, a responsibility which he may have avoided in the past. It should be emphasized that serving a sentence under work release is not necessarily easy. In fact, it can be argued that serving a work release sentence is more difficult than serving a conventional jail sentence; the prisoner on work release cannot avoid the problems that confront him every day in the community. He must make decisions that a person confined does not need to make, and he is faced with persons and situations that force him to alter his behavior. He must decide every day whether or not to return to the jail. The prisoner who remains in the jail is not faced with the temptation to stop by a tavern after work. He is not concerned about finding ways of getting along with a foreman whom he does not like. Each day that the prisoner on work release faces problems and makes decisions is a day of training in acceptable behavior. It is impossible to receive this kind of training in jail.

Administration of Work Release

The law and the administration of work release vary from state to state. The laws often set requirements or limitations regarding eligibility for and operation of the program. Since the law can be very specific, it is important that the statutes be consulted for the application of the law in each particular jurisdiction.

Developing the Work Release Program

Work release is a community program, and every reasonable effort should be made to have persons who represent a broad range of community interests actively involved in planning it. The professions, labor, law enforcement, business, and the lay public should be represented on a planning committee, which would serve as a sounding board for public opinion while the program is being developed. After the program is established, this committee should be maintained as a permanent citizens' advisory committee. This procedure will help to assure a broad base of community support, without which successful operation of the program would be impossible.

Community leaders should be called on to support the objectives of the program, and an aggressive effort should be made to inform and educate the public about it. The support of the local newspaper and its coverage of the program are very helpful in this regard.

This educational and support-building effort should continue after the work release program is started. Since those who fail in the program will be well known to the public, there is a continuous need to recognize those who are successful and who are making a positive contribution. The establishment and continued operation of a permanent citizens' advisory committee will not only serve as a basis of support but will provide a sounding board for working out problems, thus contributing to smoother and more effective operation.

Selection of Participants

A common practice is to place the responsibility for assigning prisoners to work release with the sentencing court, which exercises this responsibility at its discretion. When this procedure is followed it is specified by law. Sometimes other officers or agencies are involved in making the decision, for example the sheriff or the state's attorney. In some jurisdictions the prisoner has the option of applying for the program or may be required to petition the court if he wishes to be placed on work release. Ideally, the decision should be made by those who are accountable for the operation of the program.

There is a danger that where this decision is made by the court, it may be made with insufficient information about the prisoner, the economic conditions in the community, or the conditions of the jail. There are instances where the courts have become so enthusiastic about work release that prisoners serving 3- and 10-day sentences have been assigned to the program. As a consequence, the program was burdened with a fast turnover and excessive paper work, but more important, the courts were using work release instead of more suitable alternatives such as suspended sentences or probation.

Where the sheriff, or his representative, is responsible for selecting inmates for work release, he may find it helpful to involve the probation department in the decision-making process. Depending on the circumstances, representatives of the probation department may have valuable personal and social information to contribute.

While the assignment of ultimate responsibility for placing prisoners on work release is important, the successful operation of the program depends on the fullest cooperation of all persons involved. Of key importance are those immediately responsible for the day-to-day operation of the jail.

The extent to which the prisoner has strong and acceptable community ties should be considered. For example, some persons have skills which are important to their employers or a history of long and stable employment. Continuing employment in the community will provide such prisoners with a demonstration of social support and acceptance.

Persons whose past work habits have been unstable or inconsistent can profit greatly from work release. Not uncommonly, persons who have not de-

veloped steady work habits in free society will respond well to a work release assignment and supervision, where the routine and expectations are clearly structured.

Careful selection of work release inmates is an absolute requirement, whether the responsibility for selection is placed on the court or on those who administer the program. There is, of course, no way that all problems can be eliminated; selection of prisoners is a judgment in which calculated risks are anticipated. It would be unrealistic to expect decisions to be 100 per cent correct. Risks can be minimized, however, through careful screening—that is study of the offender and of his personal situation, job skills, community ties, and criminal career pattern.

It is hazardous to set hard and fast criteria for the selection of work release prisoners. Persons with a history of violent and assaultive behavior probably should not be considered. Neither should persons be selected whose work release status would be likely to invoke severe criticism from the public. On the other hand, as the program becomes established, there should be some experimentation with prisoners who are considered to represent a greater risk. Gradually, a wide range of offender types can be taken into the program. It should be noted that there are all types of offenders, serving sentences for a variety of crimes, who have successfully completed their sentences while in the work release program.

Some of the questions which may profitably be asked in deciding who should be placed on work release are these: Does the prisoner want to participate in the program? Does he have or can he obtain work? Does he have dependents who are interested in him and who need or depend on him for financial support? Does he have a past history of violent and assaultive behavior? Does he have any dependents?

The handling of the convicted criminal is an art which requires continuous weighing of values and objectives. Generally, however, persons should be placed in the work release program who can benefit from it. The program should not be used to keep a person employed or for family financial reasons alone, if other factors are unfavorable. In no instance should expediency—for example, the relief of overcrowding in the jail—be the major consideration in assigning prisoners to the program. Neither should officials responsible for the program be subject to political pressures or undue pressures either from prisoners or potential employers. At its worst, work release can be a means of prisoner exploitation in which personal friends of work release administrative personnel are provided with cheap labor.

Finding Work for the Prisoner

Some inmates do not have a job to turn to. The responsibility for helping such prisoners should be clearly delegated. The successful operation of the work release program depends on active and sustained effort to locate work assignments and to maintain communication with present and prospective employers. A natural place for this responsibility is with the work release administrator or his assistants, who are assigned this task as part of their jobs. Ideally, one person should be assigned as employment placement officer. In smaller programs lacking specialized staff, this would not be possible, but someone should have this responsibility nevertheless.

A number of states place the responsibility for finding work on the person responsible for administering the program. It makes sense for this person to maintain a close liaison with the state employment office and to establish a firm working relationship with this agency.

Intercounty cooperation is advantageous to the development of the work release program. Specifically, it should be possible to transfer prisoners from one county to another and from one jail to another. This arrangement makes it

possible to adapt to the labor market situation and to meet certain needs of the inmate. At times such a transfer may benefit the community as well. Here again, however, the transfer should not be used for exploiting prisoners for political or personal gain. If the statutes do not permit the transfer of prisoners, every effort should be made to have the law amended so that it is possible.

It is a mistake to limit work release assignments to those who already have a job. Persons without employment may, in fact, have the most to gain from the program both personally and in terms of benefits for the community. Those who operate a successful work release program should be "work release minded." One such sheriff commented some years ago, "We . . . keep up the soliciting of jobs every day so that is the reason for . . . success. It [work release] has great therapeutic value because it keeps them occupied, and we, also, find work for individuals who could not find work themselves." If the objectives of work release are to be attained, every responsible effort should be made to secure work for the inmate who is eligible for the program but does not have a job.

The difficulties of locating employment for inmates without jobs and the energies this demands must be weighed against the benefits to be gained. If the time to be served on work release is too short, the expenditure of time, effort, and money involved in seeking employment is unjustified. This may be offset, however, if there is reason to believe the prisoner may retain his job upon release.

Several other points deserve mention. The work release program should be realistic and bear a reasonable relationship to the labor market and economic conditions in the community. Prisoners on work release should not be used as cheap labor and employed at a wage below that which prevails for others. Neither should the program be inconsiderate of law-abiding citizens by cutting into the labor market and depriving these citizens of employment. On the other hand, it would be a mistake to wait until all law-abiding citizens have jobs before placing prisoners on work release. The work release program must stand on its own merits. After all, the benefits from the program accrue not only to the prisoner and his dependents but to the entire community.

Each prisoner should be provided a card which clearly identifies him, clarifies his status as a work release prisoner, and makes it clear that he has permission to be absent from the jail.

Supervision

Procedures should be established for maintaining a permanent liaison with employers. These procedures should provide for an exchange of views when appropriate between employers and the program administrator or his representatives. Potential problems can thus be spotted and the proper framework developed for continued improvement and expansion of the program. In some instances, it may be feasible to ask the employer to file work progress reports; in other cases, the program administrator might visit the place of employment and discuss any problems with the appropriate official. This may not always serve a useful purpose, however, and some employers may not care for this arrangement. In any case, the work release administrator should take care to maintain a healthy relationship with employers, within a framework which provides for an exchange of views and discussion of problems. He should be informed, for example, if the prisoner is not showing up for work on time, or if the prisoner is required to work overtime.

The amount of supervision that is desirable depends on the type of persons placed in the program. Prisoners for whom work release can be used range from those who require no supervision to those who may not be escape risks or dangerous but who require considerable attention. Certainly, the establishment of a work release program need not wait until there are caseworkers to super-

vises all inmates. Indeed, one of the great virtues of work release is that the program can be operated with a minimum of specialized personnel. If at all possible, however, some type of counseling should be available to provide assistance with day-to-day problems to inmates on the program.

Procedures to be followed in revoking the inmate's right to participate in the work release program should be clearly understood. Where the authority to place prisoners in the program is vested in the court, the court has the final power of revocation; however, the work release administrator should have the right to remove prisoners from the program temporarily. When the work release administrator has the responsibility for placing inmates in the program, the responsibility for revocation should be his. The administrator may find it advisable to consult with other key personnel in deciding to remove a prisoner from the program. Such a decision should be carefully weighed with reference to the objectives of the program as well as the consequences for the inmate.

Collection and Administration of Funds

The collection and disbursement of money earned by work release is a subject about which the statutes usually have something to say. Quite commonly, the law prescribes a priority for the distribution of money earned by the inmate. However, if the law or the court is silent on this point, it is wise to establish this policy administratively, clearly specifying how the money earned is to be distributed. Support of dependents will quite naturally deserve a high priority. Other areas commonly covered are the prisoner's board at the jail, day-to-day expenses such as his transportation to and from work, and the prisoner's debts. Funds should be set aside to make some money available to the prisoner when he is discharged.

Participation in the work release program requires at the outset that the inmate agree to the manner in which his earnings will be distributed. At the start of the program the prisoner will often not have any money, and arrangements should be made for him to borrow enough for the purchase of working clothes and for day-to-day expenses.

Since one objective of the program is the development of a responsible citizen, the prisoner should be permitted to collect his check himself. Instead of cashing it, he will sign it in with the fiscal and bookkeeping agent. A "trust checking account" is required in a few states. Others place responsibility for handling prisoners' wages with the office of the clerk of court. Regardless of where this authority rests, complete records of all money earned and disbursed must be carefully maintained.

Assignment of these responsibilities will depend on the size, the structure, and the operational level of the work release program. In programs of limited scope, these responsibilities can be attached to an already existing position; in larger programs, additional and specialized staff may be required. The offices of county treasurer and auditor and their counterparts at the city level are logical sources of assistance in developing this part of the program.

Housing Work Release Prisoners

Work release probably operates more smoothly when the prisoners in the program are housed in separate, minimum security quarters. Under this arrangement the contraband problem inside the jail is minimized and security problems in general are reduced. A number of successful work release programs use outside housing arrangements, and some persons argue very strongly in defense of completely separate housing. Outside living quarters, however, represent an ideal which many jurisdictions may not be able to afford. It would be a mistake to do without a work release program simply because separate housing facilities are not available. In many jurisdictions, it will be necessary to

continue using existing jail accommodations. Given adequate personnel, a quality work release program can be conducted out of the jail.

Typical Problems

Problems arise with any procedure that attempts to deal with the prisoner in a positive way, and work release is no exception. The problems vary with the structure of the program and the type of inmate who is placed in it. In view of this, it is impossible to present solutions to particular problems, but it may be instructive to examine some that have arisen. In a survey conducted of work release programs, the most frequently mentioned problems were these: prisoners leaving for work at different times; prisoners drinking and returning to jail drunk; walkaways; and the transportation of prisoners to and from work.

Work Schedule. The problem posed by irregular working hours is related to the availability of staff, housing, and transportation facilities. Assuming that transportation needs are met, the problem will be minimized by separate and minimum custody housing facilities. Fewer personnel are required to maintain minimum custody facilities. Shifting the schedules of the staff members who process prisoners may be of help. If additional personnel are required, the cost will probably be offset by monies paid into the county treasury and by savings to the state that result from reduced welfare.

Drinking. Work release prisoners who drink must be handled individually, and careful consideration must be given to the significance of the particular drinking episode. Did the prisoner return to the jail drunk, or with liquor on his breath? Does the drinking episode reflect a serious problem, or did he simply yield to the temptation to stop for a drink on the way home from work? The first impulse may be to revoke the prisoner's participation in the program. Permanent removal, however, will serve little purpose and should be a last resort. In many instances, the situation will call for a discussion with the prisoner about his behavior and why it cannot be tolerated. If it will not jeopardize his employment, and the situation is sufficiently serious, temporary removal may be indicated. This will provide an opportunity for the prisoner to reflect on his behavior and receive counseling. At the very least, close supervision is indicated for prisoners with a history of a serious drinking problem. With proper supervision, the work release experience can be invaluable in providing the support the prisoner needs in dealing with his problem.

Walkaways. Available evidence indicates that absconding rates are somewhat higher for prisoners on work release than escape rates for those serving conventional sentences. When a walkaway offender is returned to the jail, it will probably be necessary to remove him from the program and in some cases to prosecute him for escape. Here again it is inadvisable to follow an arbitrary and inflexible rule. Each situation must be handled individually, and the following factors should be considered: length of absence; activities while away; and not least, the impact on the total work release program.

Rules. The behavior expected of the prisoner on work release and the rules he must abide by should be clearly specified. It is better to have too few rules than too many, however. A minimum of rules will increase the flexibility of the program by allowing for special considerations such as variations in work schedules and by permitting the individual prisoner's special needs to be met. If variations in the program are limited by excessive rules, some of the program's value will be sacrificed.

Transportation. The problem of providing adequate transportation for prisoners to and from work is continuous, and one of the more difficult to deal with. Some may argue that since he is privately employed, it is his responsibility to find a way to work. In view of the overall objectives of work release, this is an insensitive attitude. It should be remembered that it is not only the prisoner

who benefits from work release but his family and the community as well.

