



# **Proceedings of the Large Jail Network Meeting: March 2011**

**Legal Issues Update**

**Jail Suicide – 20 Years Later**

**Effectively Using Data with  
Policy Makers**

**PREA Update and Toolkit**

**Leadership Toolkit**

**Association Updates**

**Open Forum**

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**Proceedings of the Large Jail Network Meeting  
Aurora, Colorado  
March 20 – 22, 2011**

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## About the Large Jail Network

The National Institute of Corrections (NIC) established the Large Jail Network (LJN) in 1989 as a connection point for administrators of jails and jail systems housing 1,000 or more inmates. The network was launched with 67 member agencies and convened at its first meeting in 1990. NIC publishes the *LJN Exchange* journal and hosts a private online presence for the network.

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NIC provides a private web site for the LJN, where members can access presentation files from this and earlier LJN meetings as well as share other materials throughout the year. A member forum facilitates a day-to-day dialogue on issues facing large jails and strategies for responding to them. Current and prospective members can access the site at <http://community.nicic.org/forums>.

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### Purpose

The NIC Jails Division networks' mission is to promote and provide a vehicle for the free and open exchange of ideas and information and innovation among network members. In addition, NIC networks reinforce the assumption that knowledge can be transferred from one jurisdiction or agency to another, and this knowledge can serve as a stimulus for the development of effective approaches to address similar problems or opportunities.

Our belief is that, collectively, network members are likely to have developed successful strategies for meeting challenges that arise. As a group, network members are an available resource to each other. The network provides a systematic way for information to be shared, which not only benefits the network member, but also those they serve and represent – the local government, state, community, staff, and inmate.

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### LJN Goals

- To explore issues facing jail systems from the perspective of network members with administrative responsibility.
- To discuss strategies and resources for dealing successfully with these issues.
- To discuss potential methods by which NIC can facilitate the development of programs or the transfer of existing knowledge or technology.
- To develop and improve communication among network members.
- To seek new and creative ways to identify and meet the needs of network members.

## CONTENTS

About This Meeting .....	1
Meeting Highlights.....	2
Legal Issues in Jails – 2011 .....	3
William C. Collins, Olympia, Washington	
Jail Suicide Prevention Workshop.....	14
Lindsay Hayes, National Center on Institutions and Alternatives	
Effectively Using Data with Policy Makers.....	25
Michael Jones, Jefferson County Criminal Justice Planning, Golden, Colorado	
PREA Update and Toolkit .....	31
A Glance at LJN and PREA .....	31
Andie Moss, The Moss Group, Washington, D.C.	
Recap of Attorney General Meeting on PREA Standards.....	41
Mitch Lucas, Charleston County Sheriff’s Office, North Charleston, South Carolina	
Leadership Toolkit.....	44
Mike Jackson, NIC, for Susan McCampbell, CIPP, Inc.,	
Association Updates .....	47
American Correctional Association News .....	47
Kathy Black-Dennis, American Correctional Association, Alexandria, Virginia	
Legislative Update.....	49
Kathy Black-Dennis, American Correctional Association, Alexandria, Virginia	

Open Forum .....	51
Kiosks .....	51
Crisis Intervention Training .....	52
Inmates Answering Telephone Inquiries .....	52
Housing the Homeless.....	53
Limits on How Long Officers Can Serve In Posts .....	54
Honor Dorms .....	55
Rewarding Employees Who Do Not Abuse Paid Time Off .....	55
Electronic Medical Records .....	55
Jail Mottos.....	56
Veterans Justice Outreach .....	56
Innovations in Mental Health Programming .....	57
Media Access to Incident Reports and Video .....	57
Inmate Population Trends.....	58
Defining Obscene Material.....	59
Green Technology .....	59
Dogs and Inmates.....	60
Large Jail Network Business .....	61
NIC Updates .....	61
Other News.....	61
Future Meeting Topics .....	61

## APPENDICES

Appendix A. LJN March 2011 Final Meeting Agenda

Appendix B. LJN March 2011 Participant List

Appendix C. Index of Past LJN Meeting Topics

## ABOUT THIS MEETING

The March 2011 Large Jail Network meeting took place at the Doubletree Hotel in Aurora, Colorado. There were 68 detention agency staff in attendance.

The meeting began with an informal dinner on Sunday, March 20, with participant and guest introductions. Two days of presentations and discussion followed.

Guests and speakers at the meeting included:

- William C. Collins, Attorney at Law, Olympia, Washington
- Lindsay Hayes, National Center on Institutions and Alternatives, Mansfield, Massachusetts
- Michael R. Jones, Jefferson County Criminal Justice Planning, Golden, Colorado
- Andie Moss, The Moss Group, Washington, D.C.
- Kathy Black-Dennis, Director of Standards, Accreditation, and Professional Development, American Correctional Association, Alexandria, Virginia
- Jim Gondles, Executive Director, American Correctional Association, Alexandria, Virginia
- Connie Clem, meeting recorder, Clem Information Strategies, Longmont, Colorado

The agenda for the meeting is provided in Appendix A.

A list of LJN members in attendance and meeting guests appears in Appendix B.

An index of past topics covered at LJN meetings is provided in Appendix C.

## MEETING HIGHLIGHTS

### Legal Issues Update

- p. 4* The U.S. Supreme Court will clarify this year whether reasonable suspicion is necessary for jails to conduct strip searches.
- p. 6* Agencies can reduce their liability on use of force by training staff in both incident response and how their conduct and reports will be evaluated.

### Jail Suicide Prevention

- p. 14* Far fewer suicides now occur in the first 48 hours after detainees arrive at the jail. By updating their screening and monitoring practices, jails can reduce suicide even further,

### Using Data to Shape Policy

- p. 25* Planners in Jefferson County, Colorado, successfully argued for a new system that has cut the use of jail beds. Keys in presentations to influence policy are to be concise, to be memorable, to leverage the interests of the decision-makers, to include both statistical and anecdotal information, and to follow up with outcome information.

### PREA Standards and Implementation

- p. 31* The U.S. Attorney General has proposed draft PREA standards that reflect important input from jail professionals. Jail leaders can continue to contribute to the policy process by helping formulate practical approaches to screening, orientation, investigations, and inspection/certification for jails of all sizes. Participants shared strategies for planning how to achieve compliance with the final standards, to be released in early 2012.

### Leadership Development

- p. 47* Leading Jails (<http://www.leadingjails.com>) is an online resource for jail succession planning that will go live online in 2011. The site includes mentoring concepts from the National Jail Leadership Command Academy and is a collaborative effort of the Center for Innovative Public Policy, the American Jail Association, and the Correctional Management Institute of Texas at Sam Houston State University.

### Housing the Homeless

- p. 53* The sheriff in Pinellas County, Florida, soon will be managing the largest homeless shelter in the state, with the cooperation of local agencies and non-profit organizations. The jail director shared key aspects of the operating plan that make the program a win-win.

## PROGRAM SESSION: LEGAL ISSUES UPDATE

### Legal Issues in Jails – 2011

*Presenter: William C. Collins, Attorney.*

Collins opened the session by recommending the book, *The Prisoners' Self-Help Litigation Manual* (4th edition, 2010, Oxford University Press USA, written by John Boston and Daniel E. Manville, ISBN 0195374401). Priced around \$30, it provides an encyclopedic discussion of issues in how to file a civil rights case. Collins said the authors present the law accurately and without distortions.

### Prison Rape Elimination Act: Still Waiting

The U.S. Attorney General released proposed PREA standards that are open for public comment through April 4, 2011. Final standards are expected to be released in early 2012. (Additional sessions at this meeting addressed PREA standards and implementation; see pages 31–42.)

The AG's proposed standards reflect major changes from the original version submitted by the Prison Rape Elimination Commission. The changes are a response to comments provided by members of the corrections profession.

A few of the major aspects still of concern to practitioners include:

- Cross-gender supervision, where it is necessary to balance inmate privacy with the rights of men and women to work in facilities housing members of the opposite sex;
- The audit process, frequency, appeal process, and certification for auditors; and
- Definitions of compliance.

Non-compliance will trigger loss of federal funding to state governments. Jails that provide contract beds for the Bureau of Immigration and Customs Enforcement and the U.S. Marshals Service may be required to comply.

### Discussion

- Mitch Lucas (Charleston County, South Carolina) represented the American Jail Association at a March 15, 2011 meeting with the Attorney General's office, along with Gwyn Smith-Ingley (American Jail Association) and Kim Spadaro (Broward County, Florida). Lucas reported that audit processes will be shaped by individual agencies, and the standards will provide specifications for certifying auditors. Lucas encouraged meeting participants to read the proposed standards and provide specific, actionable recommendations.

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- Kim Spadaro emphasized that the AG's team wants agency leaders to suggest language that will make the standards implementable.
- Art Wallenstein (Montgomery County, Maryland) said that as law enforcement agencies, corrections cannot legally oppose the PREA standards. A series of reports from the Washington College of Law at American University compares the initial and revised versions of the standards for adult prisons and jails, lockups, juvenile facilities, and community corrections. They are available at <http://www.wcl.american.edu/nic/prea.cfm>. Wallenstein said that jail professionals' voices need to be heard to counter those of inmate advocates, who say the new standards are overly influenced by public employee unions.
- Tim Ryan (Miami-Dade County, Florida) noted that PREA includes standards for local lockups, and many of these agencies are unaware of the issues. LJN agencies should educate local practitioners on the basics of PREA and its rules specific to juvenile detainees and women.

**Arrestee Strip Searches**

In the 2010 *Florence* case concerning actions in Essex County, New Jersey, the 3rd Circuit Court of Appeals joined the 9th and 11th Circuits in rejecting the rule that reasonable suspicion must exist before a strip search can be conducted (*Florence v. Board of Chosen Freeholders of County of Burlington*). The U.S. Supreme Court has agreed to review the case and will resolve the split between the circuits.

Collins predicted that the Supreme Court will overturn earlier decisions affirming the necessity of reasonable suspicion, based on such factors as current charges, criminal history, and detainee/inmate behavior. He stated that if the Court were to reach the extreme conclusion that people entering a jail have no expectation of privacy under the Fourth Amendment, the results could be "disastrous."

Many jails have lost cases, sometimes repeatedly, and have paid significant settlement amounts on the issue of strip searching. There sometimes has been a lack of clarity to distinguish between pat and strip searches. There is a mix of authority on whether and under what circumstances an inmate's being substantially disrobed is equivalent to a strip search.

- Tim Ryan (Miami-Dade County, Florida) mentioned a contraband incident in minimum security that led to a shakedown, including pat searches conducted by a female academy cadet who was not in uniform. The court characterized the search as a strip search that should have been conducted by a same-sex officer and was exacerbated by the cadet's status as other than a full officer.
- In response to a question from Mitch Lucas (Charleston County, South Carolina), Collins said that gender-specific searching is probably necessary for inmates who are detained when wearing swimwear.
- Art Wallenstein (Montgomery County, Maryland) said that he expects most jails to switch to technology-assisted searches to reduce staffing requirements and exposure to litigation.

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Collins noted that there is no body of law on searches of transgender inmates. Courts have been reluctant to get into the question of how sexual orientation could affect searching. Housing determinations are not necessarily driven by presence of a penis, though this is still common.

Mitch Lucas suggested that in smaller jails particularly, a medical practitioner such as an EMT might qualify to determine gender. Collins observed that medical staff may not want to get involved.

Collins said jails need to emphasize professional conduct in all matters related to strip searches.

- If a jail needs to search a self-described female, it's smart to begin that search with a female officer.
- Art Wallenstein said technical assistance is available to review and refine policy and procedure in this area. Good staff training is always a good defense.
- Professional conduct includes what staff say to inmates. Staff should not use snide or intentionally abusive language. Even commonplace jail language can sound unprofessional in a court of law. In a case in the Ninth Circuit, inmates underwent body cavity searches prior to being placed in an intensive management unit. The court found in favor of the inmates in part because an officer said it was "time to meet Mr. Bigfinger."

**Religious Practice**

Collins briefly reviewed the implications for jails of the Religious Land Use and Institutionalized Persons Act (RLUIPA). Freedom of religion is a principle everyone supports. The legal test for violations of the First Amendment is very institution-friendly, so the Congress passed RLUIPA to set a tougher standard.

RLUIPA provides that any substantial burden on an inmate's religious practice must relate to a legitimate institutional interest and be the least restrictive option available to the agency.

Many in corrections still are unaware that a protected religious practice does not have to be mandated externally by formal authorities within the inmate's faith. The inmate's own conscience, sincerely held belief, and wish to practice in a particular manner have precedence over formal authority within a faith. As a result, an agency can't defend a case based on what an official of a faith group says.

Many RLUIPA suits relate to diet. An Oregon prison denied a Seventh Day Adventist inmate a kosher diet, partly on grounds that other members of the faith would demand the same thing, and lost a related lawsuit. Case law is mixed about justification for not providing diets related to religious observance. Agencies should assume the inmate is entitled to the diet unless they can show a large cost or other burden.

## Force: The Intersection of Operations and Legal

Use of force is the most significant operational issue faced by jails. The legal test is from *Hudson v. McMillian*, 503 U.S. 1 (1992), which seeks to determine whether force was used in good faith to restore order or maliciously and sadistically to cause pain.

Hudson defines five factors for review: the need for force, the amount of force used in proportion to the need, injuries sustained, the level of threat reasonably perceived by staff, and efforts to temper the use of force during or after the incident.

- One agency subdued an inmate by using pepper spray and applying a spit guard. Staff then failed to promptly remove the spit guard, causing unnecessary pain.
- Agencies sometimes can avoid the use of force. In a cell extraction, there may be no real rush to move the inmate. Management needs to ask what the staff did to avoid use of force.
- The Fifth Circuit found that unless an inmate can show he sustained a serious injury, there is no case, but the Supreme Court disagreed. Significant pain can occur with no lasting injury.

### Force Continuums

Many LJN agencies have defined what is known as a force continuum (FC), which some agencies have found inadequate in practice. A force continuum is defined by expert witness Don Leach as “a graphic presentation of the spectrum of techniques and methods that typically may be employed in a use of force situation.” The continuum attempts to identify in an objective and trainable manner what an inmate may do and the actions staff can take in response.

Collins said FC tools are a way to link the need for force and the appropriate amount of force to use. A concept developed for training began to be included in policy. However, decision-making in a volatile incident situation is too quick and too complex. People have different views of the amount of force inherent in a given response technique. In some situations, it may make sense to use more force quickly instead of a less effective, lower-level technique.

- Scenario: A swarm technique is hands-on and therefore ranked “lower” on the force continuum than OC spray. If a team of five or six officers moves in to control an inmate, is this less or more force compared to using OC spray?

FCs also can make it easier rather than harder to pursue claims against staff.

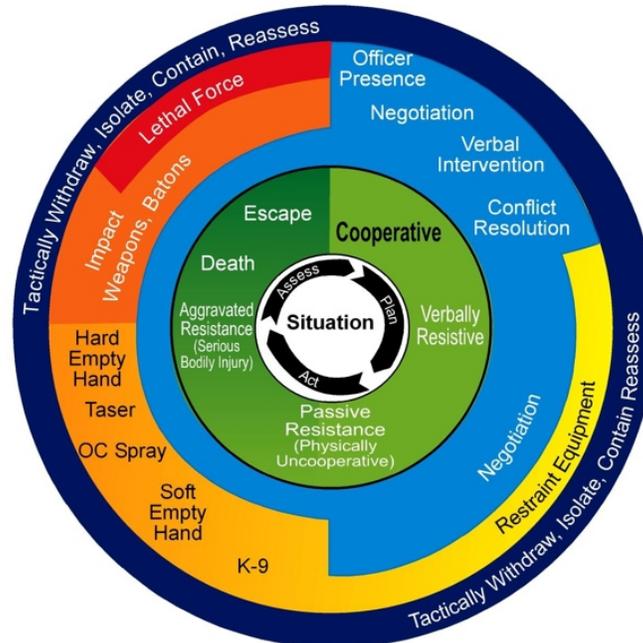
- Mitch Lucas said the continuum approach is good for staff training and for evaluating incidents, but officers can’t be expected to follow a continuum during an incident. Staff guidance and training need to go beyond, “If you’ve got a need, use the force.” Staff often rely on a few techniques they like best, which may call for special attention.