It may be possible for the prisoner to use public transportation: a schedule adjustment, for example, may permit a bus to stop at the jail. Some programs have permitted work release prisoners to use their own automobiles. To do so, however, they must have paid-up auto insurance. If this proves to be an alternative, than a car pool might be arranged among the work release prisoners. If others who ride in the car pay, however, the prisoner who drives may require a chauffeur's license. It may be necessary to use institutional vehicles or even private cabs, but regardless of the means, all transportation costs should be paid by the work release inmates.

Processing. Problems associated with processing the work release prisoner in and out of the jail are directly related to the degree of security that is required. If work release prisoners are housed in minimum security or independent quarters, the problems will, of course, be lessened. In any case, it is well to have a formal procedure for checking in and out. A time clock is useful for this purpose.

The prisoner will need some money and possibly keys and other personal effects while he is away from the jail. An individual file box at the point where he checks out and in will facilitate orderly processing. Depending on what clothing is permissible in the jail, it may be necessary to provide for the storage of clothes and a place to change them at the check-out point.

Conclusion

Work release has the advantage of bringing the jail, the prisoner, and the community together into a comprehensive correctional effort. It is a program that places the burden for change on the prisoner and exposes him to the reality of day-to-day problems and responsibilities in the community and on the job. At the same time, the prisoner is serving a sentence under the amount of restraint felt necessary to achieve an acceptable level of law-abiding performance.

The program has general application; it can be operated in almost all jails with few additional requirements in terms of staff, increased budgeting, or space.

Finally, the program is flexible and can be adapted to other program objectives such as educational release or vocational training release. Thus, economic use is made of community facilities and the burden of developing expensive programs in the jail is avoided.

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9. JAIL PLANNING

Viewed broadly, jail planning is a systematic evaluation of the total jail operation arising out of the need for either renovation or new construction. The physical plant should serve many purposes in addition to detention. Once these purposes are identified, it will be possible to consider and plan for the kinds and numbers of people who will be committed to the jail, and the consequences for them and the community.

While a systematic approach to planning will not guarantee the design of a perfect jail, it will reduce the extent of error and permit the review of a number of reasonable alternatives. Once a jail is built, mistakes in its design and construction cannot be easily corrected or even modified.

The Role of the Administrator

The jail administrator is not a planning expert; he should not consider himself one, or allow the community to do so. He does, however, have an important role to play in the total planning process and is vitally concerned about the consequences of planning, as they will affect him, his personnel, and his program. As an important figure in the local criminal justice system, he has a responsibility to contribute to the planning; as a community political figure, he is in a position to lend his support to the final plan.

If the administrator is not a planner, what can he do to assist in planning? Far from being a passive observer, the jail administrator can take part in the planning process in the following ways:

1. by defining the problem—presenting information that demonstrates the need to assess the jail;
2. by supplying information about present and future needs of the jail, including the physical plant and program;
3. by coordinating studies in the jail that will supply information to the study group;
4. by defining the role and objectives of the jail to the planning group and the community;
5. by influencing planning strategies—suggesting the kinds of persons who should be a part of the planning group; and
6. by insisting on a systematic approach to planning and involving other local and state criminal justice agencies in the planning process.

The jail administrator, in summary, is the planning initiator, coordinator, and consultant to the planning group. Although he is not a member of the planning group, the administrator is the person who makes planning happen. In order to be effective in his role, he must have an understanding of the complexities, problems, and strategies in planning.

Assessment of Needs

The jail administrator defines the problem and initiates the study that assesses the needs of the jail. He may do this simply by pointing out problems such as overcrowding and high maintenance costs. His role in assessment includes supplying information about the present and future needs of the jail to the study group and coordinating the study in the jail that will supply this information. The results of the assessment will determine whether or not any planning will be done.

A number of different evaluations are necessary for any decision to build a new jail or upgrade present facilities. Evaluation of the existing jail is the first step. The facility, and its operations, must be reviewed to determine how well it is serving its purpose. With this done, it is possible to move on to consideration of new roles. The jail should be evaluated from the following viewpoints:

1. The jail as a humane shelter. The jail must meet the physical needs of prisoners by providing housing that is safe, adequate, and sanitary. It must be possible to keep the jail clean; the jail should not be overcrowded; ventilation and lighting should be adequate; and prisoners should be protected from each other.
2. The jail as an adequate plant. The physical condition of the jail must be evaluated to determine the structural and functional condition of floors, walls, plumbing, wiring, locks, and various heavy equipment. The evaluation must provide an estimate of the cost of renovation and of the continued costs of maintenance and repairs. These evaluations and estimates must be made by specialists such as architects and plant maintenance engineers.
3. The jail as a security system. The areas to be reviewed here are
 - a. the adequacy of the physical plant to provide safekeeping of prisoners in cells, in visiting rooms, and in other parts of the institution;
 - b. the existence of security devices; and
 - c. the use and effectiveness of security procedures.

Correctional administrators with institution experience can provide valuable assistance in evaluating the security of the jail.

Renovation may be a reasonable alternative to construction of a new jail, and this should be considered in an evaluation of existing facilities. The cost of making a deficient jail into an adequate jail must be carefully compared to the cost of constructing a new and even more adequate jail.

Defining the Role of the Jail

If the jail administrator does not define the role of the jail, he runs the risk of having this done for him by the planning group or others. The most immediate issue is whether the jail is to be used for detention, for short-term confinement, or for both. A jail that is to be used primarily for detention will have different space and personnel needs than a jail that is to provide programming for sentenced prisoners. Clearly, there is need for reconsideration of the jail's present role as a warehouse whose basic objective is to process and guard those who are admitted.

The kinds of programs that are developed to implement the jail's new role will have considerable bearing on the kind of facility planned. Diversion of the alcoholic from the criminal process, for example, will greatly affect the size of the jail. The Crime Commission estimated that at least one half of misdemeanor commitments are for drunkenness.¹ New programs will arise out of a redefinition of the jails' role and will result in a wide array of functions and services that will affect construction, procedures, and personnel requirements. Some of these programs and functions are discussed below.

Screening and Referral. The two basic functions of the jail have been identified as detention and confinement for short sentences. Within the framework of these functions, the jail could add the functions of screening and referral. The potential benefits of a screening and referral program to both the prisoner and the community have not been fully explored.

The jail admits and releases a constant stream of people, some of whom are physically ill, mentally ill, emotionally disturbed, or suffering from communicable disease. The jail could perform a community service by routinely screening and referring these persons to the proper community health agencies. Some—particularly the mentally ill and emotionally disturbed—could be diverted from the criminal justice system altogether.

Pretrial Liberty. This would involve release on a suspect's own recognizance; selective use of summons in place of arrest for certain offenses; and part-time

¹Task Force Report: Corrections, p. 73.

detention, which permits an accused person to work at his regular job while being confined during nonworking hours, at night, or on weekends.

Services to Pretrial Defendants. These include diagnostic and social services which extend from arrest through trial and sentencing. They would be provided only if requested by the accused.

Extending the Limits of Confinement. The limits of confinement may be extended by work release programs, education and training in the community, unescorted trips outside the jail for special purposes such as seeking employment, and half-way houses. A beginning is the work release center located outside the jail.

Diagnosis and Classification of Offenders. This service may aid the courts in sentencing, and provides a basis for correctional programming in the jail or another institution.

Community Correctional Centers. The jail may function to support other correctional programs. For example, prisoners nearing the end of long prison terms may be returned to the jail where they can participate in work release programs, or be released during the day to seek employment.

Data Collection. Changes in the characteristics of the jail population can lead to interpretations of crime trends, and to location of areas in the community where social disorganization is beginning to appear.

Any of the new roles discussed above would add a new dimension to the planning of the jail, since they suggest new programs, additional personnel, and in some instances additional space. Balanced against what appear to be additional responsibilities for the jail, a program that diverts offenders (detoxification centers, probation, bail) would limit use of the jail and produce a corresponding reduction in jail size. Planning thus becomes a process of weighing present needs against future requirements, and involves the consideration of many variables that cannot be measured with precision.

Planning Variables

Population Studies. Nowhere is the complexity of planning more evident than in population studies. Many jails contribute to the problem by poor data collection and inadequate record keeping. The administrator who would make an effective contribution to planning must understand the importance of population information and how it is used in planning.

Population studies establish the capacity of the jail and its ability to adequately house the present population. The figures should provide a picture of the population traffic: the daily average count, high and low admission rates, and seasonal population highs and lows. Population characteristics will be an important consideration; age and sex will have a bearing on how needs are defined—women and juveniles, for example, must be separated from adult males. Kinds of offenses will have a bearing on security and programs, and, as a consequence, on construction; older prisoners arrested for drunkenness will have different needs from younger prisoners being held for assaultive offenses. Information of this kind must be made available to the planning group, and an adequate reporting system developed to produce it.

Population Forecasting. Although population projections depend to a great degree on the kinds of information discussed above, additional population data are necessary: projections of the community population, present and projected arrest rates, and present and projected crime rates. As a jail cannot compile this information and it is unlikely that the planning group can do so, it must be obtained from other sources. Some of this data may be obtained from government agencies—the Bureau of the Census, for example, can provide present and projected community population figures. The Department of Justice may have information on present and future arrest rates and projections on kinds of

offenses. Population specialists at state universities may be called on for assistance in obtaining information not available from other sources.

The difficulties of population forecasting can be illustrated by the relationship of the jail to the police, the courts, and the correctional system of the state, and the effect of the policies of these agencies on jail population and programs. Police arrest policy can affect the size and composition of the jail population. Some jurisdictions arrest drunks and vagrants, for example, while others do not. In a community that has detoxification centers, the jail population will contain the criminal and petty criminal elements of the community undiluted by drunks.

Court sentencing practices—for example, in the use of probation and suspended sentences—will, of course, have a great impact on the jail population. The willingness of the court to sentence to work release will influence not only jail population but program development. Legislative actions may also affect court sentencing procedures. In one state, the county is reimbursed for every prisoner sentenced to jail or placed on probation. This policy recognizes the fact that the county is assisting the state by reducing the burden on the state correctional system. In some states, the work release program has been extended to felons, and the local jail is used as a base for the program. In such cases the jail combines state and local work release programs.

It should be obvious that the jail cannot function as an independent unit as long as other agencies within the criminal justice system can influence the size and composition of its population and its program development.

Requirements of Special Population Groups

Juveniles. As a general rule, juveniles (those under 18) should not be detained in a jail unless juvenile court authorities place them there for security reasons. On the other hand, the inadequacy of juvenile detention facilities may make it necessary to house juveniles in the jail. When this is the case, juveniles should be placed in single cells and segregated from adult inmates at all times.

Women. The principal difficulty in planning for women prisoners is the fact that, in most jurisdictions, there are so few of them. Women must, of course, be completely separated from the men, and the result is high supervisory costs. The solution to the problem of the costs of supervision and of treatment programs for small numbers of women may lie in more regional jails for women.

The problem of overbuilding should also be noted. Often there is no difference in the construction of housing units for men and women, although it makes little sense to build maximum security cells for women prisoners, who generally pose no security risk.

The Mentally Deficient and Mentally Ill. Presumably, the jail will never be used as a substitute for medical facilities for the mentally deficient and the mentally ill. On the other hand, marginal or borderline cases at times call for special attention from the jail staff. While a separate area is not ordinarily needed for prisoners of this type, they must be housed in single cells and intensively supervised for their own protection. Such prisoners should be moved to less secure quarters or placed in programs only with the guidance of a psychiatrist.

Housing Units

A jail should contain both cells and dormitories if it is to have the flexibility necessary to fulfill its supervisory and security requirements. The ratio of cells to dormitories will depend on the composition of the population and cost factors. Close security and single cells are required for a youthful population of prisoners charged with felony offenses, while a population of older drunks, vagrants, and other petty offenders may be housed in dormitories. Although

there is no formula that will provide an accurate ratio of cells to dormitories, the experience of the Philadelphia Detention Center may be instructive. A study of the center criticized the ratio of 30 percent to 70 per cent dormitories because it created "administrative, supervisory, security, and maintenance problems."²

Any person or group undertaking to plan a jail would be wrong to plan accommodations for the current population plus estimated increases for a 10- to 20-year period. The resulting jail might be underbuilt, overbuilt, incorrectly located, or provided with too few or too many program resources. A comprehensive jail study recently completed in a California county demonstrated the result of such planning:

... The present jail is dealing with about three times as many persons as it should. Since the jail is the most expensive correctional resource available, it should be limited to those for whom other correctional alternatives are unsuitable (e.g. release pending trial, probation, and placement in community correctional centers or "halfway houses").

Rather than increase jail costs to provide proper services for the present and forecasted population, the population should be reduced by over two-thirds and the jail budget reduced by one-half.

This would be accomplished by virtually complete diversion of the alcoholic ("common drunk") into a medical or public health program including a "detoxification center" and a comprehensive after-care program. The alcoholic now constitutes 50% of the jail population.

The detention jail population, less drunks, could further be reduced by over 50% by two programs: (1) increased police use of citation or summons in-lieu-of misdemeanor arrests and (2) increased court use of release-on-own-recognizance.

The sentenced offender population would be reduced nearly two-thirds—after drunk diversion—by a combination of two programs: (1) misdemeanor probation and (2) increased use of jail parole or sentence modification with after-care (probation type) services.³

Program Planning Factors

The willingness of the administrator to define the role of the jail and to develop new programs will add an important variable to the planning process. The new jail must be planned with the capability to house programs that are not feasible at the present time. The development of programs linked to community facilities such as schools, hospitals, and mental health clinics will give the jail a new function and a central place in the local correctional system. This change of function cannot take place if the new jail is not planned with an eye toward future program development. Two important factors to be considered are (1) that, to be effective, programs require space, staff, and procedures; and (2) that some of the necessary resources may be available in the community and need not be provided in the jail.

A vocational training program administered by the local school district may well be superior to any that could be developed in the jail. Prisoners participating in such a program can readily continue their training after release and, in addition, may benefit from job placement services.

The kinds of programs to be developed and where they will be conducted are basic factors. Obviously, the jail, with its fast population turnover and relatively short sentences, cannot hope to parallel prisons in the development of

²The American Foundation Institute of Corrections, *The Philadelphia Detention Center: An Evaluation After Four Years of Use* (Philadelphia: 1968), p. 4.

³Institute for the Study of Crime and Delinquency, *Model Community Correctional Program: Summary Report* (Sacramento, California: N.D.), pp. 31-32.

programs within the facility. Where the community has the resources to meet many program needs, the jail must avoid wasteful duplication. Within reasonable limits, the jail can house some educational and counseling programs and can serve as a base for work release or study release programs. It can also select prisoners for participation in various correctional programs.

Nonprogram Factors

Location. Location of a new jail will have a bearing on movement and transportation of prisoners, staff, materials, supplies, and jail visitors, and on accessibility to essential program resources. There is always the danger that, despite careful planning, the jail operation may be hampered by poor site selection. A study of the Philadelphia Detention Center pointed out the consequences of choosing a poor location:

The site selected was that adjacent to the House of Correction on city-owned land in the far northeast part of the city, about an hour and fifteen minutes driving time by the sheriff's van which brings inmates from the Detention Center to the courts. This hardly met the objective of a location affording maximum accessibility to agencies and persons directly involved. A major factor in selecting the present site was financial. Only six and a half million dollars were funded for the project and the first bids came back in excess of that amount, leaving no funds for land. The only site seriously considered would have cost approximately two and one-half million dollars.⁴

The distance of the Detention Center from the courts and from persons who must interview defendants has created a number of hardships, waste of time on the part of officials, attorneys and others, in excessive movement of detainees, in delay in making important decisions, in increased time persons must be confined in detention status, in high costs in transportation of defendants and high cost in Detention Center operation.

... When it is recognized that some 20,000 commitments are made to the Detention Center a year and that there are approximately 60,000 individual movements of detentioners, the processing of persons into and out of the institutions is extremely high. Many persons are released on bail or on their own recognizance within hours or a day after being committed. Others are returned to the courts to confer with lawyers. The Bail Bond Project must send representatives to the Detention Center to confer with the accused, thereby delaying the release process. Probation officers who must interview convicted but unsentenced persons for presentence report purposes must make time consuming trips to the Center. Court hearings and trials have been delayed because of transportation breakdowns. The unavailability of the accused at or near the courts has resulted in delays at all stages of the judicial process and consequently in longer than necessary confinement of the accused.⁵

The Philadelphia experience indicates clearly that, to avoid the expense of transportation and of holding cells in the courthouse, the detention jail should be close to the criminal courts. Obviously, if the jail is located away from population centers, it will be difficult to operate programs that depend on community institutions and agencies. The consequences for the administrator who must provide personnel and transportation are obvious.

Administrative Requirements. The planning group should be responsible for the resolution of general issues that will contribute to the development of specifications for the jail. Here it will need to work closely with the jail administrator and probably consult with specialists. These issues arise from the need for the development of services to prisoners to include the following:

⁴The Philadelphia Detention Center, p. 3.

⁵Ibid., p. 24.

1. Feeding arrangements. Meals may be served in a dining room or, using a food cart, in cells. The decision to build a dining room must be made before plans are drawn, as it is almost impossible to add one at a later date. Variables here are security needs of the population, comparative costs, and supervisory requirements.
2. Recreation facilities. Although facilities for recreation should be available, few jails have them. These facilities include a recreation yard, dayrooms, and an auditorium.
3. Visiting. A jail may have more than one type of visiting arrangement. The jail housing sentenced and unsentenced prisoners may use both maximum and minimum security visiting arrangements.
4. Hot water and electricity for cells. Both of these utilities are important for personal cleanliness and sanitation; adequate lighting is necessary for any educational self-study programs. The additional cost of providing these utilities in cells may not be great, since they must be brought into cellblocks in any event.
5. Administrative space. Administrative space includes office space, locker facilities for male and female employees, parking space, and space for staff training. Emphasis here should be on determining the total area needed. Designs for utilization of the space that is allocated are not the planning group's responsibility.

Planning Strategies

The Formal Jail Planning Group. The complexity of planning for renovation or new construction must be taken into consideration in forming the planning group. Since the jail will be a community service agency, and since program development and other activities will affect the operation of other community institutions and agencies, the planning group should include persons who can contribute information and advice based on the concerns and interests of these agencies. In fact, direct involvement of these persons in planning, either as consultants or as advisors, may be necessary.

City and County Planners. These persons can contribute planning knowledge to the study group, as they will know about any future local building plans and about the area master plan. They can help the group to avoid some of the more obvious pitfalls in planning.

Lower Court Judges. Questions about sentencing practices need to be answered in order to determine what size the jail should be. Judges can assist in this area. Bail projects and work release programs will also affect planning for jail construction.

Probation Officers. The probation officer can be an important source of information about correctional program trends and the relationship of these trends to jail construction. Factors to be considered are increased use of probation and the subsequent need for space to interview prisoners for presentence reports, and bail projects.

Educational Administrators. Planning for programs involving community facilities will require the cooperation of those who control community resources. The educator is in an excellent position to contribute programs and services, or to assist in the development of educational programs in the jail and provide teachers to implement them.

Hospital Administrators. Technical assistance in the establishment of health services, including effective use of community medical resources, can be provided by a hospital administrator.

Architects. An architect can assist in placing realistic limits on building plans and can advise on comparative costs with respect to building size and materials.

Business Executives. Implementation of the plan will depend to a great extent on the support of the business community. Representatives of the business community can translate the plan to business people and enlist their support for the final plan presented to the governing body. Employment and training programs will also require their support.

Labor Leaders. Labor leaders can provide the same kind of support and assistance as business executives.

Representatives of Charitable Services. Agencies such as the Salvation Army and Volunteers of America have a long history of interest in and cooperation with jails and prisons. As community resources that will be used by prisoners, they deserve to be consulted. Furthermore, the development of community programs will affect their operation and perhaps strain their capacities. Their plans for building or for program expansion should be considered in jail planning.

Community Leaders. Jail programs and facilities will affect the entire community. Persons such as community council chairmen, university sociologists, and minority group leaders, who have knowledge of the community and its problems, should be involved in the planning of the jail.

Some jail planning groups have consulted former prisoners for their insights into jail construction and programs. These persons may be useful either as members of the planning group or as consultants.

The planning group must coordinate its efforts with other local planning groups. These may include the local economic development association, urban renewal agency, school board, and model city program planning group, and the state criminal justice planning agency funded by the Law Enforcement Assistance Administration.

Use of Consultants

The jail administrator may not be a member of the planning group and thus may not be involved in the selection of consultants. However, he will on occasion need the assistance of a specialist who can make preliminary studies, develop a data collection program, or study program needs. He may call in a consultant to evaluate the final plan, although, if he has worked closely with planners, this is usually unnecessary.

The consultant's work involves three steps: (1) studying a problem; (2) reporting his findings; and (3) recommending a course of action based on his study. He may also provide technical assistance not otherwise available to the administrator.

The effective use of a consultant requires preparation. The following factors must be considered:

1. Has the task of the consultant been identified? The administrator must know the nature of the problem in order to select the expert. If the consultant is not given a clear understanding of his assignment, he will not produce usable information. In some instances, the consultant may help the administrator define the problem. For example, the consultant who is called in to assist in program development may find that the jail is inadequate for such purposes.
2. Can the problem be studied? In some instances, the specialist may be unable to complete his task because of insufficient information. Studies that depend on records and reports may be delayed until this material is either made available or developed.
3. Can the consultant's report be used? This will depend on the consultant's ability to make his report relevant to the needs and resources of the jail. It would make little sense, for example, for a consultant to recommend an extensive and sophisticated reporting system when the jail does not have

the personnel to develop one, or where a simpler system would be adequate.

4. Can the consultant document his recommendations? If the consultant does not document his findings, he may present only one of a number of alternatives or he may permit his own feelings and experience to distort the report. If, for example, he believes that prisoners should serve as little time as possible in confinement, the consultant may recommend community programs when there is evidence that the community does not have the necessary resources.

Collaboration with the Architect

The recommendations of the planning group must be translated into specifications that will serve as guidelines for the architect. Decisions will have to be made on jail capacity, ratio of cells to dormitories, feeding and visiting arrangements, and programs. The specifications include a listing of the kinds of equipment, fixtures, and materials that must be used in construction. For example, the specifications should contain information on various kinds of steel and where they should be used, and on the use and location of electric and mechanical locks, safety vestibules, and other equipment. Writing the specifications requires collaboration of the jail administrator and a specialist. Questions concerning cell dimensions and the function and listing of equipment must be explored at this time. Obviously, it is unrealistic to expect the jail administrator to be knowledgeable in all these areas, and he should therefore enlist the services of those who are. Professional organizations such as the American Correctional Association can usually provide information on consultants who can assist in preparing specifications.

The planning of the interior of the jail is extremely important. The architect may not be experienced in jail planning and may therefore be unfamiliar with operational requirements, security needs, and supervisory problems. He will need the assistance of the jail administrator and a jail specialist in planning the interior layout. They can provide guidance to the architect in translating the recommendations of the planning group into specifications and into operational realities. Traffic flow, for example, can be a troublesome factor. The arrangement of cellblocks and dormitories, admission and discharge units, dining halls, and recreation units must be planned with traffic flow in mind. Problems of security and supervision must be considered in interior planning of corridors and housing units. A listing of specifications will not in itself provide sufficient guidelines to the architect. Before he can begin to draw plans, he must become familiar with the role of the jail and the functions of its component parts. He will need to know how the jail operates and some of its administrative problems and procedures.

Some Examples of Errors in Design

Despite what may appear to be careful planning, mistakes in jail construction occur. Often they are not discovered until the jail is built and correction is either impossible or extremely expensive. The following is a short list of planning errors found in jails:

1. Lack of privacy in female and juvenile housing. In many older jails, female and juvenile cells are located so that the doors face the lobby without privacy from the traffic to and from adult male units.
2. In one jail that was constructed without expert advice, the holding cell is located in the garage, out of sight or hearing of the jail officers; the electrically operated cell-locking device is located in a corridor so that the cells being locked or unlocked cannot be seen by the operator; plastic bubble skylights were used because the walls were prefabricated and have no

- windows. The skylights were subsequently used as an escape exit.
3. Poor location of guard towers, resulting in blind spots.
 4. Roof vents of aluminum and without protective bars. In some instances the reinforcing rods in the cement construction serve as security bars, although they are soft steel.
 5. Lack of storage facilities for cleaning equipment and supplies; lack of sinks in cellblocks; and poorly located floor drains.
 6. Two-story construction with no increase in manpower, resulting in poor supervision.
 7. Rough concrete finish on floors, making cleaning difficult.
 8. Decorative brick latticework that blocks the exterior windows, which as a result admit insufficient light, and are impossible to clean.
 9. Lack of guard corridors.
 10. No emergency power source for operating lights and electric locks.
 11. Lack of ventilation to expel gas used in quelling disturbances. Where the jail is located in a building also used for other purposes, tear gas used in the jail may contaminate other parts of the building. If the jail shares an airconditioning system with other governmental units, gas and smoke may contaminate the total system.

This list is by no means complete. Errors in jail construction are common, and many of them could have been avoided by careful planning and coordination of effort between the jail administrator, jail consultant, and the architect. To a great extent, however, the success of the final planning for a jail depends on assistance from the personnel of prisons and other organizations with experience in planning and construction.

Generating Community Support

The use of volunteers is an excellent method of involving the community in the jail. The participation of interested citizens in jail programs provides them with an opportunity for greater understanding of jail problems such as overcrowding, lack of program space, and program needs. The deficiencies of the jail will become apparent to volunteer groups who attempt to develop counseling or educational programs. Continued participation in jail programs will give the volunteers a proprietary attitude toward the jail and a stake in the jail's present and future operations. Volunteers can also promote the cause of the jail whether it be renovation or new construction, and explore new roles for the jail without being accused of special interest.

Advisory committees have been used successfully as a source of progressive action in the fields of juvenile delinquency and mental health. A Jail Advisory Committee would serve to focus on jail problems and offer solutions. The committee could be made up of a cross section of the community including influential citizens, industrialists, businessmen, and others. The committee could exert a powerful influence on jail planning since it would have high visibility and excellent credibility.

Jail tours, provided they are not one-sided "show tours," can generate community interest in the jail. Professional associations, service clubs, and church groups are often interested in such tours. Too often, however, these tours involve putting the best foot forward—visitors see a clean kitchen, a chapel, a few classrooms, or a gymnasium, and leave feeling that the jail is adequate even when it is not.

Annual reports, budget reports, grand jury reports, and feature articles in local newspapers will serve to inform the community about the jail and its problems.

Collaborative Programming

In recent years, interest has been generated in the development of collaborative efforts in jail and correctional programming and management. Recognizing the needs in these areas, the Crime Commission Report stated:

The present gaps and duplications caused by administrative fragmentation of the correctional enterprise can be cured only by major changes in the organization and financing of services. This will be difficult. It will require cooperative action by thousands of autonomous governmental entities.

Certain guidelines should govern assumption of responsibility for corrections. Correctional operations should be located as close as possible to the home of the offenders being handled. Reciprocal arrangements between governments should be developed to permit flexible use of resources. Regional sharing of instructional facilities and community programs should be greatly increased. Large governmental units should take responsibility for a variety of forms of indirect service to smaller and less financially able units, helping them to develop and strengthen their correction services.⁶

The fragmentation of the criminal justice system demands collaborative efforts. For example, the jail may be integrated into the state correctional system, sharing facilities and programs. Under the most frequent arrangement, the prison system uses the local jail as a short-term unit for parole violators. Other arrangements involve prerelease transfer of state prisoners to the local jail for work furlough. The state pays the local jail for these services.

Other mutually convenient arrangements may take advantage of the proximity of the jail to community resources. It has recently been proposed in one state, for example, that the state prison system transfer all felons serving terms of six months to a year back to the county jail. With financial incentives to the county, such a program can provide new resources for improved county jail programs. It is also argued that arrangements which result in significant jail improvements will, in the long run, enable judges to sentence more offenders to jail rather than to prison, particularly where specialized treatment and training is the primary purpose of the prison sentence.