Ultimately, agencies must improve their ability to use controlled force to accomplish legitimate purposes. Further models for understanding and applying force appropriately are being developed.

An example of an FC is shown in Figure 1 (source: Commission for Public Complaints Against the RCMP).

**Figure 1. Use of Force Wheel**

## Use of Force Management Model



Officers are accountable for using only as much force as is believed, in good faith and on reasonable grounds, to be necessary to carry out their legal duties.

Agencies strive for appropriate use of force through training on incident response and reporting, management oversight on policy, and the use of video evidence.

Collins said that training should be interactive, scenario-based, and provocative. Training needs to transfer ideas and principles to a working situation. Scenarios should challenge the staff's problem-solving ability and set the expectation that they will develop good judgment.

Collins sometimes hears a sense that defense counsel want to water down agency policy so there's more room to defend the agency and its officers in court. He believes management should set high-level expectations and defend them. It can be hard to detect the abuse of force. Oversight is critical and begins with first-line supervisors.

### Discussion

- Mark Bolton (Louisville, Kentucky) said that the evaluation component can break down. It's important to review the video evidence and see if it matches the written reports. Culture issues can mean retraining staff from scratch. Sometimes a problem can be traced to one shift or one officer, and it's important to be sure there isn't a pattern in the agency.

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- A participant said his agency refers to “use of control” reports rather than “use of force.”
- As an interactive use of force instructor, Michael Frost (Commonwealth of Massachusetts) says agencies should train people in a given scenario as many times as necessary for them to demonstrate proficiency. It isn’t enough to tell staff what they did wrong and expect them to perform correctly later in an actual incident.
- Agencies also should train officers on how their conduct will be evaluated. Officers need to be ready to explain the need for force and their choice of action. Management needs to set the bar fairly high: at what is reasonable, not what an officer may subjectively view as reasonable. If management overlooks problems, staff expectations will sink, and it will be harder to return agency performance to a more professional level.

**Reports and Videotapes**

Officers feel pressure to use more and harder force to control a situation. They balance this with the management message to do the most defensible thing. Officers know, or learn, that it’s easy to write an incident report that will pass muster if they omit critical details. This becomes a culture issue.

Videotaping of incidents is more common now with improved camera technology and storage options. Agencies differ on whether officers may view video recordings while writing their reports.

- Mitch Lucas (Charleston County, South Carolina) commented that inaccuracy in reports can be a result of mistakes rather than an effort to cover something up. Collins agreed that details can be difficult to capture. On the other hand, if an officer gives an inmate an extra punch, others on the team may not report it but it may be clear on the video.
- A participant said when officers can refer to the video record, it reduces discrepancies between their reports.
- Another commented that some officers would rather text inmates than talk to them. Force will be needed with some inmates no matter what you say to them, but with others, force could be avoided if the officers used better verbal skills. Collins agreed there’s a difference between trying to talk with inmates and giving them orders.
- Michael Frost (Commonwealth of Massachusetts) said that emotions and adrenaline interfere with officers’ recall immediately after a critical incident, and debriefings are not likely to be accurate. He favors using video evidence for report-writing to create better accuracy that will be more fair to both the inmate and the organization.
- A. T. Wall (Rhode Island Department of Corrections) said that courts can see problems either when officers’ reports are too similar or when there are discrepancies. Collins said that ultimately, it’s better for officers to write their reports independently and that referring to the video record is probably acceptable. Video evidence tends to be favorable while also showing that officers’ reports tend not to be so reliable.
- Mark Bolton said that Louisville Metro Corrections has begun allowing officers to review the video record as they wrote their reports. The agency’s use of force indicators are dropping.

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- In some locations, unions are mandating that officers get to view the video when writing reports on incidents involving serious injury or death.
- Don Pinkard (Gwinnett County, Georgia) commented that jail managers need to verify the frames per second (FPS) rate in their videorecordings to ensure a good image. A staff member was almost terminated because legal staff could not see an inmate swinging at an officer or throwing a food tray. Gwinnett County now records at a rate of 14 FPS.
- Agencies need to monitor FPS storage requirements against retention needs, unless the recordings are being routinely downloaded and saved. Public record access is needed only when there's an incident. On the other hand, videos can also prove what didn't happen, for example, if a claim is made of excessive use of force in a booking incident.

Collins noted that use of force cases often hinge on deliberate indifference—whether the agency was deliberately indifferent to a substantial risk of serious harm. Plaintiffs may be able to show that weak use of force practices show deliberate indifference. The U.S. Department of Justice (DOJ) may enter into situations through quasi-litigation under CRIPA (the Constitutional Rights of Incarcerated Persons Act). Agencies have few options if DOJ calls. CRIPA investigations that identify constitutional deficiencies can result in a negotiated settlement that resembles a consent decree. The DOJ Civil Rights Division web site includes links to details on individual cases and settlement documents at <http://www.justice.gov/crt/about/spl/findsettle.php>.

CRIPA settlement agreements typically call for a monitor, or monitors, to be selected jointly by DOJ and the county. Counties typically pay the costs of monitoring. Recently one county refused to pay. By allowing DOJ to pay, the agency gave up any say in the choice of monitor. Collins said an impartial monitor is best, and that agencies should not attempt to save money on this point.

### Effective Review of Incidents

Management must define the threshold for using force and get the whole story about incidents.

- How subjective are criteria for use of force? Who decides what's necessary or reasonable? Typically, policy allows officers to use force to protect themselves or to enforce a lawful order, but this is subject to interpretation in the moment and while writing reports.
- How good are officers' reports, and how attentive is the internal review process?

Collins presented a case study of a videotaped incident involving a take-down of a female inmate.

Officer A: As we came to the elevators, inmate Jane Doe began to resist and grabbed a hold of my hands . . . making it difficult for me to control her. I told her numerous times to let go of my hands. Subject would not comply and I began to lose my grip on her arms. Fearing the subject might break free and possibly assault me, I placed the subject on the ground so that I could control her better.

Sergeant B: When the elevators opened and Officer A went to escort her on the elevator, she grabbed his hand making it hard for him to control her. She was told several times to let go but she would not. Officer A then placed the inmate on the floor. She was handcuffed

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Officer C: I saw an inmate on the ground resisting officers. I rushed over but Sergeant B and Officer A had the inmate under control.

Collins asked whether a routine review should look beyond the officers' reports. Is there anything a supervisor or higher-level manager should be asking?

Answers included:

- What was the background leading up to the incident? Was the inmate difficult before she and the officer reached the elevator?
- Was the inmate claustrophobic and fearful of entering the elevator?
- Was the phrase "placed her on the ground" a euphemism for something with a higher risk of injury? The video showed the officer holding the inmate's hands behind her back and pushing her forward, then she's off balance and landing on her face on the floor. The video did not make it clear whether the officer was losing control of the inmate as he claimed.
- What was the need, if any, to put this person on the ground? The inmate could have been moved against the wall until her balance and control were restored.
- The story as reported and documented by video did not explain why a takedown was necessary. A meaningful review would include rechecks with the officers.
- Mark Bolton commented that this scenario happened in Louisville and reflects the need for culture change in the agency. The video is being used in training. This incident did not result in litigation, but it did result in employee discipline. Until this began to be addressed, officers did not know what they didn't know about appropriate response.

Use of fixed video cameras (as distinct from situational hand-held cameras) will give jail managers a view of the reality of use of force. Without a video record, no one knows what is not going in staff reports. Review also is becoming more convenient when electronic reports are submitted with video files attached.

Collins commented that if officers see the video, they'll tend to conform their report to what's visible. There is a risk of report falsification. However, since most incidents do not result in criminal prosecutions, there is probably little chance of harm in allowing officers access to the video record. Managers do need to watch for and discourage any writing of purposefully inaccurate reports.

- Mitch Lucas (Charleston County, South Carolina) noted that officers who write incident reports are focusing primarily on their own actions. Staff are trained to clearly state what part of body they touched and what they did, which provides good detail in relation to whatever the inmate may grieve. Collins agreed that the sum total of all reports for an incident creates a larger context for what the inmate and others present were doing.
- A participant said that if officers are allowed to see a video, the union will say they are protected under the Garrity decision from reporting each other's actions if they see something potentially criminal.

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- Darren Long (Travis County, Texas) said that since video evidence has become accepted in DUI cases, it's appropriate to apply the same technology in corrections.

**Who Reports?**

Collins noted that reports should be cross-checked and that reports can come from not only the officers directly involved but from other staff (such as nurses), the inmate, and other inmate witnesses.

- Mitch Lucas said that in Charleston County, other staff submit reports only if there's an investigation.
- In another agency, all participants are interviewed, including the inmate.
- Another participant commented that other staff submit reports if they have direct contact with the incident.
- Alan Fuhrman (Palm Beach County, Florida) recommended capturing video statements from inmates immediately after the incident, before any bruising begins to show.

Collins said that many jails assume inmates will use a statement opportunity to rant, but their statements can be very useful. In the scenario discussed earlier, the inmate's own perspective could have illuminated the situation greatly and reduced the need to get statements from additional staff.

- Mitch Lucas asked whether there is commonly more value in getting a statement from the inmate at the time of incident or at a disciplinary hearing. Collins said this depends on the agency's purpose: if the purpose is to get data to evaluate the agency's use of force, the agency should get the statement right away. If the purpose is for disciplinary use, the statement can be obtained later.
- Art Wallenstein (Montgomery County, Maryland) commented that use of force is controlled through "macro" factors an agency already has in place, such as policy, cameras, and good management practices. The incident itself may take only a second or two to unfold, and there is no opportunity for control in that "micro" time frame. This is why an agency's review process is as important as the incident response itself.

**High-Level Reviews and Investigations**

Collins explored what factors might trigger an investigation that goes beyond the routine reports. He discussed the need to review overall use of force practices from a big picture perspective. For example, if 55% of incidents occur in booking, can the jail reduce that number? Jail managers can review incidents at a data level for particular issues. Collins termed this a medical model for improvement, focused on identifying issues and problems, not on establishing individual accountability.

- Participants said that injuries or a referral from senior staff trigger a deeper look at the incident. In several agencies, review is automatic.
- Michael Gauger said incidents in Palm Beach County, Florida, are referred to internal affairs and the training division so that patterns can be detected. If incidents involve the

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same type of warning or similar inmate profile, the agency can address the matter in training or briefings to improve response.

- Art Wallenstein (Montgomery County, Maryland) observed that most jails are good at collecting data but not as good at analyzing it. He suggested bringing in a speaker to address how to make sense of data for action.

Collins asked how engaged top jail leaders are in reviewing incidents. Do they have time to review reports for inconsistencies or lack of detail, or is top review handled by others? Participants discussed their involvement in reviewing incidents.

- Mitch Lucas (Charleston County, South Carolina) said incident review is the most important thing a jail leader will do all day. Nothing is more important than making sure force is used appropriately. Legal liability is too costly.
- Art Wallenstein recommended looking at reports from the macro side. How many reports have come in from each of these individuals over the last 6 months? How do incidents reflect the facility design in a jail with 12 stories and less travel throughout the facility?
- One participant said managers should address the bland report before it gets to the administrator. At each level of review, reports tend to gain momentum as being acceptable.
- Mitch Lucas said that if no one else sees what he notices, that's the point of his review. That's how a jail can achieve consistency in the review process. Collins commented that Lucas is reviewing not only the incident but the review process itself.
- Mark Bolton (Louisville, Kentucky) said that culture, poorly designed physical plants, and technology are important macro factors. Agencies that don't have and don't want cameras may be operating on an "out of sight, out of mind" principle. PREA, CRIPA, and open record laws suggest that agencies need to look at technology and technology management. Collins agreed that relying on traditional written reports may leave jails open to quality issues. Video recordings make written reports less critical to get right.

**Outside Sources**

Collins asked participants whether they consider outside input, such as a letter from counsel or an inmate's mother, as an opportunity to look at use of force incidents. When does an external contact trigger an investigation?

- Sherry Johnson (Osceola County, Florida) said that an officer responds to this type of input and an investigator reviews the events in case a defense may be needed. Jail staff may talk to the reporting person for additional background.
- Because matters referred internal affairs may take a few weeks to be resolved, matters can also be referred to social workers or other sources to obtain background info for two tracks of investigation.
- A.T. Wall said that in Rhode Island, reports are always referred for internal affairs. If the agency is put on notice that it may be out of order, it's responsible for following up.

Collins gave the example of an inmate with a medical complaint. If a jail refers the matter to the medical department for a response but doesn't follow up later to learn the outcome, it could be found deliberately indifferent. A review of medical records may answer the question, or show that the inmate has not reported the concern to medical staff. Some medical staff think HIPAA limits the release of medical information within the agency, but this is not true.

### **The Big Picture**

Collins commented that the goal for incident review is to be able to distinguish unique events from events that signal a trend that needs to be addressed in training, supervision, or policy. Analyzing data from the nation's large jails could uncover important insights and enable jail administrators to compare data on matters such as location of incidents or proportion of acutely mentally ill inmates.

In a review of data on inmate-on-inmate violence, Collins realized the data are difficult to compare and filled with disparity. If one jail has 12 serious take-downs and a comparably sized jail has 315, does this reflect a good job of managing inmates or a poor job of recording incidents? Looking closely at data and practices has important potential for improving operations and reducing liability.

*Presenter information: William C. Collins is an attorney in private practice in Olympia, Washington. He can be reached at (360) 754-9205.*

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## PROGRAM SESSION: JAIL SUICIDE—20 YEARS LATER

### LJN Suicide Prevention Workshop

*Presenter: Lindsay Hayes, National Center on Institutions and Alternatives*

Lindsay Hayes's latest research on jail suicide is an update of studies done in 1981 and 1986. Findings show how, though jails have succeeded in greatly reducing jail suicide, especially near intake, they can use new patterns in the data to reduce incidence even further. The data show a clear link between weak preventive policy and higher incidence of suicide and suicide attempts.

The study identified 696 jail suicides that occurred in 2005 and 2006. Among these deaths, 612 occurred in detention facilities and 84 in holding facilities. Data were collected on 464 of these deaths, and the information was compared with previous studies.

Some changes were immediately clear:

- The suicide rate in jails dropped from being 9 times greater than the general community in 1986 to about 3 times greater in 2006, as measured against average daily population (ADP).
- Quantitatively, the drop was from 107 deaths per 100,000 inmates to 38 deaths per 100,000 inmates.

The reduction can be traced to several factors, such as:

- Better mental health services and screening in jails;
- Advancement in formal professional standards;
- Improvement in training and professional attention at all levels;
- Better professionalism in medical training and personnel;
- More use of video surveillance;
- More use of direct supervision; and
- Changes in physical facilities, for example in vent design in cells.

Hayes continues to work toward making suicide prevention training part of all staff's annual training. He noted that training amount and quality has greatly increased since he began developing training in this area years ago. Correctional staff now are much more aware of where and when attempts are likely to occur. Inmates are being asked questions that wouldn't have been dreamed of 20

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years ago. Still, suicide prevention is a moving target. Though agencies have made a vast difference by focusing prevention efforts on intake and the inmate's first 24 to 48 hours in custody, it's not enough. Jails no longer have the luxury of focusing primarily on inmates in the first 24 hours.

Fully understanding suicide and suicide attempts is difficult because attempts are recorded less reliably than successful suicides. The more serious the attempt, the more likely it is to be documented. In some agencies, a suicide threat or a gesture counts. Some regional and state studies have good data, but no national study is available with consistent and comparable data.

New data on jail suicide show a number of shifts.