Conversely, the state prison system, with its more highly developed reception, guidance and diagnostic services, can be extremely useful to the sentencing court. In California, for example, before sentence, a judge can send any prisoner to a state prison reception center for a 60- to 90-day period of diagnostic study. The resulting report, complementing the probation report, aids the judge in sentencing, and if the sentence includes jail, aids the staff in program planning.

Similar arrangements exist for special cases: the jail may be able to transfer a prisoner to a state mental hospital for diagnosis and/or treatment.

Regional jails, another example of collaborative effort, serve several jurisdictions whose jail populations are too small for effective programming except at exorbitant per capita costs. Though most appropriate for sentenced prisoners, regional jails may also be used for women, juveniles, and other special types of offenders.

Regional jails present certain planning and operational problems, however. The offender is removed from the proximity of his family and often from community resources such as medical services, education, volunteer services (for example, Alcoholics Anonymous), and jobs for work furlough. Also, unless the regional jail is located close to an urban area, costs of transporting prisoners, staff, and supplies are increased. Regional jails must be as carefully planned, in terms of jail population analysis and projections, as a local jail. If sentencing practices vary widely among the courts of the different jurisdictions, unrest can develop among prisoners if grossly disparate sentences are com-

⁶*Task Force Report: Corrections*, p. 105.

pared. Problems of commitment authority and sharing operational responsibilities must also be resolved.

Summary

Jail planning requires a study that takes into account all variables and presents alternative approaches to jail construction and program development. Replacing a jail is not a simple matter of drawing up plans and constructing a building. The role and function of the jail must be explored, and its ability to meet prisoners' and community needs must be considered. Program planning must take into account the use of community resources as an alternative to programs within the jail.

The jail administrator has an important and central role to play in the planning process. To a great extent, he is the initiator of planning, and he must assist the planning group with many phases of its study. To do this effectively, and to implement the plan successfully, he must be aware of the complexities, problems, and strategies of planning.

A systematic approach to planning will not guarantee absolute success. Knowledgeable persons must be selected for the planning group and consultants must be chosen with care and their functions clearly defined.

The jail, whether new or renovated, will last a long time. Planning must therefore consider both present and future program needs. Although detention practices may remain essentially unchanged, programs will continue to change and expand. The challenge of jail planning is in meeting the program needs of tomorrow. The administrator who has the ability to see beyond the needs of today can meet this challenge.

10. LEGAL PROBLEMS IN JAIL ADMINISTRATION

It is well established that lawful incarceration must, of necessity, withdraw or limit many of the rights to which the average citizen is entitled. However, the concept of what restrictions and conditions may appropriately be placed on persons who are in pretrial detention or serving terms of imprisonment is constantly changing. Some rules universally regarded as necessary or good practice some years ago would be indefensible today because of increasing concern for the rights of the offender. No longer can institution authorities do whatever they wish without fear of criticism, censure, or judicial intervention, because the courts no longer ignore prisoners' complaints. Likewise, the attitude of the jail administrator has changed. He no longer feels that he needs, or should have, unbridled discretion. He is aware that an essential ingredient of any rehabilitative program is the preservation of individual dignity to the extent that this can be accomplished in the setting of a jail or penal institution, recognizing that when a person's liberty is lost, there will be some loss of dignity regardless of how forward looking the program or how benevolent the institutional authorities.

In addition to his professional commitment to giving prisoners their rights under the law, the jail administrator will also do this as a matter of self-interest. In a growing number of states the doctrine of immunity to civil suit by prisoners is being changed by statute or court decision.

Nearly all of the law concerning prisoners' rights has been generated by sentenced prisoners. However, the decisions involve constitutional interpretations that are often applicable to detained prisoners as well.

Civil Liabilities of the Jail Administrator

Essential to any confinement program is the concept that, once a person is in custody and is helpless to protect himself, the sheriff or jailer has the responsibility of exercising due care for the prisoner's safety and general welfare.

Traditionally and in the not too distant past, public officials have been protected from lawsuits by the refusal of courts to interfere in prison administration. This rule reached clear judicial pronouncement in *Williams v. Steele*¹ when the court said,

...the courts have no power to supervise the discipline of the prisons or to interfere with the discipline but only on habeas corpus to deliver from prisons those who are illegally detained.

Perhaps realizing that a strict application of this rule would result in the inability of any prisoner to get redress for any wrong, the courts have chipped away at the rule by carving exceptions to it. Now, the courts require that their intervention be based on "deprivation of a constitutional right," "exceptional circumstances," or "violation of a legal right." These are phrases which the courts use to justify their occasional intervention in prison situations. Once courts see that a specific legal obligation has been allegedly violated, they overcome their general reluctance to intervene in jail affairs and agree to consider the prisoner's complaint.

Courts have construed the jailer's duty to look after the general welfare of all prisoners to mean numerous things. First, a prisoner must be protected from injury by fellow prisoners. He, of course, cannot be guaranteed safety, but the jailer must exercise care in segregating the dangerous, in exclud-

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¹*Williams v. Steele*, 194 F. 2nd 32, 34 (8th. Cir. 1952).

ing weapons, and the like. Second, the prisoner should be free from being harmed, negligently or intentionally, by sheriffs, jailers, and deputies. Third, the prisoner should not be exposed to the possibility of injury to himself. And, finally, the prisoner should receive adequate medical treatment, food, clothing, and shelter.

Protection From Others

A sheriff or jailer is obligated to take great care in handling prisoners. As early as 1918, a state court in *Kusah v. McCorkle*² held a sheriff liable for the negligent acts of his deputies. In this instance a prisoner, while incarcerated, was attacked and stabbed by a cellmate who was being held in jail because he was believed to be insane. The sheriff was held liable for putting an insane person in a cell with another inmate and for not searching him prior to incarceration. Explaining the basis of liability the court said:

Here it is plain that the sheriff's duties in regard to prisoners or others in his lawful custody are twofold, one to the state to keep and produce the prisoner when required, and the other, to the prisoner, to keep him in health and safety.³

The court continued:

In the case of the sheriff, both by statute and at common law . . . he owes the direct duty to a prisoner in his custody to keep him in health and free from harm and for any breach of such duty resulting in injury he is liable to the prisoner.⁴

Likewise, in 1940, a North Carolina court held a sheriff liable to the family for the death of a prisoner in his custody.⁵ The prisoner was in a physically weak condition when incarcerated. He was put into a cell with a violently insane man. He was assaulted by the insane man and beaten to death with the leg of a table left in the cell by the sheriff. The sheriff was aware of the man's insane condition but made no attempts to segregate him.

This right of the prisoner to be secure from injury also requires the jailer to search all prisoners carefully. In *Browning v. Graves*,⁶ Graves was arrested for drunkenness and placed in a cell with a group of notorious criminals. He was assaulted and beaten with blackjacks and died as a result of his injuries. In holding the sheriff liable, the court said:

If a jailer whose duty it was to care for and protect his prisoners from harm, would have in the exercise of ordinary care, discovered the presence of weapons and removed them . . . he would be responsible in damages for having failed [to have performed a search].⁷

The sheriff is bound to investigate complaints of prisoner mistreatment and to use every reasonable means to prevent it. As early as 1918, courts dealt with the question of prisoner mistreatment. In *Hixon v. Cupp*,⁸ Cupp was arrested and confined in the county jail. While there, he was assessed a fine by a "kangaroo court" in the jail. He refused to pay the imposed fine and was consequently whipped by other prisoners. The kangaroo court was approved and encouraged by Hixon, the jailer. The jury awarded money damages to Cupp. In upholding the award the court held that the prisoner was forced to depend on the jailer for safety and that the jailer had violated the duty of care and diligence.

²*Kusah v. McCorkle*, 170 p. 1023, 100 Wash. 318 (1918).

³*Kusah, supra*.

⁴*Kusah, supra*.

⁵*Dunn v. Swanson*, 7 S.E. 2d 563, 217 N.C. 279 (1940).

⁶*Browning v. Graves*, 152 S. W. 2d 515 (1941).

⁷*Browning, supra*.

⁸*Hixon v. Cupp*, 49 p. 927, 5 Okla. 545 (1897).

Thirty-one years later this principle was again upheld in *Ratliff v. Stanley*.⁹ There, a Kentucky court held that a prisoner could maintain a cause of action based on injuries received from a kangaroo court existing in the county jail. After the plaintiff was arrested he was beaten and robbed by other prisoners. The practice was known, permitted, and encouraged by the jailer. The court held that the law imposes a duty on the sheriff to exercise reasonable care and diligence to prevent unlawful injury.

The key element in these two cases was the knowledge of the sheriff or jailer of the kangaroo court and his acquiescence in it. The general rule that has grown out of these and similar cases is that in order for an officer in charge of a jail or prison to be held liable for an injury inflicted upon one prisoner by another prisoner, there must be good reason to anticipate danger and there must be negligence in failing to prevent the injury.¹⁰

Protection From Dangerous Conditions

In *Smith v. Miller*,¹¹ the court held that the sheriff has a duty to protect each prisoner from harm and can be held personally liable for negligence or wrongful acts causing injury or death. There, the prisoner was found suffocated in his cell by smoke from a burning mattress. Because of the way the cell was constructed, there was no way that the prisoner could give the alarm or otherwise communicate with anyone. The jailer had no set time for checking on prisoners and had no facilities for handling a fire.

In *Thomas v. Williams*,¹² the prisoner was arrested for drunken driving. He was unconscious when dragged from the car by the officer. He was incarcerated in a cage-like cell 78 inches high, 96 inches wide, and 74 inches long. The officer knew of the man's physical condition but gave him no medical attention. He confined him in a cell with no one in attendance. He was left with a lit cigarette and matches nearby. The mattress caught fire and the prisoner died. In holding liability the court said:

In the performance of his duty to exercise ordinary diligence to keep his prisoners safe and free from harm the officer having custody of a prisoner when he has knowledge from which it might be concluded that the prisoner may harm himself or others unless preclusive measures are taken, must use reasonable care to prevent harm.¹³

Right to Adequate Food, Clothing, Shelter, and Medical Care

The courts have also found the sheriff liable for injuries resulting from his failure to supply prisoners with adequate and proper food, clothing, heat, and shelter, and from his failure to keep the jail in a sanitary condition.

Typical of these cases is *Clark v. Kelly*.¹⁴ Plaintiff alleged that she was unlawfully arrested and incarcerated in a flooded cell. She alleged the filthy condition of the cell, and the absence of bed and bedding. In holding the sheriff liable, the court said:

The whole affair from beginning to end seems to have been an outrageous performance by those claiming to represent the majesty of the law, too flagrant for any justification on any theory or guilt.¹⁵

This strongly worded statement clearly affirms the duty to provide for the basic needs of prisoners. While courts are careful to state that the "luxuries

⁹*Ratliff v. Stanley*, 7 S.W. 2d 230, 224 Ky.819 (1928).

¹⁰American Jurisprudence, *Prisons*, Sec. 13, p. 894.

¹¹*Smith v. Miller*, 40 N.W. 2d 597, 241 Ia. 625 (1950).

¹²*Thomas v. Williams*, 124 S.E. 2d 409, 105 Ga. App. 321 (1962).

¹³*Thomas, supra*.

¹⁴*Clark v. Kelly*, 133 S.E. 365, 101 W. Va. 650 (1926).

¹⁵*Clark, supra*.

of life" need not be provided, they are equally careful to state that ordinary and decent care must be provided.

The concept of adequate medical care is one which has undergone significant transition in the twentieth century. As early as 1906, state courts were holding that it was a sheriff's duty to the prisoner to exercise reasonable and ordinary care to protect the prisoner's life and health.¹⁶ In 1931 a Tennessee court held a sheriff liable for neglecting the wounds of a prisoner that he had carried to the jail in an injured condition. The prisoner died of this inattention and the sheriff was held liable.¹⁷

Most recent decisions have given their approval of this duty of reasonable care. In *Farmer v. State*,¹⁸ a prisoner suffering from ulcers needed special medical attention and special foods. The prisoner died and his widow charged that the death was attributable to the negligence of the sheriff in not supplying adequate medical care. In upholding liability the court said:

When a sheriff by virtue of his office has arrested and imprisoned a human being he is bound to exercise ordinary and reasonable care under the circumstances of each particular case for preservation on his life and health . . . for breach of such duty he is liable in damages.¹⁹

The court said that it was aligning itself with those jurisdictions which hold jailers liable for failure to exercise ordinary and reasonable care to preserve the life and health of their prisoners.²⁰ An Oklahoma court in 1930 held a sheriff liable for negligence in not calling a physician and not isolating a prisoner after smallpox was diagnosed.²¹ He was left in the cell with three other prisoners while a hospital room remained unused.

Other jurisdictions have said they would hold the sheriff liable in situations only when there was a showing of malice, on the notion that public officials should be given the benefit of any doubt. It can reasonably be expected that as general standards of medical care rise in the community, the prisoner's right to medical care will expand. It is imperative therefore that officials in charge of prisoners clearly identify and fulfill their responsibilities in this area.

Responsibility for Subordinates

Because of the number of jailers and subordinate officials, the courts have had numerous opportunities to deal with the liability of both superior and subordinate officers.

Courts have generally agreed that a superior public officer (police staff officer, sheriff, jailer) will be liable for the wrongful acts of his subordinates only if he directs, cooperates in, or ratifies them. Where the jailer allows a kangaroo court, he becomes responsible for the acts of prisoners in charge just as though they were employees. A recent example of liability of a supervisor is *Fernilius v. Pierce*.²² While a man was incarcerated in Oakland County Jail, he was beaten so severely by police officers that he died. The issue was whether superiors are liable in damages for injuries proximately caused by their negligent failure to suspend or discharge subordinates known to be unfit. The court said that the power to discharge employees carries with it a duty to exercise that power vigilantly and that any negligent failure to exercise it will bring on liability.

This liability is interwoven with the duty of diligent selection of subordinates. A careful reading of the *Pierce* case indicates that if a sheriff or other public

¹⁶*Ex Parte Jenkins*, 58 N.E. 560, 561, 25 Ind. App. 532 (1906).

¹⁷*State ex rel Morris v. National Surety Company*, 39 S.W. 2d 581, 162 Tenn. 547 (1921).