- Violent charges—43% of suicide victims in 2005/2006 were detained on violent/personal charges. Previously, the largest group of jail suicides (29%) was among inmates being held on nonviolent charges, such as drug-related crimes.
- Crimes against children—Persons charged with sexual assault on a child or murder of child made up 7% of jail suicides.
- History of suicidal behavior—34% of jail suicides had a known history of suicidal behavior, compared with 16% in 1986. Jails are doing more screening at intake, so they have better information about inmates.
- Mental health status—About 38% of jail inmates are known to have mental health issues, compared with 19% in the earlier study.
- Timing of suicide attempts—New incidence data show that 23% of suicides occur in first 24 hours, 27% occur between 2 and 14 days, and 20% occur between 1 and 4 months after arrival. Previously, 50% of suicides occurred in the first 24 hours.
- Intoxication—20% of 2005/2006 suicides were intoxicated at the time of death. This is a dramatic drop from the earlier figure of 60%.
- Time of day—The largest number of suicides (32%) occurred between 3:00 and 9:00 p.m., and about 20% on the night shift. This contrasts with 30% occurring between midnight and 6:00 a.m. in the earlier study.
- Method—Hanging was the predominant method of suicide in both studies (93% and 94%). Most used bedding (66% in 2006, up from 48% in 1986). In 2006, 305 used the bed or bunk for support.
- Discovery—In the new study, 31% of suicides were found more than 1 hour after the last observation by staff. Staff found suicides within 15 minutes in 21% of cases in 2005/2006, down from 42% of cases in the 1988 study.
- Suicide watch status—8% were on suicide watch at the time of death. This suggests the level of observation provided did not match their behavior or that the victims were placed in unsafe housing. One-on-one observation now is more available now than it used to be, and it may be appropriate for high-risk detainees to be taken elsewhere for needed care.

The 2006 study also included new data elements.

- Court proceedings—35% of suicides occurred in close proximity to a court hearing; out of this group, 69% occurred within less than 2 days.
- Outside contacts—22% of suicides occurred close to a phone call or visit; of these, 67% occurred within less than 1 day.
- Holidays or seasonal factors—The data show no relation between suicides and particular seasons or holidays; deaths occurred evenly throughout the year.
- Use of “no-harm” contracts—13% of suicide victims had agreed to no-harm contracts, essentially a written promise not to hurt oneself. Hayes said that jails should avoid using this approach; legally and clinically, they don’t work.
- Assessment status—37% of suicides had been assessed by qualified mental health professionals. Among this group, 47% had been assessed within 3 days of death. The meaning is unclear. Perhaps the mental health staff were not focused on suicidal thoughts and behavior at that time, or they missed some clue.
- Suicide prevention policy—85% of facilities with suicides had a written suicide prevention policy, but few had comprehensive suicide prevention programming.
- Elements of screening—77% of facilities that experienced suicides conducted intake screening, up from 30% in the 1986 study. However, many jails miss key indicators: 1) Only 27% verified whether the inmate had been in the facility before with suicide precautions, which is a flag for a mental health referral. 2) Only 31% verified whether the arresting/transporting officer thought the detainee was a suicide risk. Building a few questions into the intake process is useful, such as, “Did this person act strangely?” “Did anyone say anything we should be concerned about?”
- Training—63% of jails that experienced suicides either had no suicide prevention training (38%) or did not provide it on an annual basis (25%).
- Multiple precaution levels—93% of jails with suicides had a suicide watch protocol, the majority with 15 minute observations intervals. Less than 2% of jails had an established option for constant observation.
- CPR training—80% of facilities with suicides required officers to have CPR training. However, CPR was administered in only 63% of cases. This may be correlated with the length of time between suicide occurrence and discovery.
- Cell factors—32% of jails with suicides had safe housing available for suicidal inmates.
- Mortality review—35% of jails with suicides had a mortality review process that examines policies and procedure, precipitating factors, and training, with the intent to reduce the likelihood of successful future attempts.

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- A participant observed that when people are strongly motivated to commit suicide, it's difficult to eliminate every physical possibility. An inmate in that jail was able to jimmy a sheet between the wall and a light fixture. Hayes said that cell factors are one side of the picture, and staff actions are the other side. Staff need to closely watch inmates and provide periodic contact. Inmates have time on their hands and can find ways to outsmart the staff. They also can deceive clinicians by presenting themselves as normal or no longer suicidal. In such cases there is very little jails can do.
- Mitch Lucas (Charleston County, South Carolina) asked whether the data show any relation between suicide incidence and facility style, size of facility, region of country, or similar factors. Hayes said that larger facilities generally have better resources and are able to make a stronger commitment to prevention training; they are also more likely to have suicidal inmates come into the facility. A telephone triage program or hotline to an on-call clinician could assist jails with no or limited mental health services by helping them decide who needs help and what kind. Ray Sabbatine of Sabbatine and Associates in Lexington, Kentucky, is one person working in this area.
- John Konrad said a suicide prevention team meets monthly in the Cook County Department of Corrections in Chicago, Illinois.
- A participant asked about preventing suicides by jumping. Hayes said this should be discussed with facility architects during design; suicide watch or mental health units should be on a single story. Where necessary, jails can retrofit units with fencing or stringing wires from the handrail to the ceiling. The trade-offs include inmates possibly climbing on the barrier plus potential visibility issues from an angled viewpoint. Vince Sauter said the jail in Arapahoe County, Colorado, has added railings up to the ceiling, beginning in the mental health units and continuing in all housing units. The look is acceptable and the cost is not too high.
- A participant asked about indicators on the percentage of cases who commit suicide when alone vs. when someone else is in the cell. Hayes said about 60% to 70% of suicides were in single cells at time of death. Double-bunking is not an automatic answer, however. A roommate might be out on the unit, sleeping, or unwilling to get involved.
- Mike Gauger (Palm Beach County, Florida) mentioned the need for special attention to sexual deviants, such as people arrested on a child pornography offense. Five of that jail's last six suicide attempts were from this group. It can be important to look at an arrestee's entire criminal and personal history, including prior use of county mental health services. The jail has access to this information at booking through the county data system. Partnerships with county providers go both ways, so providers also can see data from the jail.

## Prevention Programs

Hayes discussed eight critical components of a comprehensive suicide prevention program:

- Staff Training
- Intake Screening/Assessment
- Communication
- Housing
- Levels of Observation/Management
- Intervention
- Reporting
- Follow-up/Morbidity-Mortality Review

### Training

Hayes recommends that initial staff training on suicide prevention should cover a full day, though the number of hours is not specified in any formal standard. Topics to be covered include inmate suicide research; staff attitudes about suicide (avoiding obstacles to prevention); why facility environments are conducive to suicidal behavior, potential pre-disposing factors, high-risk periods, and warning signs and symptoms; identifying suicidal inmates despite their denial of risk; components of the facility's suicide prevention policy; and liability issues.

Training should cover the agency's own history with inmate suicide. Research data used in training should be current—meeting participants were encouraged to share the new data with trainers and to check lesson plans for currency. Though case law is fairly defendant-friendly and it is difficult to prove deliberate indifference, staff should understand the case law.

A minimum of 2 hours of annual training should cover suicide prevention. It can cover new research as well as any incidents in the facility, lessons learned, and any changes in department policy.

Hayes discouraged the use of online training. Suicide prevention is all about attitude and collaboration, elements that are lost outside a classroom environment. The best training involves custody and medical and mental health staff, again emphasizing the collaborative effort. Looking at risk factors on a screen is simply less effective.

### Intake Screening/Assessment

Screening effectiveness is improved when agencies look at these factors:

- Past suicidal ideas and/or attempts;
- Current suicidal ideas, threats, or plans;
- Prior mental health treatment, including hospitalization;

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- Recent significant loss (job, relationship, death of a family member/close friend, etc.);
- Feelings of nothing to look forward to in the immediate future (helplessness and/or hopelessness);
- Family or significant other history of suicidal behavior;
- Suicide risk during prior department confinement (ideally accessible in the agency's electronic medical data system) or at the most recent sending facility;
- Transporting officer observations about medical, mental health, or suicide risk.

**Communication**

Anyone can look at suicide case studies and agree that the deaths were preventable. Very commonly the information was out there but was not communicated very well. Information is lost between booking and the housing unit or between the medical staff and staff who supervise inmates. These failures are uncovered in the mortality review process. It's difficult to put suicide-related communication into hard policy. Daily shift briefings, unit logs, daily rosters of inmates on suicide precaution status, and regular management staff meetings are ways to improve information flow. A multidisciplinary approach is most effective.

Communication needs to flow between outside personnel and the jail staff at booking, between the jail's officers and medical and mental health care staff, and between staff and the inmate.

**Housing**

Housing assignment should be based on maximizing staff interaction with the potentially suicidal inmate. Agencies need to avoid depersonalization and isolation of inmates; a disproportionate number of suicides occur in segregation.

- Segregation raises an issue of balance, because isolation can exacerbate the issues that trouble the suicidal inmate, but these units are where jails provide more frequent mental health staff rounds as well as usually more observant and sensitive staff.
- As much as possible, suicidal inmates should be housed in general population, a mental health unit, or a medical infirmary located close to staff.
- All cells should be suicide-resistant, free of all obvious protrusions (e.g., door handles and hinges, towel racks, large gauge mesh screening over light fixtures, radiators, sprinkler heads, smoke detectors, and ceiling/wall air vents).
- Cells should allow for clear and unobstructed visibility to all areas of the cell interior.
- Security caulking is not foolproof but can reduce the likelihood of a successful attempt.
- To normalize the inmate's experience, agencies should avoid removing an inmate's clothing (excluding belts and shoelaces) and the use of safety smocks and physical restraints (e.g., restraint chairs or boards, leather straps, handcuffs, straitjackets, etc.). They can be used

only as a last resort when the inmate is physically engaging in self-harming behavior. Constant watch status usually makes these measures unnecessary.

### **Levels of Observation and Management**

Hayes recommends that jails provide two levels of precautionary management for suicidal inmates: close observation and constant observation. Of every 10 inmates under special status for suicide prevention, typically one or two will be on constant observation.

Any designated staff may place an inmate on suicide precautions or upgrade those precautions.

- Close observation is reserved for inmates who are not actively suicidal but who express suicidal ideation, have a recent history of self-destructive behavior, or show other warning signs, even if they deny having suicidal thoughts. Staff observations should be carried out at staggered intervals not to exceed 10 minutes (e.g., at 5, 10, and 7 minutes) so the inmate doesn't know when to expect the officer. The cell must be suicide resistant.
- Constant observation is reserved for inmates who are actively suicidal and either threatening to attempt suicide or engaged in suicidal behavior. A lower-level staff member can effectively monitor the inmate one-on-one with minimal training to cover this in cost-effective manner.

Closed-circuit television or inmate companions can be used as a supplement but never are a substitute for constant or close observation. It does the jail no preventive good to have a video record of a suicide. On the contrary, a video showing the inmate hanging in the cell for an hour not only shows a failure to prevent the suicide, it documents an abject lack of supervision.

Downgrading or discontinuing suicide precautions is a critical decision to be made only by a qualified mental health professional. When available full-time, mental health staff should assess and interact with (not just observe) suicidal inmates on a daily basis. Inmates' monitoring status can't be changed, whether to a higher or lower level, until they are seen by qualified staff.

Mental health staff should be free from any pressure to make a bed or cell available for new arrivals, and their views should be respected. Clinicians are already under pressure to make the right call in a difficult situation.

Once an inmate is taken off suicidal precautionary status, it's important to provide follow-up. The inmate is likely to come to the attention of clinical staff again. Agencies can design a schedule for follow-up contacts that works for them. For example, they can check the inmate daily for 5 days, then once a week for 2 weeks, then once a month until the inmate is released. The structured format lets the inmate know he or she is being monitored, which tends to keep them from returning to a higher level of need.

### **Intervention**

All staff with inmate contact should be trained in standard first aid and CPR, and they should participate in annual mock drill training. Staff need to know the policy on emergency response and backup with a cell emergency. Until staff are drilled, the agency cannot know what instructions and procedures are clear and which aren't.

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All housing units should contain an emergency response bag that includes a first aid kit, pocket mask or Ambu<sup>®</sup> bag, latex gloves, and an emergency rescue tool that can quickly cut through fibrous material.

First-responding staff will use their professional discretion in regard to entering the cell without waiting for backup. If cell entry is not immediate, it should occur as soon as first backup arrives and no later than 4 minutes after the initial discovery of the emergency.

**Reporting**

In the event of a suicide attempt or suicide, all appropriate officials should be notified through the chain of command. The victim's family should be immediately notified, as well as appropriate outside authorities.

All staff who came into contact with the victim prior to the incident should submit a statement of their full knowledge of the inmate and incident.

**Morbidity Review**

Reviews of serious suicide attempts and successful suicides are very valuable to the agency. The purpose is to identify what happened and what can be learned to reduce the likelihood of future incidents. The review team must be multidisciplinary, including custody, mental health, and medical personnel.

A morbidity/mortality review is separate from any other formal review of the incident. It will examine the specific circumstances surrounding the incident, the facility procedures relevant to the incident, relevant training received by involved staff, medical and mental health services' reports involving the victim, and any possible precipitating factors that influenced the victim to commit suicide. The review may produce recommendations for changes in policy, training, physical plant, medical or mental health services, and operational procedures.

**Successes and Further Improvement**

Agencies have greatly improved their ability to identify inmates at risk for suicide and to reduce inmates' chances to attempt or succeed at suicide. Still, the ultimate challenge facing agencies is how to prevent the suicide of an inmate who is not easily identifiable as being at risk for self-harm.

Hayes shared the concept of 16 "guiding principles" in suicide prevention.

1. The assessment of suicide risk should not be viewed as a single event, but as an ongoing process.
2. Intake screening should be viewed as something similar to taking one's temperature—it can identify a current fever, but not a future cold. Most of what jails know about the likelihood of suicide is based on past behavior and current behavior. We are not so good at forecasting.
3. Prior risk of suicide is strongly related to future risk.

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4. In addition to early stages of confinement, many suicides occur in close proximity to a court hearing. Jails must find ways to make housing unit staff more attentive to this risk period.
5. A disproportionate number of suicides take place in “special housing units.” Jails can reduce this by creating more interaction between inmates and correctional, medical, and mental health staff in these units, including more frequent rounds by staff and admission screening into these units.
6. Agencies should not rely on a self-report that someone isn’t suicidal or has no prior history of suicidal behavior, particularly when their behavior, actions and/or history suggest otherwise.
7. Jails must provide meaningful suicide prevention training to their staff. Training should not be scheduled simply to comply with an accreditation standard. Viewing an antiquated videotape and reviewing suicide risk factors and policy is not meaningful.
8. Many preventable suicides result from poor communication among corrections, medical, and mental health staff. Facilities that maintain a multidisciplinary approach to suicide prevention avoid preventable suicides.
9. One size does not fit all. Decisions regarding the management of a suicidal inmate should be based upon his or her individual needs, not simply on the resources that are said to be available. An inmate who needs constant human monitoring will not be served by CCTV.
10. The most important decision is the determination to discharge an inmate from suicide precautions. That determination must always be made by a qualified mental health professional following a comprehensive suicide risk assessment. To do otherwise may result in bad outcomes and will incur unnecessary liability.
11. Jails must avoid responses that discourage inmates from accessing mental health staff if they feel suicidal. Suicide precautions may be viewed as punitive, making inmates reluctant to seek help. Examples include automatic removal of clothing, issuance of a safety smock, limited movement (for showers, visiting, recreation, telephone, etc.), loss of a desired cell placement and/or a job. If an inmate attempted suicide 2 days earlier and has been experiencing unpleasant repercussions, that person will say whatever he or she needs to say to get out of watch status.
12. Jails must react appropriately to threatened suicide, even when they suspect an inmate is threatening suicide for manipulative reasons. The underlying risk of suicide may be real. The reaction must include a multidisciplinary approach.
13. Jails should not interpret a lack (or small number) of inmates on suicide precautions status to mean there are no currently suicidal inmates in the facility, nor evidence that the agency has sound suicide prevention practices in place. The low number may indicate inadequate identification practices.
14. Staff must avoid using vague language, such as “Watch closely” or “Keep an eye on him!” when discussing an inmate who raises concerns but has not been placed on suicide precautions status. If there is a concern, he or she should be on suicide precautions.

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15. Jails must avoid obstacles to prevention. Such obstacles are negative attitudes implying that inmate suicides cannot be prevented. Examples are apparent in comment such as, "If someone really wants to kill themselves, there's generally nothing you can do about it," or "There's no way you can prevent suicides unless you have someone sitting watching the prisoner all the time, and no one can afford to be a baby sitter," or "Suicide prevention is a medical problem...it's a mental health problem...it's not our problem."
16. Jails must create and maintain a comprehensive suicide prevention program that includes all eight essential components of staff training, intake screening/assessment, communication, housing, levels of observation/management, intervention, reporting, and follow-up morbidity/mortality review.

Changing practices and culture is hard work, but necessary. Hayes described a situation in which a jail nurse asked an inmate if he felt suicidal. When the inmate answered "Yes," the nurse replied, "If you tell me you're suicidal, we're going to have to strip you of all your clothes and house you in a bare cell." "Okay, then I'm not," replied the inmate. Hayes asked, does this describe an inmate and agency at risk?

**Discussion**

- Sherry Johnson related how Osceola County, Florida, convenes a panel that discusses individual cases. In the case of an inmate who abused his nephew, the jail team conferred every 24 hours with the county attorney and risk management. The inmate was held in restraints for a few days to ensure his safety.
- A participant said that it can be difficult for staff to tell when an inmate is genuinely suicidal rather than manipulative. Hayes said that acutely suicidal inmates don't stay at that level for very long, perhaps up to a week at most.
- Participants asked if it is acceptable to use other inmates for a companion-watch approach to suicide prevention. Hayes commented that though the U.S. Bureau of Prisons has been allowing this practice, ultimately inmates are not professional caregivers and should not be relied upon. Inmates are not likely to be as serious about making observations, and their presence may in fact encourage officers to skip their own rounds on the tier. Contraband concerns may also come into play.
- Many jails represented at the meeting have few if any suicidal inmates. Participants asked if this suggests their jails aren't adequately identifying inmates who are at risk. Hayes agreed that low numbers of inmates on precautionary status are probably due to a problem in identification, especially given the high proportion of jail inmates who need mental health services. The challenge is to identify the suicidal inmates. Jail leaders should not assume the jail's suicide risk is low if they have few inmates identified as being at risk.
- Participants asked whether the research identified a national average for the proportion of inmates on suicide precaution status. Hayes normally sees about 1 to 2 percent of inmates on suicide precautions, but this is a very informal estimate. If too many people are on suicide watch, it may mean staff lack confidence about when they can safely take people off watch status. If there are too few on watch status, the staff may be not asking the right questions in screening or staff training may be inadequate.

## Resources

The full study, *National Study of Jail Suicide: 20 Years Later*, was provided to meeting participants and is available online at <http://www.nicic.gov/library/024308>.

Standards of care have been developed by several authorities.

- The National Commission on Correctional Health Care (NCCHC) produces standards that include an appendix, “Guide to Developing and Revising Suicide Prevention Protocols in Jails and Prisons.” NCCHC has also published the title, “How to Identify Suicidal People—A Systematic Approach to Risk Assessment” (1999). Resources are available at <http://www.ncchc.org/pubs/catalog.html>.
- The American Correctional Association (ACA) also provides standards, described by Hayes as less robust than those of NCCHC. A correspondence course on suicide prevention in custody is also available.
- The most recent standards released by the U.S. Department of Homeland Security, Bureau of Immigration and Customs Enforcement (ICE), are similar to NCCHC’s. Agencies that house ICE inmates must provide annual suicide prevention training and daily assessment of those on suicide watch.

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## PROGRAM SESSION: EFFECTIVELY USING DATA WITH POLICY MAKERS

### Effectively Using Data with Policy Makers

*Presenter: Michael R. Jones, Ph.D., Jefferson County Criminal Justice Planning, Golden, Colorado*

The Jefferson County Criminal Justice Strategic Planning Committee in Golden, Colorado, comprises elected and appointed officials with a direct or policy role in the local justice system. It has 24 voting members and representatives from the sheriff, district attorney, judges, probation, the public defender, municipal law enforcement, community mental health, county commissioners, and the city council. Its mission is to make the justice system more efficient.

Mike Jones leads the county's Criminal Justice Planning Unit, directing a team that provides information for the committee to make good decisions collaboratively. He described how the team communicates data for decision-making by using a three-phase approach: preparation and planning, presenting the proposal, and following up.

### Phase 1: Preparation and Planning

Preparation takes a major investment in time and produces the biggest return. Planners need to know the answers to several strategic questions:

- What is my goal?
- Who is my audience?
- Who are my potential allies, and what conditions support my position?
- Who or what are potential obstacles?
- When do I present my proposal?
- Are there other factors to consider, such as funding availability or the practices or policy of affected agencies?

### Define the Goal

To make an effective argument, the first step is to state the specific policy aim and the reasons behind it. The concept should be clear, concise, specific, concrete, logical, and rational. It can be a short-term goal or something that will steer operations for many years. The goal should be expressed in no more than one or two sentences.

Examples:

- “If we have no funding for new construction, I’d like bookings to level off so we can bring the jail population under control.”
- “I want a bigger booking area to improve efficiency.”
- “I want more staff positions so we can divert more detainees out of the jail.”

### **Target the Audience**

Will the decision be made by one person or several? Are the decision-makers in the same position (such as county commissioners), or is it a mixed group? What do these people care about?

Some motivations will stay generally the same over time, and some will be specific and immediate. Decision-makers may be influenced by hot topics from conferences, meetings, and local events. Typically there will be a variety of factors at different levels of concern, such as public safety, budget concerns, fairness/equality, decision-maker workload, self-preservation or self-promotion, political intentions, and more.

### **Tap Your Allies and Helpers**

Allies are the decision-makers who will sign off on the proposal. The more allies the jail has, and the more influential they are, the better. By taking a system approach, the CJCC has an advantage over other groups asking for resources.

For example, as medical costs continue to rise, the justice system may need to ask county commissioners for more money. The request is more powerful message when it has the support of judges, the prosecutor, the community mental health center, and other people from the community. Commissioners find it hard to say no when the whole system is asking them for something.

Another form of help is suggestions and guidance from people who know the audience or the goal. A budget director or analyst may be able to share tips on how to present an appealing message. One commissioner may not like PowerPoint, another may like to listen, and a third may respond best to pictures. It’s also helpful to get ideas from colleagues in other jurisdictions who have been successful with a similar issue.

### **Anticipate Obstacles**

Two main obstacles to success are competition for money and conflicts with people who are philosophically opposed to your aim. The success of your proposal will depend not only on what you say but also how you say it.

- To compete well for funding, a request needs to stand out. One strategy is to emphasize what will be achieved if the funding is granted.
- If you expect opposition within the decision-making group or from the community, be sure your proposal addresses their concerns.

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Sources of data to justify a proposal can come from research, the law, and input from stakeholder groups.

- An agency can use its own data and analysis or material from outside authorities such as the Council of State Governments, NIC, or the Substance Abuse and Mental Health Services Administration.
- Legal justification can come from statute or case law. Judges in particular are receptive to the suggestion that an agency or system is not fully in compliance with relevant law.
- Supporting statements from large or influential stakeholder groups are compelling.

Data cited must directly relate to the goal. It's helpful to have an analyst on the team who can manipulate spreadsheets and system data and convert information into visually effective messages, such as bar charts and pie charts. If this skill set is not available on the jail staff, it may be possible to borrow someone from another agency.

**Pick the Right Time to Present**

Proposals can be delivered in a variety of settings. A presentation may be formal and public or casual and private. There may be a media presence. To gain and hold people's attention, it's important to pick a suitable day of the week and time of day. An announcement on the Friday before Christmas is not going to be noticed. Monday morning is another time when people have too much on their radar.

**Discussion: Other Factors**

- Mark Bolton (Louisville, Kentucky) said regular attendance at crime commission meetings jumped when they began providing lunch.
- In one county, the sheriff has brought all the chiefs of police together to meet once a month. The group talks about priorities to be addressed by city councils or the county. The group has collective leverage, and the priorities of smaller localities are heard equally.
- Vince Sauter (Arapahoe County, Colorado) commented on setting priorities in a group setting. Jones agreed that meetings can generate a wall full of different priorities. Each of the people present has things to accomplish, and the group setting requires participants to step back from their own work to look at the system level. This can be difficult. When groups pick priority areas to work on, it's important to set at least one goal that benefits all of the constituent groups present—police, courts, and corrections. When the coalition members share at least one concrete goal, it's easier to build consensus and support for all the projects being pursued.
- A participant recommended letting council members know ahead of time that an issue is being reviewed and a proposal may be on the way. Jones agreed that it's best to avoid surprises. Getting an idea into circulation and planting the seed ahead of time allows decision-makers to ease into looking at the issue.
- Patrick Tighe (St. Lucie County, Florida) said the agency sends a daily email with population data to key stakeholders.

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- Art Wallenstein (Montgomery County, Maryland) said that corrections agencies need to take better advantage of funding sources. He suggested NIC could develop a list of all federal funding opportunities, especially those that haven't been open to corrections, such as federal drug forfeiture funds. Corrections agencies are eligible for 40% of forfeiture funds. Funding is also available through Byrne grant funds, and jails should be in touch with their state advisory committees to get their share of the corrections allocation. It's easy for jails to miss opportunities because there hasn't been transparency on relevant formula grants. Mike Jackson suggested agencies should register on the *Grants.gov* website and sign up for updates in relevant keyword categories.

**Phase 2: Presenting the Proposal**

The key with any formal or informal presentation is to put on a memorable show. When your audience members are driving home at the end of the day, you want them to remember what you said.

A strong take-home message is built carefully.

- Use a logical flowing structure.
- Keep it short, sweet, and to the point. A one-page summary should cover key points: the issue, the proposed action, projected costs, the source of funds if additional costs are involved, and the sponsoring or supporting entities.
- Give the "punch line" first, in person or in writing, and then share the supporting data. Most people's attention span works best this way.
- Use the audience's words or language. For example, if the audience uses the term "mentally challenged" instead of "mentally ill," do the same.
- Engage all five senses to the extent you can. Audio, video, and visual content are all good additions to text, and a combination will be most effective. Bringing people to feel and smell the old jail is better than showing photographs. Video works better than still photos. If the jail needs new locks, show a video of how the current locks work to demonstrate the impact on officer and inmate safety. Bring one of the locks to the meeting as a tangible item to pass around.
- Include both data and anecdotal examples to illustrate the issue. Consider presenting testimony from a former client or staff member to complement the data you're showing.
- Most importantly, give the decision-makers options to choose from, and show them how each choice will or won't get them what they want. Be clear on how their choice shapes what your agency will do next. Explain the consequences of each choice in terms of what they care about. For example, the presentation can explain what will happen if no action is taken, if an immediate priority response is pursued, or if a middle way is taken. Or the presentation can show the outcomes if a proposal is fully funded, funded at 50%, or not funded at all. The point is not to demand funding, but to give your best professional input.

### Phase 3: Following Up

Assuring decision-makers during the presentation that outcome data will be measured and shared with them will set the proposal apart from other requestors. It's another indicator of the professionalism behind the proposal.

Going forward, provide outcome data periodically whether or not the decision-makers have directly asked for it. This doesn't need to involve formal presentations, but any form of basic reporting will do, especially when accompanied by an offer to provide more detail.

### Jefferson County Case Study

As an example, Jones described a 2006 effort to stem jail population growth in Jefferson County, Colorado. The team presented the jail's population factors and set out four future scenarios for the county commissioners to consider.

Data trends were illustrated in several ways, such as:

- A line chart of population demographics in the seven-county Denver metropolitan area, showing growth in the age 18 to 50 group;
- Charts showing offense trends; and
- Charts showing jail bed capacity and average daily population trends from 1990 to 2005.

This told the story of how Jefferson County built a new jail and ended an era of crowding, but then the jail filled up again. Bed demand was rising 13% per year. The increase was not driven by demographics or charges, but only by booking practices.

On the basis of several "what ifs" and projections, including input from the state demographer, the CJCC team developed four scenarios for the jail's projected ADP over the next 25 years. The jail would house 10,000 inmates, 31,000 inmates, 3,000 inmates, or 1,700 inmates.

These options were presented to the commissioners with a visual representation of how the new jail towers would appear on the county campus. Years later, the pictures still are what people remember. People were horrified by the image of the 40 new towers that would be needed to house inmates in the second scenario.

This focused the commissioners on the choices to be made in terms of money and public safety philosophy. Ultimately a "soft cap" was imposed on the jail population to keep numbers down on the way into the jail. When new policies went live in 2008, the population dropped steeply and sustainably without any new expenditures on programs.

Data are at the root of the approach. A meeting takes place with judges on the first working day of each month. Reports are run in advance and sent to the judges in PDF format.

- Judges receive a roster of the jail inmates who are on their case docket, with data on how long they've been in jail, how long they have to serve if sentenced, and for pretrial inmates the top charge and the amount of bond set.

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- One report shows the number of pretrial inmates who have been in jail for more than 1 year.
- The last column shows data for each court and each judge, with exactly how many inmates each judge has in jail. The visibility influences judges to avoid contributing to jail crowding.

The data also demonstrate that Jefferson County has achieved the biggest reduction in jail beds for district court inmates. Bed use for that segment dropped by an average of 100 beds in the first year and continued to drop in 2009 and 2010. Other drops also are significant in percentage terms but have less impact on the jail population.

**Discussion**

- A participant asked whether Jones had decided judges were the problem. Jones rephrased this by stating that judges were the solution. His presentation emphasized that judges have the authority to be the solution because they decide how many people they send to jail and for how long. Colorado statute allows judges to sentence people to probation with up to 90 days in jail. Judges realized 90 days had become routine, though they could choose any other number of days instead—80 days, 60 days, 45 days, or 20 days, for example—saving a large number of jail beds overall.
- A participant asked if the biggest effect was in the sentenced or non-sentenced population. Jones said the jail had a global decrease, but the opportunity exists to focus on either population.
- Vince Sauter (Arapahoe County, Colorado) asked whether the county has added staff in pretrial services. Jones said the county may have added one new position and is contemplating new resources for pretrial services. Community services have not changed much.

**Applying the Concepts**

Jones is convinced that any jurisdiction can configure its processes to achieve similar results. The same principles apply on a state level to the use of prison beds, which also could reduce pressure on local jails. Jones offered to send the CJCC's complete jail planning document to any meeting participants who would like to see it.

*Presenter information: Michael R. Jones is Criminal Justice Planning Manager in Jefferson County, Colorado. Contact Mike at (303) 870-0378 or [mjones@jeffco.us](mailto:mjones@jeffco.us). For more details, visit *Criminal Justice Planning* at <http://www.co.jefferson.co.us/cjp/index.htm>.*

## PROGRAM SESSION: PRISON RAPE ELIMINATION ACT UPDATE AND TOOLKIT

### Part 1. A Glance at LJN and PREA

*Presenter: Andie Moss, The Moss Group, Washington, D.C.*

Andie Moss opened the session by stressing the importance of dialogue between jail professionals and the people developing national policy stemming from the Prison Rape Elimination Act (PREA). She welcomes questions, comments, and opportunities to talk through any points of disagreement.

Moss said that sexual abuse in correctional facilities is never condoned by the agencies in which it occurs, but what makes the difference is being intentional about policy and prevention. Improvements that help perform better under PREA are good for the agency's overall performance.

Moss was a manager in the Georgia Department of Corrections in the early 1990s when a class action lawsuit exposed sexual relationships between staff and women inmates. Out of this experience, Moss chose to work toward prevention. As a staff member at NIC, she worked with agencies on culture, leadership, policy, supervision, investigations, and follow up with involved staff. At the Moss Group, she has worked with more than 200 agencies around the U.S. She served as an expert for the PREA commission and continues to work with agencies through BJA-funded projects. Moss remarked that she doesn't know all the answers, but she knows the questions.

### LJN Agencies and PREA

To understand LJN agencies' state of knowledge, questions, and priorities, Moss conducted an online survey before the meeting that received answers from 38 agency participants.

Question 1. How would you describe your level of knowledge about the Prison Rape Elimination Act?

Answers: Very little = 0%; Some knowledge = 42%; Very knowledgeable about PREA = 58%.

Two sources for learning more about PREA are the U.S. Attorney General's draft standards and an analysis prepared by Brenda Smith of American University. (See references at end of the session write-up.) Smith's analysis identifies pending questions whose resolution will lead to further changes to the standards.

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Question 2. What level of preparation has your facility/agency initiated in anticipation of the release of the final PREA standards?

Answers: Very little preparation = 19%; Some preparation initiated = 49%; A lot of preparation initiated = 32%.