¹⁸*Farmer v. State*, 79 So. 2d 528, 224 Miss. 96 (1955).

¹⁹*Farmer, supra*.

²⁰Barney Seidman, "Prisoners and Medical Treatment: Their Rights and Remedies," *Criminal Law Bulletin*, Vol. 4, No. 8 (1968), pp. 450-455.

²¹*Hunt v. Rowton*, 228 P. 2d 342, 143 Okla. 181 (1930).

²²*Fernilius v. Pierce*, 138 P. 2d 12, 22 Cal. 2d 266 (1943).

official has failed to exercise due care in the selection of subordinates and if he knows of their incompetence, he will be held liable. This point is further illustrated in *Polizzi v. Trist*.²³ While in the custody of sheriff's deputies, a prisoner was brutally beaten. In holding the sheriff liable, the court said:

The sheriff is liable for the torts of his deputies in the course of their official duty, if the deputies have violated or failed to perform faithfully a duty required by law [and the sheriff had reason to expect this].²⁴

Administrative Discretion

The delicate problem that faces the administrator is to balance interests of security and program which sometimes appear to clash head-on. He is to maintain the security of the institution yet not impose unreasonable restrictions on the prisoner population. It is also well for the administrator to bear in mind that whatever his decision, it may be subject to judicial scrutiny because, while the courts still invariably recite the rule that they will not interfere with the administrator's discretion unless there appears to be a deprivation of a right, they are quite candidly indicating that the concept of prisoners' rights is expanding.²⁵ As a result, yesterday's unreasonable demands can well be today's privileges and tomorrow's rights. A stiff-necked adherence to traditional approaches simply because "it's always been done this way" if not demonstrably grounded upon a reasonable basis is suspect and may be invalidated by court decree. And when the courts specifically lay down rules for the administrator because they are suspicious of his good faith or are reacting to a particularly bad situation, their rules may be more difficult to live with than reasonable and practical rules developed by the administrator in the first place. It should also be kept in mind that the court can decide a case only on the evidence presented to it. It is therefore important that full and complete records be kept of any decisions or incidents which could give rise to litigation and that these records be placed before the court. Many times a sterile, nonresponsive answer invites misunderstanding on the part of the court, and scathing comments and adverse rulings may result.²⁶ No amount of explaining after the case is over will undo the damage done by what may appear to be an evasive answer. For example, if the prisoner is bringing suit without the assistance of counsel, there is all the more reason to answer fully and completely and in good faith. The courts will lean over backward to assist him because he is unlearned in the law. An effort to dispose of the suit by summary answer whose purpose is dismissal of the complaint without inquiry into its merits is looked upon with disfavor by many courts.²⁷

And yet it is almost impossible for anyone to predict just what administrative decisions will become the subject of judicial disapproval. Decisions in some cases should indicate to prison officials certain areas that are generally regarded as within the "administrator's discretion." The administrator should capitalize on these areas in developing reasonable rules which will treat the inmate fairly and, at the same time, allow the administrator to do his job without undue hindrance. It would seem that the problem can be met by carefully documented rules, regulations, and procedures that have their base in clearly formulated objectives. The administrator can thus demonstrate the rational basis for his decisions. (See Chapter 7, Part IV.)

²³*Polizzi v. Trist*, 154 So. 2d 84 (1963).

²⁴*Polizzi, supra*.

²⁵*Wright v. McMann*, 387 F.2d 519 (2nd Cir. 1968).

²⁶*Brooks v. Florida*, 19 L. Ed. 2d 643 (1967).

²⁷*Close v. United States* ___F.2nd (D. C. Cir. decided 5-13-68).

Attorney-Client Relationship

The relationship of attorney to confined client has become a most sensitive area. It is clear that the attorney-client relationship must be respected when the attorney visits his client and that he should be allowed confidential visits. The Supreme Court, while indicating that wiretapping of conversations in a penal institution would normally be permissible for security reasons, did point out that the peculiar relationship of attorney and client must be respected.²⁸ In federal institutions attorney visits are not subject to auditory supervision. Correspondence between the attorney of record and the client may be opened, but for the sole purpose of inspection for improper content, i.e., contraband. Matters which relate to legal advice or which concern pending or prospective litigation are to be kept in strict confidence by the inspecting officials.²⁹ Both the federal government and the State of Kansas, which has a similar rule (on inspecting mail between prisoners and their attorneys), have successfully defended against attacks upon this policy.³⁰ There is a good reason to continue to open incoming mail. First of all, anyone can get an envelope printed with an attorney's name, and if that envelope cannot be inspected, there is no effective way to prevent contraband or other illegal materials from entering the institution.

Mail to Public Officials

The courts have held that the prisoner may not be denied the right to communicate with outside officials. In *Lee v. Tahash*, the court stated, "Restrictions will not be allowed to operate to deny a prisoner access to the ...courts for the presentation of alleged legal wrongs."³¹ In another case the court stated, "The prisoner may write to a court about anything; he may write to executive officers about unlawful treatment, and to his attorney about legal matters and treatment."³²

Nor can disciplinary action be taken against a prisoner who is making a complaint against his keeper. Such a situation arose in *Fulwood v. Clemmer*,³³ where a prisoner was disciplined after he had complained to the Commissioner of the District of Columbia. In this instance the court held that the prisoner could not be punished by the institution for his complaints to the court.

Generally this problem can be solved by providing a prisoners' mailbox in which can be placed sealed letters to various public officials. It enables the prisoner to discuss his problems with government officials who are not immediately responsible for his custody and discipline. It ensures that complaints against institution personnel cannot be blocked by them.

Legal Resource Material

Jails and misdemeanor institutions generally confine prisoners for short periods of time. As a consequence the problem of providing legal resource materials may not be critical. However, some jurisdictions are confining prisoners in jails and county penitentiaries for sentences up to three years and in a few instances for even longer periods. Where this practice exists, the problem of providing acceptable avenues to appeal convictions and to attack other legal problems must be faced.

It is, of course, now well established that a defendant is entitled to appointed counsel for both his trial and his appeal. However, there are no similar provisions for the prisoner who is attacking his conviction or sentence by a collateral motion

²⁸*Lanza v. New York*, 370 U.S. 139 (1962).

²⁹Policy Statement 2001.1, dated 1-21-66, Bureau of Prisons.

³⁰*Cox v. Crouse*, 376 F.2d 824 (10th Cir. 1967); *Dorn v. U.S.*, unreported (D. Kansas 1968).

³¹*Lee v. Tahash*, 352 F.2d 970 (8th Cir. 1965).

³²*Brabson v. Wilkins*, 19 NY 2d 533 (1967).

³³*Fulwood v. Clemmer*, 206 F.Supp. 310 (D.C. 1962).

or who is seeking some relief relating to his confinement. This, despite the fact that he is out of contact with witnesses, subject to a more restrictive regime, and normally does not even have basic reference material, and many times has educational handicaps and is indigent.

The Federal Bureau of Prisons procedure for handling this problem may serve as a model. A small amount of resource material is provided at each institution to give the average inmate access to some materials. Volumes of the annotated *United States Criminal Code and Criminal Procedure* and volumes relating to habeas corpus and motions to vacate sentences are included. These volumes include annual summaries of the more recent cases relating to each of the statutes. If the inmate has the financial means to purchase a law book from the publisher, he is allowed to do so unless there is a compelling reason to the contrary. Bureau of Prisons administrators are cautioned that it is inappropriate to make the determination that specific material sought by an inmate is not relevant to his case, and they are warned that refusal to allow an inmate to obtain such materials could well result in an adverse judicial decision or censure.³⁴

This policy has had some tangible benefits for the administrator as well as for prisoners. Previous to the formulation of this policy, prisoners bought all kinds of books and loose materials which might then be turned over to the prison library. This resulted in large accumulations of books which became unmanageable and were almost worthless. Under the present policy, the size of the reference library has again been restored to manageable proportions.

While an inmate is to have reasonable access to legal materials and a reasonable opportunity to prepare his documents, his legal activities must not interfere with his program activities except where he is faced with imminent deadlines established by the court. Those in administrative segregation should, as far as possible, be given the opportunity to work on legal matters and have access to legal reference materials equal to that available to the general jail population. Those who are in punitive segregation should not be permitted to use legal materials because of the brief time they are in such status. If they are faced with a deadline which is so short that to refuse them such material would unduly interfere with their access to the courts, the material should be made available.

Prisoner Drafting of Legal Documents

Providing reference materials, of course, does not help the indigent illiterate for whom the material is of no earthly use. All correctional systems traditionally oppose any kind of activity which would tend to place one inmate in the debt of another or allow the strong to prey on the weak. Consequently, the almost universal prison rule is to prohibit one inmate from drafting legal documents for another. While there recently have been a number of suits attacking this rule, some successfully and some unsuccessfully, the controlling case arose from the Tennessee State Penitentiary. There an inmate was held in segregation for a long period of time for the sole reason that he was writing legal documents for another inmate. There was no question but that the inmate receiving assistance could use it. The United States District Court held that this kind of rule, without a reasonable alternative, deprives the indigent and illiterate inmate of access to the courts and must fall. The United States Supreme Court agreed with this position.³⁵

It pointed to the fact that appointment of counsel in post-conviction proceedings takes place only after the court has determined that the issues presented call for an evidentiary hearing and point out that the burden of demonstrating this can be too great for an illiterate prisoner. Thus, the state was prevented from enforcing this rule without providing some reasonable alternative. The reasonable al-

³⁴Policy Statement 200.1, dated 1-21-66, Bureau of Prisons.

³⁵*Johnson v. Avery*, 393 U.S. 483 (1969).

ternatives may be such things as a staff member who becomes skilled in aiding uneducated prisoners with writs, a lawyer who gives advice, or a program whereby law students help in drafting writs.

Law School Programs

A person who is troubled with legal problems and cannot obtain knowledgeable advice from someone who is in no way connected with his keeper can become frustrated, bitter, and perhaps a disciplinary problem. To avoid this, the Bureau of Prisons cooperated with the University of Kansas Law School in instituting a legal assistance program for the inmates at the Leavenworth, Kansas Penitentiary. This extends not just to writs of habeas corpus but to the whole range of needed legal services. This program may be relevant to jails and short-term institutions, especially those located in cities that have law schools. Prior to the beginning of the program, some correctional administrators were concerned that inmates would be unduly involved in law suits and that the law students might encourage them. The experience at Leavenworth has shown that this concern was unfounded. There have been very few attacks upon the administration; the prospective frivolous litigation has been screened out by the program, and where the law school felt the prisoner had a good cause of action, relief has been granted in a great percentage of cases. Much of the activity of the program has been devoted to disposing of long outstanding detainers lodged against the inmates. In addition, the program handles civil matters such as compensation claims and domestic relations problems. The latter are of considerably more concern in jails than detainers. Even where there has been no tangible success, the fact that the inmate had someone on the outside who would listen to him and analyze his problems has had a most beneficial effect.

Since the inception of the Kansas program, the Bureau of Prisons has encouraged and assisted other law schools in instituting similar programs.³⁶ These programs have proved beneficial to the inmates, the students, the staff, and the courts. The major benefit of such programs is that future members of the bar are now developing greater insight into the problems both of those in custody and of those whose job it is to help them while they are confined. Before instituting a program it is wise to clear with the local bar association, which usually has no objection once the program is explained.

Intervention in Disciplinary Matters

The administration of discipline is an area in which there has been much litigation. The reasons seem to be that the objectives of discipline are poorly thought out, and its administrative procedures casual to nonexistent. The courts have not hesitated to intervene on the grounds that the punishment was cruel or unusual, or when the discipline imposed was frivolous, arbitrary, or capricious. In one such case, an inmate was punished because, when he asked to have an opportunity to worship according to the Black Muslim faith and was asked to reveal the names of those who would be participating in the religious activity with him, he refused to do so. Upon his refusal he was placed in segregation and remained there for a long period. He was given no hearing before confinement was ordered, although it was customary to hold a hearing. There was no indication that this prisoner created any disorder or difficulty before the request and, in justification, the Superintendent indicated that he segregated the prisoner to prevent any trouble in the form of a riot or escape. The court held that this

³⁶The University of Pennsylvania has a legal assistance program for the inmates of Lewisburg Penitentiary; the University of Missouri at Kansas City for the patients at the Medical Center for Federal Prisoners, Springfield, Missouri; Emory University Law School for Atlanta Penitentiary; the University of Michigan for the Federal Correctional Institution, Milan, Michigan; Indiana University for Terre Haute Penitentiary; the University of Washington for McNeil Island Penitentiary; and the University of California at Los Angeles for Terminal Island Correctional Institution.

was an arbitrary imposition of serious disciplinary action and could not stand.³⁷

Intervention has also been justified through the Eighth Amendment, which prohibits cruel and unusual punishment and is applicable to the states through the Fourteenth Amendment.³⁸ However, the problem of defining what constitutes cruel and unusual punishment remains. The case of *Jordan v. FitzHarris*³⁹ is instructive.

Robert Jordan, a prisoner at the California Correctional Training Facility at Soledad, brought an action against the prison authorities claiming his constitutional rights had been violated because he had been subjected to cruel and unusual punishment. Jordan asked the court to enjoin the prison authorities from placing prisoners in solitary cells which were 6 feet by 8 feet, 4 inches, which had no furnishings except a toilet and no interior source of light, were not cleaned regularly, and contained nothing to enable the prisoner to clean himself. He also asked for money damages.

The court found as fact that Jordan was forced to remain in the strip cell for 12 days without any means of cleaning his hands, body, or teeth. He had to sleep on a stiff mat upon the cold concrete floor. The court further found that the prisoners could be placed in this cell by lower rank personnel without the authorization of the superintendent, for periods of 60 days. The court found that there was little if any illumination in this cell and that medical attention was inadequate.

The court in its decision said:

What constitutes a cruel and unusual punishment has not been exactly decided . . . This statement is as true today as it was in 1910. It is possible, however, to identify three general approaches to the question. The first approach is to ask whether under all the circumstances the punishment in question is "of such character . . . as to shock general conscience or to be intolerable to fundamental fairness. " . . . a judgement must be made in the light of developing concepts of elemental decency

Secondly, a punishment may be cruel and unusual if greatly disproportionate to the offense for which it is imposed . . . Finally, a punishment may be cruel and unusual, when although applied in pursuit of a legitimate penal aim, it goes beyond what is necessary to achieve that aim; that is when a punishment is unnecessarily cruel in view of the purpose for which it is used Defendants [the jail officials] contend that the use of the strip or quiet cell is warranted in eliminating so-called incorrigible inmates from the rest of the inmates in the institution; that fighting, physical violence, throwing objects, vile, abusive, and threatening language and epithets, sometimes coupled with overt conduct, call for stringent, strong and protective measures.

It is further contended by the defendants that the strip cells are used both as a preventive and punitive device. In some instances, it is pointed out, inmates with suicidal tendencies are incarcerated in such cells in order to prevent them from doing physical harm, either to themselves or others. It may be noted that several inmates in the said strip cells were able to accomplish and consummate the suicide.

It appears that the cells in question were used to house those who are assertedly beyond the reach of ordinary controls and prison directives

Usually the administrative responsibility of correctional institutions rests peculiarly within the province of the officials themselves, without attempted intrusion or intervention on the parts of the courts

However, when as it appears in the case at bar, the responsible prison

³⁷Howard v. Smythe, 365 F.2d 428 (4th Cir. 1966).

³⁸Wright v. McMann, 387 F.2d 519 (2nd Cir. 1967).

³⁹Jordan v. FitzHarris, 257 F.Supp. 674 (N.D. Cal. 1966).

authorities in the use of the strip cells have abandoned elemental concepts of decency by permitting conditions to prevail of a shocking and debased nature, then the Courts must intervene—and intervene promptly—to restore the primal rules of a civilized community in accord with the mandate of the Constitution of the United States

In the opinion of the Court, the type of confinement depicted in the foregoing summary of the inmates' testimony results in a slow burning fire of resentment on the part of the inmates until it finally explodes in open revolt, coupled with their violent and bizarre conduct. Requiring man or beast to live, eat, and sleep under the degrading conditions pointed out in the testimony creates a condition that inevitably does violence to elemental concepts of decency.

The testimony further reflects that the security officers made no effort to remedy the situation notwithstanding persistent and violent complaints on the inmates' part⁴⁰

Conditions of Segregation

Segregation has a number of objectives:

1. To place a prisoner in an environment where his activities can be controlled to a greater degree than if he were in the jail population.
2. To remove him from the jail population where he may be a disruptive influence. He may be creating a disturbance, fighting, or generally refusing to cooperate.

Segregating him under living conditions that represent a lower standard than those for other prisoners has not been looked upon with approval by the courts. The objectives and administration of segregation are discussed in Chapter 7, Part IV. The use of standards and procedures outlined in that section will assist the administrator to avoid litigation in this area.

The physical conditions of confinement are increasingly becoming subject to judicial scrutiny. The federal court for the Northern District of California in a lengthy opinion minutely described the conditions under which prisoners were kept in a "maximum security adjustment center" in a California institution.⁴¹ It condemned the conditions under which these inmates were kept, stating that this amounted to cruel and unusual treatment. Other systems have been roundly criticized by federal courts.⁴²

The State of Virginia was criticized in one case by the Court of Appeals for the Fourth Circuit for the facilities in its maximum security ward.⁴³ However, in a case in which the state demonstrated the need to place a prisoner in this same setting, the same court acknowledged that, while it had previously spoken harshly of the uses made of the particular building, it did not intend to imply that a prisoner's confinement there would never be justified. Such assignment represented, the court said, a valid exercise of the judgment and discretion "of prison officials in the difficult area of prison discipline." This decision was the result of an ample demonstration by correctional authorities of the necessity for placing the inmate in a strict maximum security setting.⁴⁴

Restriction of Religious Practice

Perhaps the most difficult problem confronting the prison administrator today is how to deal with the demands of small groups of inmates who insist on special treatment. The most visible and vocal group in this regard in recent years

⁴⁰Jordan v. FitzHarris, *supra*.

⁴¹Jordan v. FitzHarris, *supra*.

⁴²Wright v. McCann, *supra*; Howard v. Smythe, *supra*; Brooks v. Florida, *supra*.

⁴³Howard v. Smythe, *supra*; Landman v. Peyton, 370 F.2d 135 (4th Cir. 1966).

⁴⁴Abernathy v. Cunningham, 393 F.2d 775 (4th Cir. 1968).

is the Black Muslims, who demand that they be treated as a religious group. Typical requests are for the right to hold religious services, a special diet, having religious leaders come into the institution to lead the services, correspondence with the leader of the sect, and the receipt of the Black Muslim newspapers and other religious publications. It is extremely difficult for an administrator or anyone else, including the courts, to determine whether what a man professes to believe in is or is not a religion. Consequently, it must be anticipated that a court must accept at face value the assertion that an organization is a religion if it has the trappings of a religion even though its activities and its emphasis and teachings are not exclusively religious.⁴⁵

The most practical approach is to treat any such group the same as any other religion to the extent this is possible. If there is differentiation of treatment, the administrator should be able to show clearly a rational basis for the distinction. It must be borne in mind that under the First Amendment, anyone has the right to believe anything he wishes; the guarantee of religious freedom is absolute insofar as it relates to religious belief. The practice of religion, however, is not an absolute freedom and is restricted whenever its expression is contrary to the public good or whenever it presents a clear and present danger to the safety, morals, or general welfare of the community.

In another case decided by the Court of Appeals for the Fifth Circuit, the Muslims sued for the right to listen to a radio broadcast of Elijah Muhammed, their leader, and to receive his newspaper, *Muhammed Speaks*.⁴⁶ Again, the administration took the position that this broadcast and this newspaper posed a threat to the safety of the prison because of their inflammatory nature. However, in this instance, a hearing was held in which copies of the newspaper were introduced into evidence to demonstrate its nature. Reliance was also placed on a Fourth Circuit opinion which upheld the restriction on subscriptions to this newspaper.⁴⁷ The government showed that putting the radio broadcasts on the limited number of radio channels would interfere with other inmates' radio programs. The Muslims also requested special meals during their month of fasting, Ramadan. To provide a special diet for one month was shown to be extremely burdensome upon the institution, because it would not only require obtaining special foods for 31 days, but more important would require a diversion of staff for food preparation and special custodial supervision. The testimony was that, in view of the strict budgetary planning required of the institution, this activity would be burdensome in the extreme. The Fifth Circuit upheld the restrictions on special diet and feedings and on limiting the radio broadcasts, but found that the newspaper was not inflammatory and should be allowed into the prison.

Rights When Crime Is Committed in Jail

When a crime is committed in a prison or jail the prisoner may suddenly assume a dual status. He is not only a prisoner; he may also be a suspect in a new crime. He thus becomes entitled to the rights of any suspect who is walking the streets. A Bureau of Prisons policy memorandum interpreted the constitutional rights regarding the privilege against self-incrimination and right to counsel. The Constitution provides that "no person . . . shall be compelled in any criminal case to be a witness against himself" and that "the accused shall have the assistance of counsel." The Supreme Court has held that any statement made by a suspect is not admissible in a prosecution unless he is given the "Miranda" warning of his right to remain silent; that anything he says will be held against him; of his right to counsel before he makes a statement, and if he cannot afford counsel, his right to have counsel provided for him.

⁴⁵Sostre v. McGinnis, 334 F.2d 906 (2nd Cir. 1964).

⁴⁶Walker v. Blackwell, appeal No. 26079.

⁴⁷Abernathy v. Cunningham, *supra*.

There are two main considerations to the investigation of a crime committed in a prison or jail setting. First, the necessity of identifying and isolating the offender as a matter of internal security, discipline, and morale, and second, the prosecution of the offender. The second consideration requires careful compliance with the constitutional protections stated above. Therefore, as soon as an investigation narrows to several suspects, there should be no further questioning of the suspect by jail staff. The suspect should be isolated until the arrival of the investigative agency that takes over the responsibility of the investigation for prosecution purposes.

It must be pointed out, however, that sometimes circumstances may result in not following the customary method of investigation. There are occasions when primary consideration must be given to isolating and questioning the suspect for security purposes, and that this consideration overrides the prospect of a successful prosecution. There are occasions when the administrator must break up plans for mass disturbances or revengeful actions by friends of assault victims and must promptly pursue the questioning of suspects. In such situations the first obligation is to the institution and that is not to be sacrificed for the prospect of a successful prosecution. As a matter of fact, failure to follow the constitutional requirements only means that the confession is inadmissible. It does not mean that evidence otherwise obtained is inadmissible. As a consequence, the large majority of these kinds of cases can be successfully prosecuted without the confession.

Conclusion

A growing body of court decisions has demonstrated that the civil rights of prisoners will not be ignored. Furthermore, there is a tendency for the courts to shed their traditional reluctance to interfere in matters falling within the area of administrative discretion. Courts have been forced to turn their attention to administrative practices due to the indifference shown by some administrators for the civil rights of prisoners and, in some instances, courts have intervened in order to protect prisoners from capricious administrative decisions. It is no longer sufficient for the administrator to claim that his actions are based on a concern for the security and safety of the institution. He may be required to demonstrate that, in fact, the actions he has taken are reasonable, and that the prisoners' rights need to be curtailed because of a clear danger to the institution. An unwillingness to establish a standard of reasonableness in exercise of administrative discretion will increase the extent of court participation in the administration of the jail.

The irresponsibility and incompetence of some jail administrators and their subordinates in not providing for the safety and welfare of prisoners is increasingly being brought to the attention of the courts. However, the courts have not been consistent in holding the administrator or the local government liable in all cases, or in all states. There are a growing number of states that have discarded the doctrine of sovereign immunity. In some jurisdictions the courts have chosen to ignore this doctrine, thus removing a jail administrator's traditional protection. The fact that a jurisdiction is now protected from suit because of sovereign immunity is no protection at all, for it is not possible to predict when a court will discard the doctrine and permit a suit to be filed. It is therefore sensible for the jail administrator to establish jail standards that will provide maximum safety and welfare for all prisoners.

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11. COMMUNITY RELATIONS

The jail is a creation of the community, and its procedures and practices should conform to community objectives. The jail must therefore respond and be responded to by the community in its efforts to carry out public policy. Sustaining good community relations requires active involvement in the community and sensitivity to community needs and attitudes. However, a careful balance between community concerns and organizational needs must be maintained. The functions and purposes of an active community relations program are to inform and educate the community, to provide leadership, and to develop public confidence in the jail.

Information and Education. Although the jail is a community institution and shares the community's objectives, its policies, practices, and programs are not well known to the public. When new programs are being planned, it may be necessary to explain how they conform to community objectives and how they will affect the community. In some cases this may be done through a simple news release; in others, meetings with members of the community may be necessary.

Leadership. The jail is not a passive instrument of public policy. This means that the jail administrator must understand and respond to the needs of the community, and be willing to assume responsibility for promoting change. To do this, he must often direct his efforts to informing the public of the need for change and enlisting community support.

Developing Public Confidence. The implementation of the information, education, and leadership functions will depend on the ability of the jail administrator to develop public confidence. Obviously, if the jail is poorly run and there is evidence of this, it is difficult for the public to believe that the jail administrator and his staff are capable of developing or implementing complex programs. News of an escape that resulted from staff incompetence, for example, or news of suicides, sexual assaults, and kangaroo courts lowers public confidence in the jail.

In the relationship between the jail and the community, the needs of neither can be predominant. For example, the concern of the jail to prevent escapes can result in refusal to develop community-oriented programs; on the other hand, the fear of exposure to prisoners can result in the community resisting community-based programs.

The emphasis on the jail's organizational needs often results in isolationism; the jail withdraws from community involvement. In the extreme case, the jail's contacts with the community are limited to official business. A less extreme situation involves the use of carefully selected publicity designed to show the jail in a favorable light, combined with a minimum of interaction with the community.

The Different Publics

The community is made up of many groups with different attitudes, beliefs, and opinions. Some of these groups will be large, well-organized, and influential; others will have little power. These groups will not see the jail in the same way. Businessmen may see the jail as a budget problem; church groups may see it as a social agency; a minority group may fear it as a symbol of establishment power; and the large part of the community that has little to do with jails may not think of it at all, except when it is in the news. And yet the jail, if it is to be an effective community agency, must develop a relationship with these groups. This may seem an impossible task, but it can be done. The first step is to identify these publics, or groups, and their interest in the jail.

Groups that may be interested in the jail and have some effect on jail policy include business and taxpayers organizations, service clubs such as Rotary,

church groups, and private social agencies. On occasion, special groups may form for the purpose of focusing attention on jail problems such as spending, prisoner welfare, and program planning. The courts, police, and corrections and public welfare agencies also have interest in and an effect on the policy of the jail.

A more easily identifiable public is the prisoner and his family. Prisoners are the consumers of the jail's services, and their lives are most deeply touched by jail policies and practices. To some extent they represent a cross section of the community, since they come from various social and economic levels. The largest portion of the jail population, however, comes from the social group with the least economic and political power. The interests of this group will be much more personal and directed toward jail policies and procedures concerned with visiting, correspondence, and humane treatment. The attitudes of jail personnel toward them are also important to members of this group.

The criminal justice system—the courts, police, and corrections—is another public to which the jail must respond. This public is concerned with the jail's ability to fulfill its functions in a competent manner. Thus, the courts may be concerned with civil rights and due process issues affecting prisoners, the police with admission and release policies, and other correctional agencies with rehabilitative efforts and the general effects of confinement on offenders.

The Components of Community Relations

The groups mentioned above are only some of the publics to which the jail must respond. From time to time other groups will arise and express concern about the jail. How is the jail administrator to respond to such a variety of publics? An effective community relations program has certain basic components that constitute a general response.

Physical Appearance of the Jail. Appearances are important. A clean, orderly jail will convey the impression that jail personnel are interested in and concerned about their work environment. It also indicates ability to set standards of cleanliness and to supervise prisoners in their work. A clean jail is one indication of efficient management and employee competence.