Respondents described a range of preparations they've already begun, such as establishing a PREA coordinator position, installing hotlines and cameras, and updating their inmate orientation materials. Moss stressed that agencies can find a silver lining of improved operations when they focus on PREA. It's advantageous for an agency to have a clear map of the process from an inmate's accusation of staff misconduct to disposition of the alleged incident. It's advantageous to have a current and thorough process for inmate orientation to agency policies. These improvements reflect better adherence to professional best practices and standards and reduce agencies' overall vulnerability to lawsuits.

### **The National Policy Context**

Litigation in women's prisons in Georgia and elsewhere in the 1990s raised to national view the issue of sexual misconduct involving correctional staff and women inmates. Human Rights Watch released a 1996 report focusing on five states with sexual misconduct lawsuits. When the national correctional leadership did not respond, Human Rights Watch went to the Congressional representatives from those states. Amnesty International, the United Nations, and the U.S. General Accounting Office (GAO) also produced reports on sexual misconduct.

Proposed legislation at that time did not succeed. Its supporters moved into a collaboration with people concerned about male prison rape. When the faith community also got involved, conditions were ripe for a perfect storm. The coalition helped pass PREA, which was signed into law by President George W. Bush in 2003.

NIC has assisted agencies by developing resources and a 36-hour training program emphasizing a cross-functional solution that integrates investigations with medical and mental health protocols. As the lawsuits in this era showed, misconduct is not just about sex—it's about ethics, law, leadership, and culture. Agencies that developed action plans early are far ahead on PREA today.

The National PREA Commission faced a huge task in coming up with draft standards. Its sought to identify best practices from agencies with the least incidence, as identified through Bureau of Justice Statistics research. The research methodology itself had its controversies, and early review panels took a somewhat prosecutorial approach, leading to friction with agencies. Timelines for developing the standards were less than ideal. The draft standards were being written before the research was complete.

The newest BJS data are reported in the document, "Sexual Victimization in Prisons and Jails Reported by Inmates, 2008 and 2009."

- Jails were found to have lower incidence than prisons, in both inmate-on-inmate and staff-on-inmate abuse.

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- The highest incidence in both prisons and jails is in women inmates being victimized by other inmates.
- Inmates are more likely to be victimized by other inmates if they are white or multi-racial, have a college degree, are other than heterosexual, or have been victimized before.
- Staff-on-inmate victimization is higher among black inmates, inmates between the ages of 20 and 24 years, those who have a college degree, and those with prior sexual victimization.

**Discussion**

- Tim Ryan (Miami-Dade County, Florida) said that Miami-Dade has appeared before the review committee and is considered a “bad” jail on the basis of a 2008 inmate survey, though the jail had only three incidents. Moss said that culture is a strong lens for examining agency performance. Low incidence may be a good thing, or it may mean the agency has a weak system for reporting. Agencies can communicate with inmates about what’s acceptable and not acceptable within the facility, and about what inmates think constitutes sexual behavior. It’s not uncommon for there to be a gap between what inmates say and what institutional records say.
- Marilyn Chandler Ford (Volusia County, Florida) would like to see the agency’s own data to establish a baseline to measure progress going forward. Moss said that BJS hasn’t had the capacity to report the data directly back to agencies, except for those at the top and bottom of the incidence spectrum. Agencies can contact BJS Director Allen Beck to ask if their data can be made available. Jim Gondles (ACA) said BJS has published the entire survey data. Reports and raw data from this and other PREA-related research are available online at <http://bjs.ojp.usdoj.gov/index.cfm?ty=dcdetail&iid=278>.
- Mitch Lucas (Charleston County, South Carolina) pointed out that the BJS numbers don’t show how many perpetrators there are. It would be helpful for agencies to know whether they have one employee or inmate perpetrator or a dozen, in which case it’s a systemic problem. Moss agreed this information would be useful.
- Moss said that one of the challenges in the policy process has been that the advocacy community has been very effective in getting heard. Corrections professionals need to provide balance and speak in terms of what’s doable.

**Next Steps**

The draft PREA standards are open for public comment through April 4, 2011. The final version is expected to be released in January 2012. Meanwhile, the Department of Justice is developing a corrections-specific protocol for sexual assault medical forensic examinations that will provide guidance to agencies. DOJ also will propose removing the current ban on Victims of Crime Act funding for treatment and rehabilitation services for incarcerated victims of sexual abuse. This would free up significant resources for agencies.

Moss said that she believes in the overall PREA process but doesn’t necessarily agree with all of the standards. A cost analysis of the proposed standards brought clarity to cost concerns, and agencies

can accomplish quite a bit using low or no resources. For example, if it appears that staff need better training on setting boundaries, training can be updated at low cost. Agencies are already reviewing incident reports and grievances, and PREA is simply another framework for learning what to focus on for improvement according to the agency's priorities.

## **Modifications and Agency Input**

Many of the proposed standards have been modified to reflect pragmatic and cost concerns articulated by jail professionals. The scope of the law has been clarified for jails, definitions have been tightened (such as the definitions of a jail, an employee, a PREA coordinator, and sexual abuse), and some standards themselves have been significantly modified.

### **Hiring and Promotion**

The requirement for a background check on anyone up for promotion has been changed to a security clearance check every 5 years.

### **Unified Systems**

A. T. Wall said that a formal comment has been submitted that says, because each unified system has its own characteristics, the proposed definitions and standards will not work for each agency.

### **PREA Coordinators**

A senior level position is now considered adequate, rather than a position that must report directly to the CEO; it needs to be a full-time position only in facilities with more than 1,000 inmates. The role can be a collateral duty but it must be clearly designated. Large jail systems may need a coordinator in each facility. Moss is concerned that this will be a difficult position that will often be assigned for a woman staff member with no authority. The coordinator needs to be respected and have credibility. The first year of implementation may need a full-time coordinator as new systems are set in place, but staffing can be reduced later.

- Some participants expect that the work they've done to date will reduce the work to be done later.
- Mark Bolton (Louisville, Kentucky) commented that aspects of PREA touch many aspects of operations and overlap with CRIPA issues, in culture, sanitation, classification, use of force, and other issues. It's a matter of awareness and seeing the bigger picture. So perhaps some agencies will approach this through a PREA/CRIPA coordinator. Moss suggested it may be more accurate to name the person a safety coordinator with a focus on both physical and emotional violence.
- Mitch Lucas (Charleston County, South Carolina) said he is concerned that creating a dedicated position may create the perception that only one person "owns" the issue. There needs to be organizational ownership, similar to when an agency seeks accreditation. Moss said she advises PREA coordinators to set up a workgroup with people from the medical staff, investigations, and training at the table.

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- Marilyn Chandler Ford (Volusia County, Florida) said the focus on PREA will help jail administrators justify a request for resources, including an additional full-time position. Another participant disagreed, on grounds that creating the position will force his agency to carve it out of existing positions.

**Policy Aspects**

Moss developed a policy considerations guide that will be updated to reflect the final standards. Two-thirds of LJN agencies said they have policies addressing PREA and/or sexual abuse. Work groups should not just create policy but also an implementation plan based on a sequential strategy. Training can't begin until new policy and procedures are in place.

- A. T. Wall (Rhode Island Department of Corrections) said that the federal PREA law does not create any new grounds to sue agencies that didn't exist before. Statutory changes in states have criminalized staff sexual misconduct. In litigation, agencies will need to be prepared to show they are in compliance. CRIPA proceedings foreshadow how cases will unfold. "Does your agency have a policy? If you have the policy, do people know it, do you train on it, do you audit on it, are you in compliance with it, do you orient your inmates on it?" Moss added that agencies can request NIC technical assistance to review their policies.

**Staff Training**

The draft standards include specific requirements for staff training. All staff will need to receive PREA training within one year of the effective date of the new standards and an annual recap thereafter. An NIC e-learning program is being updated and will be available to agencies when completed. Moss noted that some agencies have issues with male staff working with female inmates, including anger or difficulty communicating, which could be addressed in training on knowledge or attitudes. Respectful treatment is key. Investigators need to be informed on how men and women who have experienced trauma will present differently. NIC has resources to assist in training on this.

**Investigations**

LJN agencies differ on whether a sexual abuse allegation is at first handled internally (71%), referred to law enforcement (29%), or handled through some other process. The question was difficult for some to answer, because a referral to the sheriff's department could be considered internal or external when the investigation is pursued from outside the jail.

- Patrick Tighe (St. Lucie County, Florida) said allegations are referred for criminal action first, and an administrative investigation is secondary. A good proportion of meeting participants hand over the case to police immediately; fewer do an internal review initially and then hand the case over. In some agencies internal and external investigations are launched simultaneously.
- A. T. Wall said it's important to understand the agency's own capabilities—its limitations and strengths. If another investigating agency can handle a case better, that's fine.
- A participant said the standard calls for prompt, thorough, and objective investigations that are conducted by trained investigators. Most external investigators, such as police, don't have the specialized training that this standard suggests is necessary.

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The standards specify that investigations may not be terminated solely because the inmate recants on the allegation or the victim is released. The standards also provide instruction on the content of administrative and criminal investigations. Allegations that are substantiated must be referred for prosecution. Investigation records must be retained for as long as the alleged victim remains in custody or the accused is employed by the agency, plus 5 years.

- A participant asked if this rule applies when the accuser is later housed at a different agency. A. T. Wall (Rhode Island Department of Corrections) said that if an inmate is sent to state prison, the record should go with him or her. If the inmate is later housed out of state, the state should pass along the information.
- One agency told the review committee how allegations have been substantiated but the prosecutor would not take the case because the agency's documentation did not meet their criteria.
- A. T. Wall said that forwarding all allegations, substantiated or not, to the state police avoids any perception of a cover-up and protects the agency.
- Mark Bolton (Louisville Metro Corrections, Kentucky) raised the question of when an inmate can be considered no longer an inmate. Home incarceration, probation, and other alternative placements complicate their status. Bolton also speculated on the admissibility of evidence from Facebook or other online sources. Participants said locations with strong unions may not have the same freedom to follow up on such evidence.
- Mitch Lucas (Charleston County, South Carolina) said that PREA should include standards for prosecutors that require them to bring charges. Some prosecutors have expressed the view that sexual abuse is to be expected in jail. Art Wallenstein (Montgomery County, Maryland) encouraged participants to stick to their guns and educate prosecutors and district attorneys, who may also refuse to prosecute inmates on other matters such as spitting and throwing liquids. DA's will not want to be seen as not prosecuting on inmate sexual abuse. Jim Gondles (American Correctional Association) said public opinion likely will not support prosecution for the full definition of abuse under PREA. A. T. Wall said that the fact that every state now has a law making sexual contact with inmates a criminal offense, there's more leverage for prosecution.

**Cross-Gender Supervision**

The challenge here is balancing inmate privacy with the employment rights of men and women staff. Because so many women in jails and prisons have a history of trauma and abuse, a separate policy and limits on cross-gender pat searches make sense. Jail policy commonly limits cross-gender pat searches of women to emergency situations when a staff member of the same sex is not available. The draft standards specify that inmates who have suffered prior cross-gender sexual abuse while incarcerated shall be exempt from non-emergency pat-down searches.

- A participant asked what to do if a transport officer from another agency follows a different policy. Moss said the jail is not responsible, but it can try negotiating for more consistency.
- Art Wallenstein said Pat Nolan, representing the advocacy group Prison Fellowship, has said that searches are the root of all evil. This is a good principle for jail professionals to

**National Institute of Corrections**

write about to protect the career advancement of women staff. Kim Spadaro gave the example of transporting a male inmate, in which she received a detainee from an officer who had already pat-searched him. Broward Sheriff's policy required her to pat-search him before putting him in the vehicle, but the delivering officer objected. Spadaro said if her women officers are told they can't pat-search male inmates, she won't comply. She will not allow this issue to compromise safety.

- Jim Gondles (American Correctional Association) said it's time to say the corrections profession is a profession. The issue of cross-gender searching has put corrections on the defensive, but the women and men who work in correctional facilities are professionals and doing their work in a professional way. Art Wallenstein agreed that agencies need to move past the perception that they can't train staff to do an appropriate pat search.
- Andie Moss said the standards are not likely to change on this issue. Looking at actual practices would be more useful: are staff well trained in cross-gender pat searching? Agencies need to be sure their staff members are doing professional work. Even the BOP has room to improve; it's not just an issue for small agencies. Staff behavior also is personality driven—some men should not work in women's units and vice versa. At root is the question of what level of privacy inmates have a right to.
- A participant said he takes offense at the assumption that training is inadequate. It's a question of performance. Moss agreed that supervision and coaching are just as important as training. Jails need to inspect what they expect.
- Mitch Lucas observed that PREA ignores that people are pat-searched before they get to the jail. Fewer women work in road positions, so it's odd that jails get so much attention when it's a non-issue for the highway patrol. Moss said that PREA's scope is 24/7 facilities. Participants said probation and parole agencies have avoided research and scrutiny for now, but the issue is still there. Jon Hess (Kent County, Michigan) said a complaint has already gone to court in Michigan related to searches of people coming back from court or work release. The union sued the Michigan Department of Corrections and lost.
- A participant said sheriffs in his state think PREA is creating more problems than it solves. Moss said the issue needs a big picture view. This is all about culture change. The front runners and advocates are leading the changes, and more people will buy in as new practices are integrated more broadly. This shows that the advocates have done their job. Now it's up to corrections to do the implementation in ways that work for them.
- Art Wallenstein referred to issues raised through case law going back decades. One issue after another has come up that was expected to "change corrections as we know it." As PREA goes forward, jail leaders need to engage on the issues where they have a strong position, such as where PREA conflicts with case law.

## Questions and Answers

Moss responded to some of the questions raised by LJN survey respondents before the meeting.

- **What changed from the original standards to the Attorney General's version?** Moss said the preamble discusses this, and the Moss Group or American University reviews provide a shortcut.
- **What staff training is required, and what will be made available to agencies for training?** Moss said the new PREA toolkit will have different modules, and the PREA Resource Center will open soon. Training material will range from "PREA 101" to training for investigators and medical or mental health staff. Technical assistance will also be available. Online training will be available, including training for the Marshals Service and ICE.
- **What will be the costs of implementation?** Moss said an agency's costs will depend on its own specific factors.
- **What are the responsibilities for contracted medical staff in collecting and maintaining data on PREA cases?** Moss said that guidance is provided in the standards.
- **Who will the auditors be, and how will they be trained?** PREA-specific training for auditors will need to be developed. Art Wallenstein said the corrections profession needs to provide input on this topic. Advocacy groups say corrections people can't be trusted, but Wallenstein wants Moss and others with field experience to be involved.
- Participants commented that some agencies are already so far ahead on system and culture changes that refocusing on strict compliance with the language in the final standards may confuse the staff.

## Jail Appearances Before PREA Panels

Meeting participants from agencies that have appeared before a PREA panel discussed their approaches to planning and implementation.

- Marilyn Chandler Ford said that her team in Volusia County, Florida, assessed the agency's status relative to the proposed standards. They first compared the identified best practices from 2009 PREA documents to procedures in the agency. The jail was already doing about one-third of the recommended policies and practices, and it could begin doing another third fairly easily. Second, the team reviewed the Booz Allen Hamilton report on implementation costs and documented the jail's compliance status, actions needed for compliance, and likely costs. Estimated costs were based on those of a jail similar to Volusia County. She advised the county of the resulting cost estimate. Chandler-Ford said these analyses have reduced the level of concern about PREA, and the real test will come later when audits begin.
- Art Wallenstein said that Montgomery County went through a process similar to Volusia County's. The environment early in the PREA process was difficult. With no correctional

**National Institute of Corrections**

people on the PREA panel, the message was that jails were incompetent. Montgomery County volunteered to be one of the 11 sites where PREA representatives went to see how the standards would be applied. Wallenstein said any jail system that has been through ACA or NCCHC accreditation or meets stringent state standards will have no difficulty with PREA. Compliance will be a matter of adding a few new elements. Wallenstein opined that this issue is among the most complex facing the Attorney General. Agencies are already changing their practices and will support each other; prevention effectiveness eventually will go through the ceiling.