Staff Attitudes. Courtesy on the part of jail personnel in dealing with the public, with prisoners, and with each other is important. It indicates self-confidence, absence of defensiveness, and an understanding of the responsibilities of public service. The jail is a community agency and is operated for the community, not for the convenience of the jail staff. Rudeness on the telephone, irritation with requests for information about prisoners, and seeming indifference to the welfare of prisoners are all indicators of callousness and a negative attitude. Reacting to the public in this way does not foster confidence. It may produce hostility and decrease communication between the jail and the community.

Behavior of Jail Personnel in Public. Jail personnel are on display at all times. The behavior of jail officers both on and off the job is subject to evaluation and criticism by the community. Although a person's behavior on the job may be perfect, he will be judged negatively if he behaves improperly at home or in the community. Obviously, the behavior of the jail officer while he is in uniform must be beyond criticism. For example, a jail officer who drinks or uses his official position to threaten and assault citizens does not generate a good impression of the jail and its personnel. Careless driving with an official car is another example of unacceptable behavior in public.

Appearance of Prisoners. Public policy and the law impose a responsibility on jail personnel for the care and welfare of prisoners. The appearance of the prisoners indicates to a great degree whether or not this requirement is being met. Cleanliness is noted by all who come in contact with a prisoner. Jail clothing should be neat and clean, and not degrading or humiliating to prisoners.

A prisoner on work release is in public view, and his appearance reflects on the jail. Releasing prisoners at the completion of their sentences with ragged, unwashed clothing also makes a poor impression on the public.

Procedures. Visiting and correspondence procedures are important to prisoners, to their families, and to their attorneys. Short or inconvenient visiting hours, unwillingness to make exceptions to the rules, poor visiting facilities, and insensitive supervision of visiting can all be sources of friction between the jail and the community. Visiting restrictions may sometimes be considered unreasonable. In one jail, visiting regulations were challenged in a court suit contending that prisoners were denied the use of rooms for confidential attorney-client interviews, and that they were not permitted to receive, read, or sign legal documents. In this instance regulations were changed only through court intervention.

Regulations that place unreasonable limits on the number and length of letters prisoners write are a poor response to prisoners' needs to communicate with their families and attorneys. Unreasonable restrictions on correspondence indicate excessive concern for organizational needs (security) at the expense of public policy (encouraging the strengthening of family relations). To return letters to the sender without explanation, for example, is very bad practice.

Any point at which the jail and the community make contact presents an opportunity for the development of public trust and understanding. These contacts contribute to the development of the jail's public image. But this is not enough. If the jail is to function as an effective community agency, if it is to seek new methods, new roles, and new programs, if the administrator is to become more responsive to community needs, and if he is to tell his story and make his needs known to the community, active involvement with the community is required.

Developing a Community Relations Program

A sound community relations program begins in the jail. The administrator must establish clear lines of communication with jail personnel to inform them of policy changes, new programs, and other new developments in the jail. Jail personnel should be informed about communications with the community, public tours, and any event in which the jail is involved. The jail administrator must set high standards for appearance, behavior, and job performance, and all jail personnel should have a clear understanding of what is expected of them. The administrator must also outline a policy of community relations that is understood by all employees and schedule training sessions to teach personnel the essentials of the program.

The administrator should decide how he wants information to be handled—who, if anyone, is authorized to give information to the news media and other agencies. In most jails this responsibility is not delegated; larger jails often have an information officer. The jail administrator, however, must bear the responsibility for the success or failure of the community relations program.

Reaching Out to the Community

There are a number of ways of reducing the distance between the jail and the community, and of making it possible for the community to know more about the jail, its operations, and its problems. None of these methods are difficult, but they require effort, interest, and planning.

Information About the Jail. The annual report, in which the jail's activities, work load, expenditures, and needs are reported, although aimed at the local government, is valuable to the community at large for the picture it gives of the jail. Other kinds of written information include reports on costs, reports on

revenues from work release, and reports evaluating special programs. Some jails have information brochures giving statistical information and historical data about the jail. (See the Appendix to this chapter for an example of a brochure.) These can be used to answer many of the routine questions that interested persons ask about the jail.

Tours. There is no better way to open the jail to the community than tours. A jail that has tours cannot be poorly run without community approval. The jail is on display during tours; its prisoners, personnel, and facilities are on public view. The various interests of the community are represented by tour groups. Schools, churches, and social and business groups may all at one time or another request permission to tour the jail. Tour procedures should be developed so that these groups can be accommodated without difficulty. A staff member who is a good speaker should be given the responsibility for conducting the tour and for directing a question-and-answer period at its completion. The route and the time of the tour, especially in larger jails, should be such as to cause the least interference with jail activities; prisoners should never feel that they are on display.

The tour plan must be flexible enough to meet the varying needs of tour groups. For example, some sections of the jail may not be shown to school children. (In fact, it is questionable whether children should be included at all because of their immaturity). Special interest groups may need to be shown parts of the jail not normally on view. Government-appointed inspection teams, jail planning groups, legislators, and judges will all require more than the routine tour.

Speaking Engagements. Service clubs, civic groups, and other organizations are always seeking speakers. The administrator should let it be known that he is available for talks about the jail. In larger communities, special interest groups working in the field of corrections may ask the administrator to give a talk on the jail.

Speaking takes preparation, and even though the subject is familiar, the speaker should be well prepared, for the jail is often evaluated on the basis of the talk. The speaker should have a clear idea of what he wants to talk about and the points he wants to stress. Some administrators have developed an outline and colored slides for use in public appearances. Slides can be extremely effective when used with a prepared talk.

The speaker should know how long he is expected to talk and should allow time for a question-and-answer period. This is very important—points may be brought out that the speaker has missed or avoided. The credibility of his presentation can be destroyed if he fails to be honest in his answers. Questions usually come from two distinct groups: the punishment-oriented, and those with an interest in rehabilitation.

Groups with a punishment orientation will want to know what the escape rate is, and what is being done about it. They will express concern over security measures and want to know how disciplinary problems are handled. The response should be direct and nonevasive. The security problems of the jail should be discussed and the basis of the deficiencies examined. Security problems may be due, for example, to the physical condition of the jail, or to inability to attract personnel because of low salary scales. The remedies should also be mentioned. This is one way of generating support for improvement in the jail.

Groups interested in rehabilitation will ask about programs and their effectiveness. They may request statistical information on prisoner ages and offenses, for example. Offers of help often come from these groups. The speaker must be prepared to indicate the needs of the jail and the form assistance can take. At the very least, offers of assistance should not be quickly turned down. Groups interested in rehabilitation can sometimes become involved in job assistance for released prisoners, clothing drives for prisoners' families, and other useful

services. Program and personnel needs should be discussed, and program failures should be acknowledged. The program limitations of jails are often well known to interested persons, and it is wise for the speaker to admit that programs are not always effective.

Participation. An information and education program is only one step in community involvement. The jail administrator will sometimes need to request community participation in, for example, program and jail planning. Any new program that will affect the community, and that must have community cooperation to succeed, must have community participation during the planning stage. A work release program requires the assistance of major employers and unions if it is to succeed. Establishing a half-way house requires the cooperation of persons living in the neighborhood, who will have many questions about effect on land values, kinds of prisoners, their supervision, and their use of leisure time. A news release informing the community about the half-way house will not be sufficient; those who will be most affected by it must feel that they have had a say in planning it.

The use of volunteers in community or jail programs is another aspect of community participation. Volunteers can be used in probation, in jail education programs, and in counseling in the jail and the community. Participants in programs of this kind gain an intimate understanding of the jail and its problems.

The need to consider special interest groups in jail planning was discussed in Chapter 8. It should be obvious that if jail planning is to succeed, it will require the cooperation and support of the community.

Dealing With the News Media

The best approach to dealing with the news media is honesty. Administrators sometimes become defensive when questioned about such events as escapes, death or injury of prisoners, or criticism from grand juries and other outside agencies, but this is not the best policy. The administrator should supply the news media with the facts, admit shortcomings, indicate the nature of the problem under discussion and its cause, and draw attention to remedies.

The administrator can make a positive contribution to a community relations program by reporting events as they are scheduled or when they occur. He will thus establish a reputation for openness and increase his credibility. An annual event is worthy of a news release. Adverse events such as escapes or deaths should be reported as soon as possible.

The news media have the responsibility to inform the community about how its government is functioning. They thus play an important role as molders of public opinion. The activities, problems, and programs of the jail are a legitimate concern of the community, and an interpretation of them can most effectively be passed on to the community by the news media—the local paper and radio and television.

The following guidelines are suggested for dealing with the press:

1. Give accurate information. Where figures are involved it is wise to provide a written news release, thus reducing the possibility of error.
2. Try to avoid technical language; it may not be used correctly and may be misinterpreted.
3. Avoid favoritism. A story should be released to all news media at the same time. This will avoid complaints that any reporter has been given a "scoop."
4. Ignore minor errors in reporting. A significant error should be discussed with the reporter who made it. If errors continue to appear, it may be necessary to go to the editor of the paper or the news director of the radio or television station.
5. When a significant error appears in the paper, write a letter to the editor. Such letters are usually printed in order to correct the mistake.

6. If one news medium continues to do a shoddy job of covering the news, an administrator is justified in depending on the more accurate media.
7. Avoid generating hostility and feuding with the news media. The news media have greater access to the total community than the jail administrator and can have the last word.

Problems in Press Relations

News about the jail can generally be handled by a relatively simple routine, according to the guidelines outlined above. However, an unusual situation, for example the admission to the jail of a famous or notorious prisoner, can create serious problems for an unprepared administrator. He must take into account the news media's legitimate demand for information about the arrest and the prisoner, and balance this against the need to preserve the prisoner's right to a fair trial, and his responsibility for ensuring the safety of the prisoner and the security of the jail.

To protect the legal rights of the accused, he should be interviewed by reporters only with his consent and in the presence of his attorney, as questions may be asked about the charge and the prisoner's guilt.

The administrator cannot avoid responsibility for protecting the prisoner's rights, since the behavior of news personnel is determined to a great extent by the limitations placed on them by the administrator. In a decision granting a defense motion for a change of venue based on telecast interviews of the accused, the New York Supreme Court Appellate Division stated:

... People are not arrested to provide news stories or telecasts. They are arrested to be brought to justice. Any police conduct that prevents a fair trial could allow the guilty to escape conviction. Good public relations have their importance but being on good terms with the press at the expense of a scrupulous performance of the department's functions is hardly commendable.¹

The prisoner's safety and the security of the jail are compromised if the entry of news personnel into the jail is not strictly controlled. Practice varies among jurisdictions. Although a survey of practice has been limited to police, the findings apply equally to sheriffs and jails. Some police chiefs permit news personnel to interview prisoners, observe interrogations, and take pictures at bookings. Some have no written policy.²

The desire to cooperate with the news media can sometimes have tragic results. Lee Harvey Oswald's murder while in police custody is an excellent case study of the consequences of loss of control of the news media. In this instance, the magnitude of the crime and the worldwide interest in the event created a difficult situation for the police. Added to this was the general policy of the Dallas Police Department that placed high priority on cooperation with news media. General Order No. 81 dated June 15, 1958 stated:

[It is the policy] that members of this Department render every assistance, except such as obviously may seriously hinder or delay the proper functioning of the Department, to the accredited members of the official news-gathering agencies and this includes newspaper [reporters], television cameramen, and newsreel photographers.³

¹Special Committee on Radio and Television of the Association of the Bar of the City of New York, *Radio, Television, and the Administration of Justice; A Documented Survey of Materials* (New York: Columbia University Press, 1965), p. 14.

²*Ibid.*, pp. 118-143.

³*Report of the President's Commission on the Assassination of President Kennedy* (Washington, D. C.: U.S. Government Printing Office, 1964), p. 225.

In the follow-up letter to all members of the department dated February 7, 1963, Dallas Police Chief Curry clarified the general order as follows:

The General Order covering this subject is not merely permissive. It does not state that the Officer may, if he so chooses, assist the press. It rather places on him a responsibility to lend active assistance. . . .

Implied in the general order is a prohibition for the Officer to improperly attempt to interfere with the news media representative, who is functioning in his capacity as such. Such activity on the part of any Police Officer is regarded by the press as an infringement of rights, and the Department shares this view.⁴

The Warren Commission Report goes on to describe the conditions that prevailed in the Dallas City Jail—the confusion; the mass of news personnel and their equipment; the well-publicized transfer of the prisoner; and the shooting by Jack Ruby in full view of newsmen and numerous law enforcement officials. The description of the events leading to the murder indicated that it would have been impossible to ensure the security of the jail and safety of the prisoner.

The administrator cannot protect the rights and safety of the prisoner and the security of the jail without developing policy guidelines for his relationship with the news media and procedures for their control. This does not imply censorship, however.

Problems in Community Relations

Many jail problems of concern to the community are caused by emergencies or by situations that are embarrassing to the jail administrator. Some problems, such as escapes, result from breakdowns in security, and some from inefficiency; often, however, they are caused by heavy work loads, old equipment, insufficient funds, and untrained personnel. These shortcomings are not necessarily the fault of the administrator, who is in many instances very aware of them.

The administrator's efforts to decrease the distance between the jail and the community often reach only a small group. The community at large finds out about the jail and its problems through the news media. The administrator's ability to use the press intelligently is a major factor in educating the community about the jail. The following incidents illustrate the problems of working with the news media in an attempt to increase public knowledge and public confidence in the jail, and provide some solutions.

An Escape

Two young prisoners escaped from the jail through a second-floor window on the south side of the building. They and two other inmates had gone through the same window a few months earlier, and the same route had been taken by 14 other prisoners nine months earlier. The two fugitives escaped from maximum-security cells on the first floor. One was serving a five-year sentence for armed robbery, storehouse breaking, and grand larceny. The other was awaiting trial on a charge of malicious shooting and wounding. Both men also faced armed robbery charges in a neighboring state. The latest breakout was front-page news. A reporter made a tour of the escape route and reported in his story that the two prisoners either had to unlock or have unlocked for them the padlocks on their cell doors, a door to the enclosed walkway outside their cells, a door at the end of stairs leading to the second floor, and, finally, the window that shielded the barred enclosure through which they crawled after sawing one of the bars.