- Mark Bolton (Louisville, Kentucky) said as with CRIPA and staff sexual misconduct issues, a comprehensive assessment is a wise first step. When Bolton was the jail director in King County, Washington, the agency received valuable assistance from the Moss Group. Despite an agency's best preparations, however, it's possible that a DOJ investigation will uncover places where hands are not on the wheel. Bolton echoed the need for a education process that follows the Moss Group's five-phase model. The first step is to understand what PREA is all about. Second, jails need to acknowledge the issue within the agency. Third, agencies need to develop strategies to address the problem, through measures such as academy training, inmate orientation, and in-service training. Implementing and evaluating the strategies are the final two phases. When Bolton moved from King County to Kentucky, one of his first actions was to push for state legislation making it a felony for staff to engage in sexual activity in jail facilities. Ultimately, no jail leader can assume his or her facility doesn't have a problem. But in the same way jails responded to the emergence of HIV by implementing universal precautions, they can find ways to prevent sexual abuse.
- Mark Foxall described how the executive jail staff in Douglas County, Nebraska, gathered around a conference table to split out the report into sections and read it in-depth to identify implications for the agency. They compared the standards with what the agency already had in place and found they were in good shape overall. The accreditation manager then developed a matrix of PREA standards, relevant policies that already were written, policies that would need to be modified, and what aspects were beyond the control of the jail or didn't apply to the agency. For example, the investigations process was outside the sheriff's control. This process identified specific "to-do" items and made it clear that PREA touches on many functional areas within the organization. The results were reassuring, but about 10 of the standards pose difficulty and are still of concern. Foxall said that hearing that DOJ will accept input from jails is a breath of fresh air.

**PREA Toolkit**

BJA funded the development of an online PREA "toolkit" by the Center for Innovative Public Policy, which engaged the Moss Group to work on its development. Material for both juvenile and adult corrections will be provided. Moss said that the challenge is to cover PREA comprehensively from the very basics to the more advanced aspects.

The toolkit website will include information about PREA and its implementation; compliance requirements; a self-assessment tool for jail administrators and their staff to identify agency priorities; resources for policy guidance, assessments, forms, and training; and a discussion forum.

Moss demonstrated a quick walk-through of the organization of the site in its draft form. The working draft will be on view at the American Jail Association conference in May 2011. The final version is expected to be officially launched during the summer.

## Technical Assistance

NIC technical assistance makes training, presentations, video toolkits, and brochures available to requesting agencies. On-site reviews can look at specific questions, such as booking area operations.

In one project, the Moss Group is delivering training to six Maryland counties. The training will cover PREA history, standards, and policy; culture and reporting; investigations; professional boundaries; legal liability, and first responder procedures.

Agencies can request NIC technical assistance by sending a letter of request to Dee Halley, NIC's PREA Coordinator. She can be reached at [dhalley@bop.gov](mailto:dhalley@bop.gov) or (800) 995-6423, ext. 40374. It is often helpful to call NIC first and talk about agency issues and needs before writing the formal request.

Moss concluded by saying it's hard to make PREA simple. She thanked meeting participants for the excellent work they are doing on behalf of the corrections profession.

*Andie Moss is President of The Moss Group, Inc., in Washington, D.C. She can be reached at [amoss@mossgroup.us](mailto:amoss@mossgroup.us) or at (202) 546-4747. For further information, see [www.mossgroup.us](http://www.mossgroup.us).*

## Resources for Understanding and Implementing PREA

### Documents and Videos

- "National Standards to Prevent, Detect, and Respond to Prison Rape. Department of Justice. Notice of Proposed Rulemaking." *Federal Register* vol. 76, n. 23, Thursday, February 3, 2011. [http://www.ojp.usdoj.gov/programs/pdfs/prea\\_nprm.pdf](http://www.ojp.usdoj.gov/programs/pdfs/prea_nprm.pdf)
- *Comparing PREA Standards*: comparison charts for adult prisons and jails, lockup facilities, juvenile justice agencies, and community corrections. Project on Addressing Prison Rape, American University, Washington College of Law, February 2011. <http://www.wcl.american.edu/nic/prea.cfm>
- "Sexual Victimization in Prisons and Jails Reported by Inmates, 2008 and 2009," <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2202>.
- "Prison Rape Elimination Act: PREA Cost Impact Analysis, Final Report, June 18, 2010." Booz Allen Hamilton. <http://www.ojp.usdoj.gov/programs/pdfs/preacostimpactanalysis.pdf>
- "Prison Rape Elimination Act and Local Jails: The Facts." The Moss Group, 2006. <http://nic.gov/Library/021455>.
- Prison Rape Elimination Act (PREA) Resources. A package updated in 2010 includes "Facing Prison Rape, How the Prison Rape Elimination Act Affects You" (videoconference,

**National Institute of Corrections**

2004); “Responding to Prisoner Rape, Assessing Your Agency's Response to Prison Sexual Assault (videoconference, 2005); “Your Role: Responding to Sexual Abuse”; and “Speaking Up: Discussing Prison Sexual Assault: A Tool Kit Designed to Assist Facility Staff in Educating Offenders to Local Sexual Assault Policies and Practices.” Details and ordering information available at <http://nicic.gov/Library/024657>.

- “Prison Rape Elimination Act (PREA): Considerations for Policy Review.” The Moss Group, 2007. <http://www.mossgroup.us/userfiles/file/Resources-%20Policy/Considerations%20for%20Policy%20Review%202007.pdf>.

Additional resources are in development.

- Brenda Smith of the American University Washington College of Law is preparing a PREA guide on issues specific to LGBTI populations in corrections.
- James Wells and Barbara Owen are researching inmate sexual safety for a report to be released in 2012.
- NIC is updating the featured PREA resources it makes available on its website.

**Websites**

- <http://nicic.gov/PREA>
- [www.aca.org](http://www.aca.org)
- [www.aja.org](http://www.aja.org)
- [www.wcl.american.edu/nic](http://www.wcl.american.edu/nic)
- [www.mossgroup.us](http://www.mossgroup.us)
- [www.cipp.org](http://www.cipp.org)
- [www.justdetention.org](http://www.justdetention.org)
- [www.sheriffs.org](http://www.sheriffs.org)
- Forthcoming – BJA’s PREA Resource Center

## Part 2. Recap of Attorney General Meeting on PREA Standards

*Mitch Lucas, Chief Deputy, Charleston County Sheriff's Office, North Charleston, South Carolina.*

Mitch Lucas summarized the discussions at a meeting between the U.S. Attorney General and representatives from the American Jail Association to review points concerning PREA implementation in jails. AJA Executive Director Gwyn Smith-Ingley and Broward Sheriff's Office jail director Kim Spadaro also attended. The AG's goal is to make PREA implementation as painless as possible for jails, and the constructive suggestions of jail administrators are welcome and needed. In the earlier phase of PREA work, all the comments submitted by jails went to the PREA commission. Comments submitted now will go to the Attorney General's workgroup.

Lucas noted that law enforcement agencies don't have a choice about which laws they will support. A state jail association has said its members will refuse to comply, but this is not a sustainable position.

Jails will adapt to the new standards once they can all work from the same information and guidance. As with other issues that revolutionized jail operations, such as the appearance of HIV/AIDS, jails can change and improve how they operate. And in the case of PREA, jails can use their influence to make implementation completely palatable.

The written statement AJA provided to the Justice Department is included within a meeting summary available at <http://www.regulations.gov/#!documentDetail;D=DOJ-OAG-2011-0002-0573>.

Lucas described discussions on several of the issues raised by AJA representatives at the meeting.

- Asking detainees about their sexual orientation could be grounds for litigation, but lesbians, gay men, and transgendered inmates are the groups that are most often victimized. Jails might allow detainees to opt out of answering the question.
- Jails will need methods for protecting inmates at risk other than routinely segregating them based on their sexual orientation.
- Smaller jails will need a plan for conducting strip or body cavity searches of gay, lesbian, and transgendered/intersex detainees.
- In smaller jails, one question is whether an EMT would be qualified to act in the capacity of a medical professional for purposes related to PREA.
- Asking inmates about their vulnerability is of doubtful utility. People entering jail for the first time will be fearful of other inmates in any case. Detainees may not be able to distinguish appropriate from abusive behavior by staff.
- If a detainee has been through an abusive situation in a pat-down, and the final rules require future pat-downs only by same-sex staff, jails will need a way to mark these inmates for special treatment. Other inmates might take advantage of that information in some way.

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- The AG's team does not know how to certify PREA auditors. ACA's position is that, as an accrediting body it is required to substantially accept the standards. ACA anticipates incorporating the PREA standards into its Core Jail Standards and Standards for Adult Local Detention Facilities and providing PREA audits on that basis. States that have jail standards could incorporate the PREA standards, and the existing ACA audit process would include PREA auditing. This could be preferable over an army of some other type of auditors trying to catch jails doing something wrong. The ideal would be have to have one instrument for all inspections—the Marshals Service, ICE, and PREA.
- In a jail setting, 30 days is too long to wait for inmates to be oriented to PREA policies and personal safety matters. To be meaningful, a PREA orientation should be tied to the existing timelines for the initial court appearance or bond hearing.
- Jail inmates can be oriented to new PREA-related rules via videotape. The Department of Justice could provide a standard placard to be posted in all jails that provides a toll-free telephone hotline to report incidents or grievances.
- The nature of compliance is still unclear. Will compliance be absolute, or could some standards be phrased for other than mandatory compliance? What appeal options will be available to jails that don't agree with the audit results?

**Discussion**

- One participant said the jail he manages has repeatedly been certified to house ICE detainees, but the jail failed its last audit though no operations had changed. This shows the potential for loose or changing interpretation of the PREA standards by its auditors.
- Larger jails may have a duty to help smaller counties understand and respond to the PREA standards so they don't become victimized by "experts."

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## PROGRAM SESSION: LEADERSHIP TOOLKIT

### DEVELOPING THE NEXT GENERATION OF JAIL LEADERS: A BJA-FUNDED INITIATIVE

*Presenter: Mike Jackson presented this session to stand in for Susan McCampbell, project director at the Center for Effective Public Policy, Inc., who could not attend the meeting.*

Developing the Next Generation of Jail Leaders is a collaborative project between the CIPP, the American Jail Association (AJA), and the Correctional Management Institute of Texas at Sam Houston State University (CMIT/SHSU).

The goals of the project have been to identify core competencies for jail administrators, to develop an online tool for succession planning and leadership development, and to design a mentoring program for jail leaders.

- The core competencies were completed in June 2010, and the KSAs (knowledge, skills, and abilities) were completed in October 2010.
- An online “toolkit” for jail leadership and succession planning will be available at <http://www.leadingjails.com>, which is now in beta testing. It has been designed specifically as a resource for people graduating from the National Jail Leadership Command Academy and also as a resource for other jails that have not sent staff to the program.
- The site will include discussion space, resources for mentoring and coaching, links, and tools for determining leadership development needs.

Subject matter experts and a project advisory panel with representatives from around the country have contributed to the project. Associate panel members from AJA, Florida Atlantic University, and NIC have been closely involved.

### Anticipating Needs

Jails need to ask themselves, “Who will our next leaders be?” Succession planning puts a human face on leadership development. Agencies with elected sheriffs have another level of uncertainty to plan around. Agencies also need to know the data on their projected need for new people in leadership positions. Looking at the dates when leadership staff will be eligible for retirement is a starting point.

Participants commented that the current economic squeeze on government agencies is having an effect in some areas. Because the Florida legislature is reworking the state pension system, some staff are choosing to retire ahead of pension cuts. Deferred retirement option plan (DROP) changes are likely to affect all top leadership tiers. It’s unclear whether pensions may be protected during budget cuts.

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In a survey, the project found that 87% of jail leaders believe that leadership development programs are important to keeping good workers, but only 30% of jails have programs in place.

CIPP's report, *The Future Is Now: Recruiting, Retaining, and Developing the 21st Century Jail Workforce*, online at [http://www.ojp.usdoj.gov/BJA/pdf/CIPP\\_JailWorkforce.pdf](http://www.ojp.usdoj.gov/BJA/pdf/CIPP_JailWorkforce.pdf), suggests ways agencies can anticipate needs and develop staff. If a strategy isn't in place, it's time to start. Staff can take NIC courses online. Tuition reimbursement may be available to jail staff.

Survey data suggest that few agencies are truly prepared to develop their future leaders.

- 32% had a formal leadership development program.
- 32% had an informal program.
- 17% provided a formal mentoring program.
- 44% provided informal mentoring.
- 30% had no development process in place.

Jails also need to understand and anticipate the expectations of their rising leaders. Today's younger jail staff consider career growth and advancement very important (77%), and 83% think promotional opportunities are very important.

To retain promising staff members, jails need to offer them the opportunity to develop new skills. Mitch Lucas (Charleston County, South Carolina) said it's essential to have a formal, written plan for leadership advancement. This lets staff know what the agency is looking for and what process they need to follow. An articulate plan is good for both recruitment and retention, and it leads to consistency.

NIC has provided agencies a head start for understanding what they need to prepare their rising leaders for and how to train them on skills and techniques in a consistent manner. Core competencies for jail leadership are presented in *Correctional Leadership Competencies for the 21st Century: Executive and Senior Levels* (<http://nicic.gov/Library/020474>) and the companion volume, *Manager and Supervisor Levels* (<http://nicic.gov/Library/020475>).

## **Delivery Strategies**

Various methods can be employed to train and develop leaders.

- Mentoring is a proven strategy for leadership development. A handbook will be available mid-year that will guide agencies through the process of developing a mentoring program.
- Other recommended techniques include distance or e-learning, agency-sponsored seminars, team projects on issues important to the agency or the community, structured assignments, job simulations, job rotations, assessment centers, professional certification programs, job shadowing, special assignments, collaborative public agency leadership development programs, and collaborations with local institutions of higher education.

## Discussion

Participants shared elements of their agencies' leadership development processes.

- Mark Bolton (Louisville Metro Corrections, Kentucky) is sending staff to the SHSU program, and he has full support from the mayor. The agency is putting resources into the development of sergeants and lieutenants.
- Another participant described a comprehensive leadership development program, designed over several years with buy-in from the sheriff, that includes a field training officer component for all positions. Officers must work 5 years as a detention officer before they can advance to sergeant.
- A participant said that staff must demonstrate mastery of the core competencies. Supervisors and staff plot out the expectations for all staff for the year ahead, and performance is reviewed quarterly.
- Greg Robertson (Brevard County) said agencies have a duty to help staff achieve their potential. The strategic plan includes a benchmark to challenge and encourage staff. Training focuses on evaluation, discipline, and bringing others along. Competition is strong. Promoted corporals rotate between units and stand in for sergeants in an acting capacity when sergeants are off the unit. Civilian and sworn supervisors receive the same training.
- Brian Head said Pasco County, Florida, is developing a course now to prepare staff for the position of lieutenant director.
- One agency has moved in-service supervisory training from the academy to the facility. Another participant said that employee discipline takes the biggest piece of supervisor training time and is the most common stumbling block for new supervisors.
- Mitch Lucas said in Charleston County staff take supervisory courses to become eligible for promotion. To become a sergeant, candidates need to develop a written plan for their own advancement. Staff who are eligible for promotion are assigned to administrative tasks, such as payroll, for hands-on experience to confirm the work is a good fit.
- Michael Frost (Commonwealth of Massachusetts) commented that any jail that waits for people to be promoted before training them on supervisory skills is waiting too long. He recommended the book, *Every Officer Is a Leader* (Terry D. Anderson, Trafford Publishing, 2006), and covering the characteristics of a supervisor in pre-service academy training.

McC Campbell's presentation concluded with the idea that the next generation of an agency's leadership, and therefore the community's safety, is in the hands of today's leaders. She welcomes jail leaders' input on project materials and tools plus what has worked for agencies and what hasn't.

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## ASSOCIATION UPDATES

### AMERICAN CORRECTIONAL ASSOCIATION NEWS

*Presenter: Kathy Black-Dennis, Director of Standards, Accreditation, and Professional Development, American Correctional Association*

#### **Adoption of ACA Core Jail Standards**

Rod Miller of CRS is working on a guide to developing performance-based outcome measures that will focus on aspects such as writing policies and procedures, writing post orders, and collecting data. Rod is also developing a draft audit form that will be shared at ACA's conference in August.

Several sites have done well under standards review. ACA staff members are visiting selected states to explain the standards, which are still a new concept. ACA has lowered the price for certification to \$6,000 plus expenses, and agencies can spread the cost over 2 or 3 fiscal years. Jails in a geographic area can work toward certification together, allowing ACA to combine inspection trips to reduce costs.