Grand jury after grand jury had emphasized the need for a new jail, as had a number of public officials and the press.

⁴*Report of the President's Commission on the Assassination of President Kennedy*, pp. 225-226.

The jail warden was interviewed and stated that there were guards on duty at both the first and second floors and that neither reported seeing unusual activity. Both guards had been questioned, and the investigation was continuing. He added: "A guard had to let them out. Those locks are unpickable." The sheriff, who was the jail administrator, said, however, that in his opinion "no lock is unpickable." But he went on to add that he thought the escapees had "inside encouragement."

The prisoners had managed to get out the second-floor window by sawing a bar and pushing out a heavy steel screen. Apparently, they then slipped across the carpentry shop roof, climbed over a 10-foot-high chain-link fence topped by six strands of barbed wire, and then crossed the roof of the county garage. The window bar had been welded back into place after the earlier escape.

Under questioning from reporters, the sheriff said a poor job of welding had been done on the bar, but he felt that the men could have sawed through the bar even if the welding had been adequate. The warden said he had examined the bar previously and "thought it was secure," and he stated that he had planned to put a maze of barbed wire on the carpentry shop roof as an obstacle to potential escapees.

These responses indicate that the sheriff had not given much thought to public reaction to the escape, or to the need for developing confidence in his administration. He should have taken the opportunity to deplore the lack of action in providing the new jail recommended by the grand jury and detailed the physical defects of the existing structure. He also should have faced up to the possibility, as he had tentatively, that the escape was the fault of a security lapse that could have occurred even in a new jail. If the sheriff and his warden had coordinated their statements to the press, there would have been no disagreement as to whether the locks were pickable. The warden's statement that he "thought" the window was secure and that he "planned" to install barbed wire across the carpentry shop roof left an impression of slipshod administration, especially since two previous escapes in the same year had involved the same route. Finally, the sheriff should have announced a thorough investigation of the guard force. Both he and the warden had implied that the escapees had had inside assistance. If he believed that it was virtually impossible to hire dependable security people under existing circumstances, he should have said so, told why, and made a plea for public support for improvement.

An Inspection Committee

Community pressure had been exerted for an inspection of local jail conditions by an outside group. The jail administrator agreed to an inspection, and four clergymen were picked to tour the jail. They were furnished deputy badges and permitted to enter the jail at any time, day or night, to see prisoners. After a period of time, the clergymen made their report. Although they were impressed by the cleanliness of the jail, they were critical of other things. "Most of all," said the spokesman for the group, "we were shocked by the number of young prisoners—people in their teens and 20's." They felt that the younger prisoners should be segregated from the older ones, and first offenders from repeaters.

As a result of their report, the jail administrator designated the four clergymen as an advisory committee and authorized them to make continued and frequent unheralded visits to the jail, to study inmate problems, to pool their information and impressions, and to make recommendations.

The administrator's response to community criticism was positive but limited. An advisory group should have broader representation and include representatives of the business and labor sectors of the community. The administrator should have felt free to point out other deficiencies such as lack of programs and inadequate staff. He could also have pointed out the need for

a work release program that can help relieve jail crowding and provide a rehabilitative program in the community. He could thus have developed interest in the jail's needs by directing the community's attention to problems rather than waiting for his advisory group to find them.

Establishing a Half-Way House

A local community correctional system decided to open a half-way house in a large residence it owned. The building had not been actively utilized for a number of years, but it had been maintained and used for storage. The citizens in the area learned about the plans for the house from a news release. Nothing was mentioned about the kinds of prisoners involved or how long they would stay, the hours, or the supervision. The neighbors formed a group, descended on the mayor, and had the move halted temporarily. Many meetings with city officials were necessary before an agreement was reached and the half-way house permitted to open.

Obviously, much of the hostility and misunderstanding could have been avoided if a citizens group from the area had participated in planning. In this instance, releasing the news to the news media before informing residents of the neighborhood was an error.

Going Over to the Offensive

The time is ripe for the jail administrator to take the initiative in rallying public support to improve corrections at the local level, for he is in an excellent position to discuss the weaknesses of the existing system. There are a number of ways in which the jail administrator can take the initiative. To be effective, however, he must have certain background information about the nature and level of corrections in the country as a whole. Displaying knowledge of the broader problem makes any presentation more impressive.

Jails play a critical role in the system of criminal justice. For most lawbreakers, jails are the first contact with custody. Local jails handle most misdemeanants under sentence, but they handle all types of felons and others as they go through court processes. Yet, local jails and workhouses are generally the most inadequate units in our correctional system.

The Crime Commission Report estimated that there were about 3,000 local institutions for misdemeanants in the nation in 1965. Three quarters of the institutions in the 250-county sample were jails, and the rest were workhouses, camps, farms, or institutions having some characteristics of all three. The great majority of these institutions were old. Many did not meet minimum standards of sanitation, living space, and segregation of different ages and types of offenders that have been maintained on other levels of corrections. Two thirds of the sample of 212 local correctional institutions covered by the report reported no rehabilitation at all.⁵ After covering the jail system of a western state, a consultant reported: "Most counties and cities persist in operating their own jails, nearly all of which are nothing more than steel cages in which people stay for periods of time up to a year. Most of the jails are custody-oriented and supervised by ill-trained, underpaid personnel."⁶

The jail is the keystone of the correctional system, although to date most of the focus in corrections has been on felons and juvenile offenders. Nevertheless, jail prisoners comprise a far larger group nationally than felons and juvenile offenders combined.

A 12-state study revealed that 93.5 per cent of persons arraigned in 1962

⁵ *Task Force Report: Corrections*, p. 75.

⁶ *Ibid.*, p. 75.

in these states for offenses other than traffic violations were charged with misdemeanors. The ratio of misdemeanants to felons varied widely from state to state, partly because of differences in state criminal codes. Iowa, for example, had four times as many misdemeanants as felons. New Hampshire had 30 times as many. In every state, however, there were far more misdemeanants than felons.⁷

The Crime Commission emphasized a point which local jail administrators should bring out at every opportunity:

The correctional challenge in those personal and property crime misdemeanors that more resemble felonies is not so unique. As a group these misdemeanants present the same dangers to the community and the same need and potential for rehabilitation.⁸

Many misdemeanants subsequently commit felonies. Very little is being done, however to develop rehabilitative programs for them. The financial realities were outlined by the Crime Commission in this way:

The general inadequacies of misdemeanor corrections are indicated by the fact that its average yearly expenditure per offender is only \$142 for community treatment, compared with \$198 for felons and \$328 for juveniles. Misdemeanant institutions spend on the average \$1,046 per offender per year, felony institutions \$1,966, and juvenile institutions \$3,613.⁹

What can the jail administrator do to present his case to the public?

The administrator can follow up grand jury reports, as one jail administrator did. One grand jury after another had complained about the state of his jail. One had declared, "We are upset to think that the authorities of this county allow this condition to exist." The report, by the way, was not critical of the jail administrator. It said he was doing the best he could with what he had to work with. The administrator did not let it go at that. He came up with a specific problem that the grand jury had not mentioned, and the press gave his remarks good play. The administrator singled out the medical program—or lack of it—for criticism, calling it inadequate and specifying that there was no way to isolate prisoners with contagious diseases, and no psychiatric counseling.

On another occasion, a county jail administrator took the initiative and suggested a new arrangement between the city and the county for the use of the county jail, under which all prisoners charged with felonies would be held by the county. His suggestion resulted in a saving for the city and an increase in revenue for the county jail. Why? Because the state paid the county jail \$2.50 a day for each person confined on a felony charge, plus a turnkey fee of \$1.75 for each prisoner admitted. The state, on the other hand, did not pay for the confinement of such prisoners in municipal jails.

As a result, the local newspaper congratulated the county jail administrator for saving the city between \$15,000 and \$18,000 a year and for cutting the current operating loss at the county jail. The editorial went on to say:

The arrangement appears to be the best that could be devised under the circumstances, but the circumstances are far from ideal. There is something wrong with a system that puts a premium on maintaining a large county jail population; this, however, is not the fault of the jail administrator but of the fee system with which he has to live.

All of which suggests that jail administrators in jurisdictions where it exists should campaign against the fee system.

In a large midwestern city, a workhouse superintendent spoke out in favor of a work release program and continued to point out its advantages after it had been adopted. He described it as the greatest advance in penology since the development of probation and parole. He cited figures to show that the rate of

⁷Lee Silverstein, *In Defense of the Poor* (Chicago: American Bar Foundation, 1965) p. 123.

⁸*Task Force Report: Corrections*, p. 73.

⁹*Ibid.*, p. 74.

failure had been negligible. The superintendent pointed out that 90 per cent of the prisoners who are released from local jails have lost their jobs while serving time. He drove this point home by saying that the work release program had significantly reduced idleness, had reversed the trend toward a rising jail population, and had helped rehabilitate a number of offenders. His statements and his program won the attention and praise of a number of newspapers in different parts of the country.

Conclusion

The increased concern over crime and its correction and the trend toward community programs have focused attention on the jail. As a consequence the jail has had to abandon its isolation and find ways of relating to the community. A number of avenues are open to the jail administrator who is interested in developing a community relations program. First, he must accept the point of view that community relations is a total effort requiring the participation of all jail personnel. Second, he must find methods to promote interaction between the jail and the community by making the jail visible and accessible, hoping in return for community participation in program planning and implementation. Through such participation, some segments of the community will develop an understanding of the jail and its problems, and can become active supporters of new programs.

The jail administrator who is interested in changing the role of the jail and increasing the services to prisoners must have a broad base of community support. This support can be created by the effective use of the news media as a component of the community relations program. For it is only by this means that the full story of the jail and its plans and its problems can be told.

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APPENDIX

EXAMPLE OF INFORMATION BROCHURE



MICHAEL N. CANLIS
Sheriff — Coroner

**San Joaquin County Jail
Custodial Facilities
Rehabilitation Center**



We welcome you to the San Joaquin County Jail Complex.

I know that each of you and every other citizen of our community is directly concerned with the housing, care and rehabilitation, and general welfare of those arrested who became charges of the County.

Nearly all of the individuals who are arrested and placed in jail, eventually return to their former homes or locale following their release from confinement. They become your neighbors and associates in the many activities of the community. If they return in a more healthy condition, improved mentally, morally and physically, than prior to their arrest, it shall be to the benefit of all of us; and, if during their imprisonment, they make the penal system partially self-supporting by performing practical work—SAVING TAX DOLLARS—then we can say that we have a progressive, constructive, and modern law enforcement program.

It was with this conviction in mind that your Board of Supervisors authorized and started the San Joaquin County Honor Farm, which has served as an immeasurable aid to this phase of our problem. Rather than the cell block, there are now sanitary and well lighted and ventilated military type barracks.

We who have formulated and executed this program have made a concerted effort to be realistic. We are fully aware that our endeavors will not reclaim every man who has been a burden on society, but still we feel that it is a great improvement over permitting them to stagnate in a steel cell. Instead, we provide them with worthwhile tasks that they may perform under healthful conditions. There are as many as 20 different work groups who perform labor which otherwise would be economically impossible for local governmental agencies, both city and county. Again, being realistic, we acknowledge the fact that correct work habits alone are not the cure or the solution to our social problems. Many inmates lack a skill, trade, or adequate education, either academic or otherwise, to meet the present day requirements. To help combat this obstacle we are eagerly attempting to implement Adult Education and Vocational Training Programs by accredited instructors from our local Manteca High Schools. We look forward to classes in such subjects as citizenship, basic reading and writing, and simple arithmetic and we even hope for a broader curriculum of job skills in the future.

In addition, we are engaged in a Work Furlough Program, which allows sentenced inmates to leave the Honor Farm and go to their regular jobs and return at the end of their work day.

This method of rehabilitation reduces the burden on the taxpayer as the individual contributes to the support of his family from wages earned on Work Furlough.

He pays \$5.00 a day to the County to offset the cost of feeding and housing him. When he is released he will have a job, which is a great asset in the rehabilitation of the individual and makes for his easier restoration into community life.

In the program, inmates have earned nearly \$500,000 in the first year, contributed over \$50,000 toward the support of their families, and have taken with them more than \$200,000 upon their release from custody.

This is a great transition from the antiquated jail system to the modern, humane, and economical penal system that we have today.

Your attendance here today is proof of your desire to be informed, and I earnestly solicit your continued interest.

MICHAEL N. CANLIS

SHERIFF—CORONER

SAN JOAQUIN COUNTY

The San Joaquin County Jail system, at French Camp, consists of the following described units:

- I. RECEIVING SECTION
 - a. Occupied March 10, 1958
 - b. Capacity, Seven gross cells 130
 Fifteen eight-man cells 120
 Total Capacity, expandable 250
 - c. Service Units
 Jail Administrative Office
 Booking Section
 Visiting Rooms
 Interrogation Rooms
 Line-up Room
 Medical Examination Room
 Social Services
 Public Lobby
- II. MAXIMUM SECURITY SECTION
 - a. Dedicated April 11, 1959
 - b. Capacity, Sixty-four 8-man cells
 Forty-two single man cells
 - Total 554
 - c. Service Units
 All-Purpose Room
 Food Serving Room
 Combination dining and day room
 Exercise Yard
- III. WOMEN'S JAIL
 - a. Occupied June 1, 1955
 - b. Capacity, Seventy-five
 - c. Security-Maximum, Medium, Minimum
 - d. Program, Laundry, Sewing, Blankets, Mattress Covers, Aprons, Inmates' Uniforms, Personal Clothing (both repairing and new construction) Library, Recreation yard.
- IV. HONOR FARM
 - a. Occupied, 1946, reconstructed 1949 with additions to present status.
 - b. Capacity-500 inmates; expandable
 - c. Services-Kitchen for all custodial facilities, Repair shops, Truck gardens, Service Station for patrol fleet, Maintenance to grounds and buildings.
 - d. Program-Twenty separate groups of inmates assigned to work for other governmental agencies outside this compound.
- V. WORK FURLOUGH
 - a. Sentenced inmates leave the Honor Farm and go to their regular jobs and return at the end of their work day. Inmates on work furlough are required to pay the County for their Room and Board.

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