Black-Dennis said ACA wants to establish lasting relationships with jails. ACA understands the importance of using auditors who know detention. ACA is paying close attention to auditor training, assignments, and evaluation.

#### **Professional Development**

- ACA's summer conference will be held August 5–10, 2011, in Kissimmee, Florida. Most of the 120 program sessions will be applicable to both prisons and detention. Some sessions specific to jails cover fire safety, establishing a jail detox unit, and regional jails.
- *Jails: A Reader* is a new book that compiles articles written by or for detention practitioners.
- Black-Dennis asked participants to consider writing for ACA publications. People who work in prisons and community corrections need to hear the perspectives of jail professionals.
- Jails can nominate staff members for ACA's annual Best in the Business award to recognize heroism or a job well done. No one has been nominated so far this year from a detention agency. Honorees are profiled in *Corrections Today* magazine.
- Agencies can take advantage of the Correctional Online Training Collaborative (<https://www.aca.org/onlinecorrections>), a partnership of ACA, the American Jail Association, and the American Probation and Parole Association and the host, Essential Learning. This is cost-effective way to provide all types of training, including accredited training for medical staff. Agencies also can upload their own content into the system. The

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system tracks the training hours delivered to individual staff. Agencies can use Justice Assistance Grant funds to begin using the system.

**Discussion**

- Mark Foxall described how 2 years of budget cuts nudged Douglas County, Nebraska, to begin using the Correctional Online Training Collaborative for annual training. The county board was supportive. Officers seeking Certified Jail Officer or Certified Jail Manager status are taking their courses online. Of 231 courses, 189 focus on corrections or justice content, and others address medical and mental health issues. The county uploaded its own training content on the admissions process, covering AFIS procedures, mug shots, and general admissions instructions. To enable staff to participate in online training, units are locked down at shift change. Courses and post-tests are short, so staff can absorb a block of instruction in about half an hour.
- Pat Tighe (St. Lucie County, Florida) is moving to Essential Learning after the Command and Control online learning product was discontinued. A bank of computers is available for staff to take training courses on-site, saving the agency \$90,000 in overtime per year.

**Discover Corrections Website**

Discover Corrections is a website in development, modeled after the Discover Policing site, intended to attract young people and second career people into corrections work. The site will show visitors what working in corrections is like, will highlight corrections career opportunities, and will be a sharing point for agency job opportunities.

**International Assistance**

In January 2011, ACA hosted a Saudi Arabian delegation interested in security and justice issues. Security personnel and top leaders visited several sites including U.S. county jails, the Federal Bureau of Prisons, and training academies.

*Kathy Black-Dennis is the Director of Standards, Accreditation, and Professional Development at the American Correctional Association. She can be reached at (703) 224-0000 or [kathyd@aca.org](mailto:kathyd@aca.org).*

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## LEGISLATIVE UPDATE

### Federal Budget and Appropriations

Federal justice funding was cut in the President's proposed budget, but some programs' funding was unchanged or slightly increased.

- Byrne Act Justice Assistance formula grants would be cut by \$23 million, or less than 5%. Some JAG funding would be redirected to pay for bulletproof vests.
- Discretionary JAG earmarks in the range of \$185 million would be cut completely. JAG competitively funded projects would be cut from \$40 million to \$25 million.
- State Criminal Alien Assistance Program (SCAAP) funding would be cut by half, down to \$136 million.
- RSAT residential substance abuse treatment funding would be steady at \$30 million.
- Second Chance Act funding would remain the same at \$100 million.
- MIOTCRA funding would be combined with funding for drug courts under the line item, "Problem Solving Courts," with funding of \$57 million.
- BJS would undergo a small cut, down to \$57 million.
- NIJ funding would be increased by more than 5% to \$55 million.

### Policy Legislation

Black-Dennis shared updates on Congressional activity that could affect jails.

- **Safe Prisons Communications Act.** This bill, introduced in 111th Congress and not yet reintroduced, would allow the Federal Communications Commission to permit corrections agencies to use cell phone jamming equipment. Kay Bailey Hutchison will sponsor the Senate version in the 112th Congress. A study by the National Telecommunications and Information Administration was released in December 2010 and is available online at [http://www.ntia.doc.gov/reports/2010/ContrabandCellPhoneReport\\_December2010.pdf](http://www.ntia.doc.gov/reports/2010/ContrabandCellPhoneReport_December2010.pdf).
- **National Criminal Justice Commission Act.** This measure, led by Senator Jim Webb (D-Virginia) would examine what factors drive the criminal justice population. It has been reintroduced in the current session, but because Webb has decided not to run for reelection, the energy behind this initiative may fade.
- **Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act.** This bill is a high priority of the National Sheriffs' Association. It would make state and local law enforcement officers eligible to deal with illegal aliens, require agencies to report specified data, provide

equipment funding assistance to agencies that meet requirements, and instruct the Secretary of the Department of Homeland Security to establish training for state and local personnel and to conduct audits.

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## OPEN FORUM

“Hot topic” sessions for the meeting are an opportunity for participants to discuss emerging issues. The sessions were coordinated and presented by Mitch Lucas, Charleston County, South Carolina.

### KIOSKS

About half of the jails represented at the meeting use kiosks to provide automated services for inmates and/or the public. The group discussed how they use kiosk systems and issues and concerns.

- At booking, kiosks are being used to process pocket cash into inmate accounts touchlessly. Sedgwick County requires all transport officers to use the kiosk for detainee money processing.
- In housing units, kiosks provide access to court date information, inmate accounts, commissary orders, and inmate policies and forms. Mitch Lucas (Charleston County, South Carolina) said the officers love the kiosks because anything that’s been handled on a written form can be done on a kiosk. Oscar Aviles said Hudson County, New Jersey, is setting up a system to permit inmates to send email with a fee.
- In most jails represented at the meeting, one kiosk is adequate per housing unit. Some agencies have a set a time limit for inmates to use the kiosks to ensure equal access. Officers in some agencies intervene if an inmate spends too much time on the unit, but this has not been a significant problem.
- In public spaces, kiosks make information available on bookings, bail amounts, and court dates. This is particularly helpful for households without online computer access. Lobby kiosks are used to accept money for inmate accounts and to accept bail payments. Users access inmate accounts by entering the inmate’s name and date of birth. Mitch Lucas said that Charleston County had complaints about lobby services, usually when people waited in line at the wrong window. A directory desk plus the kiosks are reducing complaints.

Marilyn Chandler Ford (Volusia County, Florida) asked whether other agencies have experienced problems with inappropriate use of the system. Exposure of court dates, for example, could facilitate gang “hits” or contraband or message exchanges. A Massachusetts participant said court dates are never released. Others said this information is in the public record and available from various sources including the kiosks. Information on transfers to state prison or to medical treatment is not public.

Inmates have used housing unit kiosks to exchange messages. They can call up a grievance form using another inmate’s ID number, enter a message, and walk away leaving the message on the screen. Staff had not been monitoring use of the kiosks, and now they are. Vendors have been helpful in responding to concerns.

## CRISIS INTERVENTION TRAINING

Mike Gauger (Palm Beach County, Florida) described how the sheriff's office delivers 40 hours of crisis intervention training to personnel including SWAT team members and their supervisors, in partnership with local mental health providers and the National Alliance for the Mentally Ill. A specialized course for corrections is available. Deputies trained in crisis intervention communications are finding the techniques very useful. Under new policy, the CI-trained officers are brought to the scene to reduce the need for hands-on techniques, and the jail has experienced fewer use of force incidents.

- Mitch Lucas (Charleston County, South Carolina) reiterated that the first step in a use of force continuum is communication.
- Mike Wade (Henrico County, Virginia) is concerned that Virginia is emphasizing the use of crisis intervention techniques on the local level to reduce the need for mental health beds.
- Mary Lou McDonough said Prince George's County, Maryland, has a crisis intervention team that works with officers who have been involved in serious incidents.

The Crisis Intervention Team International Conference in September 2011 will cover emerging techniques and policy in detail. Information is available at <http://www.citi2011.com>.

## INMATES ANSWERING TELEPHONE INQUIRIES

Glenn Kurtz described how the jail in Sedgwick County, Kansas, has been using women inmates as telephone receptionists for more than 2 years with very few problems. Previously, the agency had one deputy answering four incoming lines and couldn't hire more staff. A workspace was created in an area with an adjacent restroom.

The workers use inexpensive refurbished computers that are locked down to access only public information about inmates. They answer questions about charges, bail amounts, court dates, inmate money, and visitation—all information that families could be finding online. The women receive a certificate for their training in telephone systems and internet reference, which helps them in the job market after release.

Deputies oversee the team and can intervene with calls if needed. One worker attempted to game the system by telling a caller to send a money order in her own name. Officers like to work this post for overtime.

The Denver jail has a similar program; the only problem has been people attempting to talk to their girlfriends. The inmates are paid \$5 per week.

## HOUSING THE HOMELESS

Dan Simovich shared details on how Pinellas County, Florida, converted jail space into a shelter to house the homeless rather than incarcerate them. As a result, the sheriff's office will run the largest homeless shelter in the state of Florida.

The community needed an alternative for cases such as a man who spent more than 500 days in jail (at \$126/day) for nothing worse than urinating in public. The shelter was initially conceived as a jail diversion program, but it grew. Area agencies and organizations formed a coalition, and the facility opened in January 2011 in the city of Largo.

The homeless shelter is located in converted jail space in front of the jail compound. Its bed capacity is around 370. It is staffed by one certified lieutenant plus criminal justice civilian workers, social workers, and volunteers. There are eight staff positions. The facility operates on a budget of just under \$1 million per year. Information is available at <http://www.safeharborpinellas.org>.

Already this year the number of homeless on the street in St. Petersburg has dropped 40%, and the downtown merchants support the idea of expanding the program. About 2,500 state prisoners are released to the county each year. Now they are welcomed off the bus and given a place to stay.

Unlike other shelters, the new facility will accept inebriates. The philosophy is, "better inside where we can control them than outside." There have been very few incidents and fewer arrests.

The facility is breaking the cycle of homelessness and lack of employability. The aim is to get people out and on their feet as quickly as they come in.

The shelter connects residents with a variety of services.

- A mobile health care bus provides services, and former inmates' medical records are already on hand.
- A temporary job service comes there to pick up workers for assignments such as baseball game clean-up and newspaper delivery.
- Residents have access to AA and NA classes.

Special procedures make the facility manageable.

- Prescription drugs can be stored in lockers.
- An evening meal is provided at 6:00 p.m. and only sandwiches after 8:00. Food brings people into the facility, and there's only a small window for residents to eat and then leave to go drinking before the 8:00 curfew.
- People staying at the facility can bring in one bag of possessions. Items are stored in a tub. If a resident doesn't make it back by curfew, the facility stores the possessions and opens the bed for another person.

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- A certified kitchen is run with help from faith-based organizations working in partnership.
- The facility does not house homeless sex offenders. Sexual predators are allowed to stay only until the next business day.
- There are no services for families at this location.

Simovich commented that one of the issues he deals with is reminding the staff that the residents are not inmates. This creates differences in how staff give instructions and set behavioral requirements.

The public defender is very happy with the program. People who are served with a notice for failure to appear in court can report here. Transients who would otherwise have no address have far fewer warrants, which is helping break the cycle of case backlogs.

The facility is a win-win for 27 area governments, leading to verbal and resource support and collaboration. The city of St. Petersburg gives the facility officer support to ramp up security. Savings from other homeless services are being diverted here. For example, a faith-based program that fed street people in city parks is being phased out, and its providers are being encouraged to provide the same service in the shelter.

More cities want to participate. Monthly meetings of the homeless coalition council help to ensure no governments are using the facility without contributing resources. As an incentive to keep the City of Largo happy with hosting the facility, the sheriff's office conducts policy-maker tours and has offered to provide transport for residents; this may later need added funding.

## LIMITS ON HOW LONG OFFICERS CAN SERVE IN POSTS

Large jails represented at the meeting commonly limit the length of time an officer can work in a specialized assignment such as booking or release.

- A 2- or 3-year limit in one specialized post is typical. Agencies differ in how long the staff member needs to stay out of a specialized post.
- In one agency, an officer who works in booking rotates out after 2 years and can return to the post after a 1-year hiatus. Another agency requires a 3-year gap.
- Different policy often applies for CERT team members, in recognition of their special training requirements. They may have more years on a CERT assignment before rotating out. One agency's policy says CERT team members can be rotated out for 5 years but can return to active CERT status sooner if they wish.

## HONOR DORMS

A few of the agencies at the meeting operate honor dorms as a behavioral incentive for inmates. Robert Sowell (Clayton County, Georgia) is developing criteria to launch one in a podular, remote surveillance setting. He hopes to be able to offer better food and possibly more free time.

Participants mentioned pizza, hot dogs, and microwaves as other add-ons used in honor dorms.

Participants reported no problems with their honor dorms. Mitch Lucas said that Charleston County's honor dorm houses a substance abuse treatment program, and it is working well. A participant commented that if inmates wait a long time to get in, they can become discouraged.

## REWARDING EMPLOYEES WHO DO NOT ABUSE PAID TIME OFF

Jail administrators identified several ways to recognize and reward staff who use sick leave and other paid time off in an honorable manner.

- Don Pinkard said that Gwinnett County holds a cook-out, with shift commanders doing the food. Whoever has least sick leave usage wins a prize. Other agencies also do appreciation cookouts and give staff free raffle tickets and gift cards
- One agency gives a day off to staff members who use no sick leave in a 6 month period.
- Kim Spadaro said that the Broward Sheriff's Office, in Florida, gives 1 additional day after 6 months and 2 days after a full year. The recognition program has been described in the staff magazine.
- In another agency, staff who use no sick leave in a year can cash out 51 of their sick hours. Staff in Palm Beach County can convert extra sick time to vacation days.

## ELECTRONIC MEDICAL RECORDS

Anita Pollard, Public Health Services Commander at NIC, opened a discussion of two provisions of the Patient Protection and Affordable Care Act of 2010. The law takes effect in 2014.

- The law requires the integration of electronic data on individuals' health care history as delivered by jails and community health services.
- Childless adults will qualify for Medicaid coverage if their income is at or below 133% of the poverty level. This will provide funding for medical and mental health services for about 3 million newly eligible persons, some of whom may come into contact with jails. Jails will be able to charge for services, and they may play a role in helping to enroll eligible participants.

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Implementation plans are being developed by the Centers for Medicare and Medicaid Services. On the public safety side, the Community Oriented Correctional Health Services (COCHS) has funding from the Robert Wood Johnson Foundation to explore policy issues in how this will affect jails.

Existing medical record systems can't be retrofitted to work in a jail environment. Work is now beginning to identify best practices for RFP development and data exchange between jails and local public health agencies.

Pollard invited participants to participate in future NIC broadcasts and webinars on electronic medical records.

## JAIL MOTTOS

Rollin Cook described how the Sheriff's Office in Salt Lake County, Utah, conducted a contest to come up with a motto for corrections as part of an initiative to boost staff morale. The result was the motto, "Serving the community from the inside out."

Surveys had showed that the staff wanted a slogan. The contest netted 50 submissions that were reviewed by a committee made up of agency staff. The winner received large screen TV that was donated for the contest. Other top placers won gift cards and gift certificates. The contest and the publicity around it also helped meet the jail's goal of getting more involved in the community.

## VETERANS JUSTICE OUTREACH

Mitch Lucas said that it's a problem that veterans lose their benefits when they enter jails. He asked for participants' views on working with the U.S. Veterans Administration (VA) and specifically the Veterans Justice Outreach program. Information about the program is online at <http://www.va.gov/homeless/vjo.asp>.

The Charleston County jail spent \$140,000 on a kidney transplant that the VA wouldn't pay for. Lucas noted that agency rules say a regional VA director "may" have a homeless veteran outreach program, which could be very helpful for jails if jails can convince regional directors to do it.

Charleston County runs a housing unit for veterans where the VA can run programs. The jail provides a full-time liaison with the VA.

A few of the agencies represented at the meeting have active programs with Veterans Justice Outreach.

- One comment was that the program is good for jails, but the VA does want success stories.
- Another participant commented that so far, the VA has offered more talk than action.
- Tim Ryan said the Miami-Dade County jail system has just begun working with the program.

- Another jurisdiction's veterans' court has been hugely successful.

Some VA regions cover a larger geographic area and may have fewer resources to go around. Lucas suggested that other agencies might benefit from checking in with their regional VA office to explore possibilities and interest.

## INNOVATIONS IN MENTAL HEALTH PROGRAMMING

Participants briefly discussed recent developments in providing for mental health populations in jail.

- Mental health courts are proving effective in connecting detainees with bridge medications and services.
- Scotty Bodiford said that the Greenville County jail has obtained certification as an outpatient and inpatient treatment program by the South Carolina Department of Health and Environmental Control. Judges now can order offenders to receive jail-based services.
- To reduce bed usage, another jail now processes competency restoration filings onsite in the jail in partnership with the jail's mental health provider. The agency took this on since the solution wasn't coming from anyone else. The mental health court is also helping to move more people out of the jail system. Within the jail, services are provided through arrangements made with the mental health services provider and the separate medical care provider.

## MEDIA ACCESS TO INCIDENT REPORTS AND VIDEO

Jails are increasingly being asked to provide videos to the media, and now incident reports are also being requested. Legal counsel is telling some jail leaders they must release these materials.

- Marilyn Chandler Ford (Volusia County, Florida) said that restricting access while an investigation is underway is the only way to offer a full and fair investigation.
- A. T. Wall (Rhode Island) said that an agency's own requirements will depend on state law.
- One meeting participant shared an example of how the agency benefitted by releasing video evidence. The jail was housing an ICE detainee, and an ICE officer released non-factual information to the media about an alleged use of excessive force. After 3 days of intense media coverage, the jail released the video and immediately the media coverage was reversed. A civil rights investigation was canceled and the employee was exonerated.

## INMATE POPULATION TRENDS

Most agencies represented at the meeting recently have had steady or decreasing inmate populations. Participants commented on population factors affecting jails and prisons.

- Mark Bolton said the jail population in the Louisville (Kentucky) Metro jail is starting to trend back up as a result of transitions among judges and prosecutors. On the other hand, he is seeing a reduction of penalties being imposed on lower-level drug offenses.
- Reductions in the police force in Chicago have resulted in a lower jail population.
- In Charleston County, South Carolina, bookings are up, but jail bed usage is down.
- Kim Spadaro said the Broward County population is down by about 1,000 beds, and the average length of stay is down to 21 days. The local justice system is working together in a number of ways to control the jail population. For example, the county publishes a list of people in jail on pretrial status for 750 days or more, which leverages judges to speed case processing.
- Curt Flowers (Hillsborough County, Florida) said that though national crime rates are down, the jail is seeing more inmates with more serious charges.
- Glenn Kurtz said that Sedgwick County, Kansas, has moved most misdemeanants out of the jail. Now the jail houses more felons, but the average length of stay has remained about the same.
- Marilyn Chandler Ford said jail population trends can be explained based on offender demographics, charges, and economic trends. People who are earlier in their criminal trajectory are likely to receive shorter sentences. Art Wallenstein (Montgomery County, Maryland) agreed that crime tends to drop when the economy is in a slump.
- Wallenstein also noted that money invested in pretrial diversion comes back five-fold in reduced bed use. Bookings are not as predictable as average length of stay.
- Dan Simovich (Pinellas County, Florida) said that if the bail bond industry succeeds in getting rid of pretrial services, it will move 1,000 more inmates to the jail.
- Tim Ryan said Miami-Dade County has more inmates on homicide charges being held for 8 months to a year before their first appearance in court, and the jail will be studying this issue. One factor may be expanded use of advanced investigation technologies, as seen on crime scene investigation television programs. Miami-Dade has an inmate who has been in the jail for more than 10 years in pretrial status on a homicide charge.
- Don Pinkard (Gwinnett County, Georgia) said the jail had been understaffed before the population dropped, and staffing is now better balanced. Mitch Lucas (Charleston County, South Carolina) said that after jails have survived with thin staffing, it may be difficult to justify the need for more positions. A participant observed that it takes significant staff time to provide the pretrial work that keeps use of jail beds down.

## DEFINING OBSCENE MATERIAL

Jails can find it difficult to define obscenity relative to community standards.

- A. T. Wall commented that sexual harassment and work environment concerns for both men and women staff members were a key factor when agencies first began prohibiting obscene material in correctional facilities. Zero tolerance policies have been of great benefit to jails.
- Pinellas County has allowed *Playboy* magazine but nothing more explicit.
- A participant commented that some of today's publications are on the edge and difficult to characterize as obscene or not. An example is hip hop magazines with photos of women wearing close to nothing. It's difficult to write policy that is clear enough to keep this type of material out of the jail.
- Some agencies avoid the problem by allowing no magazines of any kind.
- Other policies say inmates can have photographs of only their family members. Any nude or partially nude photographs are returned.

## GREEN TECHNOLOGY

Participants discussed various eco-friendly practices being used in large jails:

- Agency staff mentioned recycling fry oils, composting, and using ozone laundry systems that reduce the use of both detergents and hot water and are approved for use with medical laundry.
- Mitch Lucas wanted solar energy features in a new jail in Charleston County. The jail was built without them, and the county later got a grant. Now the solar panels are in place but they can't be brought online until they can be connected into facility systems.
- Mary Lou McDonough said the jail in Prince George's County, Maryland, gets all its electricity from methane generated by a landfill. The county's newest jail facility will have Silver LEED certification under the Leadership in Energy and Environmental Design program. Information on the LEED program is available from the U.S. Green Building Council, <http://www.usgbc.org>.
- Don Pinkard (Gwinnett County, Georgia) secured a \$1.5 million grant and used the funds to install variable speed kitchen hood fans, steam systems, light fixtures, and other energy-saving appliances.
- Carla Kennedy (Alameda County, California) mentioned the county's use of windmills, rooftop solar, and hydrogen fuel cell energy generation. A case study on the fuel cell project is online at [http://www.chevronenergy.com/case\\_studies/alameda\\_county.asp](http://www.chevronenergy.com/case_studies/alameda_county.asp). The agency

also replaced its light fixtures and learned the old electrical wiring would need to be replaced. Project costs were covered by grants.

- Oscar Aviles said the Hudson County (New Jersey) corrections department has installed green features such as wind turbines and a solar roof. An underground heat pump is used to keep a warehouse at a constant temperature of 60 degrees.

## DOGS AND INMATES

Don Pinkard (Gwinnett County, Georgia) described how inmates in one of the jail's units train dogs from the animal shelter to help get them adopted.

- The program has no cost to the county and is run in partnership with a local animal welfare society.
- Morale on the unit is high, and the participants have no mental health care requests or disciplinary problems. There is a waiting list to get into the unit, and the whole facility is on good behavior.

The program is receiving favorable publicity. It has a website at <http://gwinnettjaildogs.com>, and photos from the program are posted on Facebook at <http://www.facebook.com/gwinnettsheriff>.

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## LARGE JAIL NETWORK BUSINESS

### NIC Updates

Anita Pollard introduced herself as NIC's new public health officer focusing on medical and mental health issues. She asked participants to share her contact information with their health services administrators.

Mike Jackson encouraged new meeting participants to join NIC's online corrections community and the Large Jail Network forum. Members can call Joshua Stengel at the NIC Information Center for help.

Connie Clem invited participants to share their expertise by writing articles for the National Jail Exchange, an online journal recently launched by the NIC Jails Division. Clem is an editor for the journal, which is online at <http://nicic.gov/NationalJailExchange>.

LJN writers are already represented in the journal:

- Glenn Kurtz (Sedgwick County, Kansas) described that agency's backscatter X-ray system for contraband detection.
- Ron Freeman (Ada County, Idaho) wrote about using staff surveys to improve agency management.

### Other News

Tom Merkel (Hennepin County, Minnesota) said that an LJN alumni group is being formed on the LinkedIn professional networking platform. LJN participants can join to stay connected in the future, whether they stay in the jails field or not. Tom Merkel or Mitch Lucas can help members sign up.

### Future Meeting Topics

Mike Jackson said invitations for the September 2011 meeting will be mailed to agency CEOs in early May. Members should follow up with their sheriffs/CEOs to be sure of a seat. NIC pays for a limited number of seats. Agencies can pay to send additional staff.

Meeting participants selected the following topics for the meeting:

- Innovative ideas in staff training
- The prescription drug epidemic: impacts on jails
- Losing control of a jail: a case study
- Family and Medical Leave Act abuse
- Employee management, including background checks, contraband detection technology, polygraphs, discipline, and rumor control.

**Appendix A**

**Large Jail Network  
March 2011 Final Meeting Agenda**

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## LARGE JAIL NETWORK MEETING

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March 20-22, 2011

Doubletree Hotel Denver Southeast

Aurora, CO

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### Agenda

#### **Sunday, March 20**

6:00 p.m. Introduction and Overview.....Mike Jackson  
NIC Correctional Program Specialist

6:30 p.m. INFORMAL DINNER .....

7:30 p.m. Orientation for New Members .....Mike Jackson

8:00 p.m. ADJOURN

#### **Monday, March 21**

8:00 a.m. Legal Update.....Bill Collins

12:00 noon LUNCH

1:00 p.m. Jail Suicide – 20 Years Later .....Lindsay Hayes

3:00 p.m. Open Forum: Hot Topics..... Mitch Lucas

5:00 p.m. ADJOURN

## Tuesday, March 22

- 8:00 a.m. Effectively Using Data with Policy Makers ..... Dr. Mike Jones
- 10:00 a.m. PREA Update and Toolkit.....Andie Moss
- 12:00 noon LUNCH
- 1:00 p.m. PREA Update and Toolkit.....Andie Moss
- 3:00 p.m. Leadership Toolkit ..... Susan McCampbell
- 4:00 p.m. Association Updates .....ACA, AJA, NSA
- 4:30 p.m. Future Meeting Topics .....Mike Jackson  
Correctional Program Specialist
- 5:00 p.m. ADJOURN

**Appendix B**

**Large Jail Network  
March 2011 Participant List**

# FINAL PARTICIPANT LIST

Mike Jackson

Pam Stovall

11J2401

Large Jail Networks

Aurora, CO

Monday, March 21, 2011 - Tuesday, March 22, 2011

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## **Appendix C**

### **Index of Past LJN Meeting Topics**

**LARGE JAIL NETWORK MEETING TOPICS  
JUNE 1990 -MARCH 2010**

<b>1990</b>	June	System Approaches to Jail Crowding and Population Management
<b>1991</b>	January	Crowding Strategies and the Impact of Court Decisions
	July	Managing Jail Litigation Linking Jail and Community Programs
<b>1992</b>	January	Fair Labor Standards Act Writing and Negotiating Contracts
	July	Americans With Disabilities Act
<b>1993</b>	January	Blood-Born and Airborne Pathogens Health Care Costs in Jails
	July	Privatization Programs for Women Offenders
<b>1994</b>	January	Public Policy and Intergovernmental Dimensions of the Role of Jails, Professional Associations in Corrections: Their Influence on National Perspectives of the Role of Jails
	July	Using Data and the Resources of the Bureau of Justice Statistics Developing Resources to Provide Inmate Programs
<b>1995</b>	January	Gangs, Jails and Criminal Justice
	July	Trends in Employee Relations; Sexual Harassment
<b>1996</b>	January	The Dilemma of In-Custody Deaths The Crime Bill and It=s Impact on Jails
	July	Juveniles in Adult Jails
<b>1997</b>	January	Meeting the Competition of Privatization
	July	21st Century Technology and it's Application to Local Jail Information and Operational Needs.
<b>1998</b>	January	The Future of Our Workforce: Pre-employment Testing, Recruiting, Hiring, Training and Evaluating 'New Age' Employees {Generation X} Legal Issues Update - Update of PLRA {Prison Litigation Reform Act}
	July	Taking A Pro-active Approach to the Prevention of Employee Lawsuits.
<b>1999</b>	January	Post-Traumatic Stress Syndrome and Critical Incidents: Preparation, Response, and Review Legal Issues Update.
	July	Improving Opportunities for Successful Recruitment, Selection, and Retention of Staff.

**LARGE JAIL NETWORK MEETING TOPICS**  
**JUNE 1990 -MARCH 2009**  
(continued)

<b>2000</b>	January	Criminal Justice System Coordination and Cooperation: How the Jail Benefits and the System is Improved. Legal Issues Update.
	July	Exploring Issues and Strategies for Marketing, Funding, and Auditing Large Jail Systems.
<b>2001</b>	January	The Use of Data for Planning, Decision Making, and Measuring Outcomes.
	July	Understanding and Using the Data & Resources of the Bureau of Justice Statistics Staff Issues in Large Jails: Staff Utilization, Relationships, Conduct & Misconduct
<b>2002</b>	January	The Future of Jails, Corrections and Criminal Justice Legal Issues Update
	July	Inmate Medical Care Cost Containment Succession Planning for Future Jail Leaders
<b>2003</b>	January	Addressing the Future of Jail Legislation, Resources and Improving Funding Legislation, Resources and Funding: A Perspective from our Professional Associations The Role and Use of Professional Standards and Internal Affairs Large Jail Network Listserv and Web Technology Legal Issues Update-Health Insurance Portability and Accountability Act of 1996 (HIPAA), Admission Screening
	July	Defining the Future & Exploring Organizational Strategies Impact of Jail Population Changes on Jail Management Jail Standards & Accreditation Use of Technology for Jail Administration & Operation
<b>2004</b>	February	Emergency Preparedness: Planning and Implementation Contagious Disease Identification and Prevention Legal Issues Update-Inmate Medical Confidentiality, Involuntary Mental Health Treatment, Contract Provider Litigation, Arrestee AClothing Searches@
	July	Effectively Managing Inmate Gangs in Jails Identifying Problems/Managing Inmate Mental Health
<b>2005</b>	January	Preparing Leaders in Corrections for the Future-NIC=s Core Competency Project Training as a Strategic Management Tool Inmate Mental Health: Legal Issues, Management, Diversion Justice and the Revolving Door and Corrections Into the Next Decade
	July	Examining Federal and Local Benefits for Jail Detainees Ethics in the Administration of the Jail Human Resource Issues: Employee Recognition, Attendance, Restricted Duty

<b>2006</b>	January	Implementing PREA: The BJS Report Statistical Analysis: Crowding, Life Safety, Managing Staff Succession Planning The Question of TASERS Legal Issues Update
	July	Diagnosing, Analyzing and Improving the Jails Organizational Culture Planning for Catastrophes and Other Crises Prison Rape Elimination Act (PREA) and Jails Criminal Registration Unit: Hillsborough County, FL
<b>2007</b>	January	15 <sup>th</sup> Anniversary Meeting Large Jail Systems Assessment Research Project Changing Organizational Culture Improving Collaboration Between Jails and Mental Health Systems Legal Issues Update
	September	Jail Inmate Re-Entry Programs: Public, Private, Non-Profit Involvement Jail Inmate Re-Entry Issues on a County Level Responding to Women Offenders in Large Jails Excited Delirium: A Problem to be Eliminated or Managed Recruiting, Hiring and Retention of Staff
<b>2008</b>	March	Immigration and Custom Enforcement 287 (g) Program Contract Services Media Relations Workforce Development Legal Issues Update
	September	Faith Based Programs Human Resource Management Emerging Technologies Proactive Discipline
<b>2009</b>	March	Illegal Alien Programs Transgender, Lesbian, Gay and Intersex Inmates Proactive Discipline Part 2 PREA Update Legal Issues Update
	September	PREA Commission Presentation Legislative Updates Successful Pre-Trial and Criminal Justice System Collaborations USDOJ - ADA, CRIPA, LEP Presentation Middle Management Training Programs
<b>2010</b>	March	The Trend of Medical Issues in the Future Creating a Culture of Leadership Creating Efficiencies in the Booking Area R.I.S.E. Program (Henrico County, VA) Coping Skills with and for Staff in Fiscally Tight Times Legal Updates with Bill Collins

<b>2010</b>	September	ACA Core Jail Standards Comstat Approaches to Accountability and Leadership Battling Complacency in Line Staff and 1 <sup>st</sup> Line Supervisors Return to Work/Terminating the Legitimately Ill Employee Addressing Staff Inmate Fraternization
<b>2011</b>	March	Legal Updates with Bill Collins Jail Suicide Update PREA Effective Use of Data with Policy Makers